

*Referrals*  
*1/8/19*

INTERNAL  
OPERATIONS  
STANDING  
COMMITTEE



50

Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1126  
Detroit, Michigan 48226

Phone 313-224-3400  
Fax 313-224-4128  
www.detroitmi.gov

November 20, 2018

Carron Pinkins  
19219 Warrington  
Detroit, MI 48221

Dear Mr. Pinkins:

Congratulations on your recent appointment as an At-large member of the Human Rights Commission. Pending City Council approval, your appointment will begin immediately and expire November 20, 2021.

Charity Dean, Director of Civil Rights, Inclusion and Opportunity, will contact you to arrange meeting schedules and provide you with pertinent board and membership information.

Thank you for your willingness to serve the citizens of Detroit. I look forward to working with you and expect great things from the Human Rights Commission.

Should you have any questions or need any additional information please contact Charity Dean by phone at (313) 224-9705 or by email at [deanc@detroitmi.gov](mailto:deanc@detroitmi.gov).

Regards,

Michael E. Duggan  
Mayor  
City of Detroit

cc: Alexis Wiley, Chief of Staff, Mayor's Office  
Elisa Malile, Deputy Chief of Staff, Mayor's Office  
Charity Dean, Director of Civil Rights, Inclusion and Opportunity

CITY CLERK 2018 DEC 12 PM2:03



Coleman A. Young Municipal Center  
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November 20, 2018

The Honorable City Council  
City of Detroit  
Coleman A. Young Municipal Center  
2 Woodward Ave., Suite 1340  
Detroit, MI 48226

Re: Appointment to the Human Rights Commission

Dear Honorable City Council Members:

It gives me great pleasure to inform you that I have appointed/reappointed, pursuant to your approval, the following individuals to the Human Rights Commission.

<u>MEMBER</u>	<u>ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Carron Pinkins	19219 Warrington Detroit, MI 48221	November 20, 2018	November 20, 2021

Sincerely,

Michael E. Duggan  
Mayor



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Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1126  
Detroit, Michigan 48226

Phone 313-224-3400  
Fax 313-224-4128  
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BY ALL COUNCIL MEMBERS

RESOLVED, that the appointment by His Honor the Mayor, of the following individuals to serve on the Human Rights Commission for the corresponding term of office indicated be and the same is hereby approved.

<u>MEMBER</u>	<u>ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Carron Pinkins	19219 Warrington Detroit, MI 48221	Upon Confirmation	November 20, 2021

Adopted as follows:

Yeas: \_\_\_\_\_  
\_\_\_\_\_

Nays: \_\_\_\_\_  
\_\_\_\_\_

WAIVER OF RECONSIDERATION



**Mayor's Office**

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Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1126  
Detroit, Michigan 48226

Phone 313•224•3400  
Fax 313•224•4128  
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December 18, 2018

**Re: Appointment of Acting Chief Financial Officer and Acting Chief Operating Officer**

Honorable City Council,

As you know, Chief Financial Officer John Hill's last day will be December 31, 2018. It is my pleasure to inform this Honorable Body that effective January 1, 2019, I will be appointing David Massaron acting Chief Financial Officer and Hakim Berry acting Chief Operating Officer.

The Chief Financial Officer position was created by the Michigan Legislature by an amendment to Public Act 279 of 1909. Public Act 182 of 2014, the Financial Review Commission Act, provides that a vacancy in the office of CFO must be formally filled within 180 days of vacancy. In this case, we need the CFO position formally filled with City Council Confirmation by June 30, 2019. I will be formally submitting a candidate to this Honorable Body for review and confirmation no later than the spring of 2019 to make sure we remain in full compliance with the act.

Sincerely,

Michael E. Duggan  
Mayor



CITY OF DETROIT  
LAW DEPARTMENT

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November 14, 2018

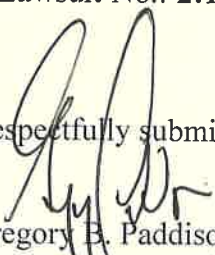
**HONORABLE CITY COUNCIL**

**RE: *Demar Parker v City of Detroit, et al***  
**Case No. 2:16-cv-13036**  
**File No.: L16-00682 (GBP)**

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 **Ninety-Seven Thousand Five Hundred Dollars and Zero Cents (\$97,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Ninety-Seven Thousand Five Hundred Dollars and Zero Cents (\$97,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **Demar Parker** and his attorney, **SALVATORE PRESCOTT, PLLC** to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.: **2:16-cv-13036**, approved by the Law Department.

Respectfully submitted,

  
Gregory B. Paddison  
Assistant Corporation Counsel

APPROVED: **NOV 21 2018**

LAWRENCE GARCIA  
Corporation Counsel

By:

  
Krystal A. Crittendon  
Supervising Assistant Corporation Counsel

Attachments

RESOLUTION

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

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Ninety-Seven Thousand Five Hundred Dollars and Zero Cents (\$97,500.00)**; 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 **Demar Parker** and his attorney, **Sarah Prescott** in the amount of **Ninety-Seven Thousand Five Hundred Dollars and Zero Cents (\$97,500.00)** in full payment for any and all claims which **Demar Parker** may have against Defendants, CITY OF DETROIT, JEROLD BLANDING, CHRISTOPHER TOWNSON, AND MARCUS WAYS, by reason of the Constitutional Violations alleged to have occurred on or about **August 14, 2015**, and that said amount be paid upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.: 2:16-cv-13036, 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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December 3, 2018

**HONORABLE CITY COUNCIL**

**RE: LATRINA WILLIAMS v. CITY OF DETROIT  
WAYNE COUNTY CIRCUIT COURT  
CASE NO. 17-017886-NO  
FILE NO. L18-00006 (MA)**

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 Thousand Dollars and No Cents (\$30,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Thirty Thousand Dollars and No Cents (\$30,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in favor of **Latrina Williams, and her attorneys Goodman Acker, P.C.**, in the amount of **Thirty Thousand Dollars and No Cents (\$30,000.00)** to be delivered upon receipt of properly executed Release and Order of Dismissal entered in Case No. 17-017886-NO, approved by the Law Department.

Respectfully submitted,

Michael L. Auten (P81884)  
Assistant Corporation Counsel

**APPROVED: DEC 04 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:   
James D. Noseda  
Supervising Assistant Corporation Counsel

CITY CLERK 2018 JAN 2 PM12:184



**RESOLUTION**

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

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **THIRTY THOUSAND DOLLARS and NO CENTS (\$30,000.00)**; 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 **LATRINA WILLIAMS, and her attorneys Goodman Acker, P.C.**, in the amount of **THIRTY THOUSAND DOLLARS and NO CENTS (\$30,000.00)** in full payment for any and all claims which **LATRINA WILLIAMS** may have against the City of Detroit and any City of Detroit employees by reason of alleged injuries or property damage sustained by **LATRINA WILLIAMS** on or about May 23, 2017 as otherwise set forth in Case No. 17-017886-NO filed in the Wayne County Circuit Court, and that said amount be paid upon receipt of properly executed Release and Order of Dismissal entered in Case No. 17-017886-NO.

**APPROVED:**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:

  
\_\_\_\_\_  
James D. Nosedo  
Supervising Assistant Corporation Counsel

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

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



CITY OF DETROIT  
LAW DEPARTMENT

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December 6, 2018

**HONORABLE CITY COUNCIL**

**RE: LARRY GRAVES v. CITY OF DETROIT**  
**CASE NO: 17-012870-NI**  
**FILE NO: L17-00620**

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. From this review, it is our considered opinion that a settlement in the amount of **Forty Thousand Dollars and No Cents, (\$40,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Forty Thousand Dollars and No Cents, (\$40,000.00)** and to direct the Finance Director to issue a draft in that amount payable to **Larry Graves and The Romano Law Firm**, his attorney, to be delivered upon receipt of properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit Case No. 17-012870-NI.

Respectfully submitted,

  
Crystal B. Olmstead  
Senior Assistant Corporation Counsel

**APPROVED: DEC 07 2018**  
Lawrence T. Garcia  
Corporation Counsel

BY:   
**James D. Noseda**  
Supervising Assistant Corporation Counsel

CITY CLERK 2019 JAN 2 PM 12:194

**RESOLUTION**

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

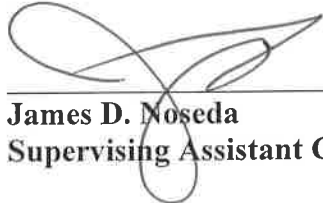
**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Forty Thousand Dollars and No Cents (\$40,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **Larry Graves** and **Romano Law, PLLC**, his attorney, in the amount of **Forty Thousand Dollars and No Cents (\$40,000.00)** in full payment of any and all claims which **Larry Graves** may have against the City of Detroit for alleged injuries sustained on or about **December 5, 2015**, and that said amount be paid upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. **17-012870-NI**.

**APPROVED:**

Lawrence T. Garcia  
Corporation Counsel

BY:



\_\_\_\_\_  
**James D. Noseda**  
Supervising Assistant Corporation Counsel

**APPROVED BY CITY COUNCIL:** \_\_\_\_\_

**APPROVED BY THE MAYOR:** \_\_\_\_\_



CITY OF DETROIT  
LAW DEPARTMENT

55

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December 13, 2018

**HONORABLE CITY COUNCIL**

RE: PRESIDENTIAL TRANSPORTATION (Raleigh Kirkesy) v CITY OF DETROIT  
CASE NO.: 18-154193-GC  
FILE NO.: L18-00341 (RJB)

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 **SEVEN THOUSAND Dollars and No Cents (\$7,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **SEVEN THOUSAND Dollars and No Cents (\$7,000.00)** and that you direct the Finance Director to issue a draft in that amount payable to **PRESIDENTIAL TRANSPORTATION (Raleigh Kirkesy), and KHURANA LAW FIRM, PC**, its attorney, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-154193-GC, approved by the Law Department.

Respectfully submitted,

Robyn J. Brooks  
Senior Assistant Corporation Counsel

**APPROVED: DEC 13 2018**

LAWRENCE GARCIA  
Corporation Counsel

BY:   
KRYSTAL CRITTENDON  
Supervising Assistant Corporation

RJB: rjb  
Attachments

**RESOLUTION**

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

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **SEVEN THOUSAND Dollars and No Cents (\$7,000.00)**; 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 **PRESIDENTIAL TRANSPORTATION, LLC (Raleigh Kirkesy) , and KHURANA LAW FIRM, PC, its attorney**, in the amount of **SEVEN THOUSAND Dollars and No Cents (\$7,000.00)** in full payment for any and all claims which **PRESIDENTIAL TRANSPORTATION** may have against the City of Detroit by reason of alleged injury sustained on or about **October 3, 2016**, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-154193-GC 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

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

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



CITY OF DETROIT  
LAW DEPARTMENT

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COLEMAN A. YOUNG MUNICIPAL CENTER  
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December 20, 2018

HONORABLE CITY COUNCIL

RE: Brown Environmental Construction Company, Inc. and Jessie Brown v City of Detroit and Detroit Building Authority  
United States District Court for the Eastern District of Michigan Case No. 18-11398-AC  
File No.: L18-00274 (EBG)

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 One Hundred Sixty Thousand and 00/100 Dollars (\$160,000.00) is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of One Hundred Sixty Thousand and 00/100 Dollars (\$160,000.00), payable to Brown Environmental Construction Company, Inc. through Purchase Order Number 3030045, upon receipt of a properly executed Release and appropriate Stipulation and Order of Dismissal to be entered in United States District Court for the Eastern District of Michigan Case No. 18-11398-AC, approved by the Law Department. |

Respectfully submitted,

*Eric B. Gaabo*

ERIC B. GAABO  
Assistant Corporation Counsel

APPROVED: *JAN 02 2019*

LAWRENCE T. GARCIA  
Corporation Counsel

BY: *[Signature]*  
JERRY L. ASHFORD  
Chief of Litigation

CITY CLERK 2019 JAN 2 PM 2:34


**RESOLUTION**

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

**RESOLVED**, that settlement of the above matter be and is hereby authorized under the following terms: Plaintiffs will dismiss all claims in "J. Brown Environmental Construction Company and Jessie Brown v City of Detroit and Detroit Building Authority," United States District Court for the Eastern District of Michigan Case No. 18-11398-AC ("the Civil Action") with prejudice upon the following conditions: (1) Brown Environmental Construction Company, Inc. will be permitted to reapply for reinstatement to the City and the Detroit Building Authority (DBA)'s demolition program under the same terms, conditions and procedures as other demolition contractors; (2) The City shall pay Brown Environmental Construction Company, Inc. the sum of \$160,000 through Purchase Order Number 3030045 on its breach of contract claims relating to work previously completed; (3) The City shall pay Zero (\$0.00) to Brown Environmental Construction Company, Inc. on all other claims; and (4) The City shall pay Zero (\$0.00) to Plaintiff Jessie Brown on any claims; and (5) Plaintiffs shall dismiss the Complaint filed in the Civil Action, and shall waive all past and present claims they may have against the City of Detroit or the DBA any of the City's or the DBA's employees, agents or representatives which were or could have been raised in the Civil Action, through a properly executed Release and a Stipulation and Order of Dismissal entered in United States District Court for the Eastern District of Michigan Case No. 18-11398-AC, approved by the Law Department.

**APPROVED:**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:   
Jerry L. Ashford  
Chief of Litigation

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

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



CITY OF DETROIT  
LAW DEPARTMENT

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December 20, 2018

HONORABLE CITY COUNCIL

**RE: Automotive Tumbling, Inc. and Dale Webster v City of Detroit, et al  
Wayne County Circuit Court Case No. 18-000220-CH  
File No.: L18-00083 (EBG)**

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 under the following terms is in the best interest of the City of Detroit:

(1) Automotive Tumbling, Inc. and/or Dale Webster shall pay the City the sum of \$75,000; (2) The City shall execute a quit claim deed conveying its interest in Parcel ID Number 15013750-1 to Automotive Tumbling, Inc.; (3) Plaintiffs shall waive all past and present claims they may have against the City of Detroit or any of the City's employees, agents or representatives which were or could have been raised in Wayne County Circuit Court Case No. 18-000220-CH ("the Civil Action"), through a properly executed Release and a Stipulation and Order of Dismissal entered in the Civil Action, approved by the Law Department.

Respectfully submitted,

ERIC B. GAABO  
Assistant Corporation Counsel

**APPROVED: DEC 21 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:

\_\_\_\_\_  
JAMES D. NOSEDA  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2018 JAN 2 PM 2:134



**RESOLUTION**

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

**RESOLVED**, that settlement of the above matter be and is hereby authorized under the following terms: Plaintiffs, Automotive Tumbling, Inc. and Dale Webster, will dismiss all claims in “Automotive Tumbling, Inc. and Dale Webster v City of Detroit, et al,” Wayne County Circuit Court Case No. 18-000220-CH (“the Civil Action”) with prejudice upon the following conditions: (1) Automotive Tumbling, Inc. and/or Dale Webster shall pay the City the sum of \$75,000; (2) The City shall execute a quit claim deed conveying its interest in Parcel ID Number 15013750-1 to Automotive Tumbling, Inc.; (3) Plaintiffs shall waive all past and present claims they may have against the City of Detroit or any of the City’s employees, agents or representatives which were or could have been raised in the Civil Action,<sup>1</sup> through a properly executed Release and a Stipulation and Order of Dismissal entered in Wayne County Circuit Court Case No. 18-000220-CH, approved by the Law Department. |

**APPROVED:**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:  \_\_\_\_\_  
James D. Noseda, Supervising  
Assistant Corporation Counsel

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

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



CITY OF DETROIT  
LAW DEPARTMENT

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December 11, 2018

**HONORABLE CITY COUNCIL**

RE: Rhonda Ervin v City of Detroit  
Case No: 17-007650-NF  
File No: L17-00379(CLR)

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 **THIRTEEN THOUSAND FIVE HUNDRED Dollars and <sup>NO</sup>/Cents (\$13,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **THIRTEEN THOUSAND FIVE HUNDRED Dollars and <sup>NO</sup>/Cents (\$13,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Rhonda Ervin and her attorney, RAMONO LAW, P.L.C., to be delivered upon receipt of properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 17-007650-NF, approved by the Law Department.

Respectfully submitted,

Cheryl Ronk  
Assistant Corporation Counsel

APPROVED: DEC 20 2018

LAWRENCE GARCIA  
Corporation Counsel

BY:   
YUVONNE BRADLEY  
Supervising Assistant Corporate 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 **THIRTEEN THOUSAND FIVE HUNDRED and <sup>NO</sup>/Cents (\$13,500.00)**; 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 Rhonda Ervin and her attorney, RAMONO LAW, P.L.C., in the amount of **THIRTEEN THOUSAND FIVE HUNDRED Dollars and <sup>NO</sup>/Cents (\$13,500.00)** in full payment for any and all claims which Rhonda Ervin may have against the City of Detroit and any other City of Detroit employees by reason of injuries sustained on or about October 22, 2015, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.17-007650-NF 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:  \_\_\_\_\_  
YUVONNE BRADLEY  
Supervising Assistant Corporate Counsel



CITY OF DETROIT  
LAW DEPARTMENT

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December 19, 2018

**HONORABLE CITY COUNCIL**

RE: Southfield Pain Management v City of Detroit  
Case No: 18-002023-NF  
File No: L17-00716 (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 Nine Thousand Dollars and <sup>NO</sup>/Cents (\$9,000) is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of Nine Thousand Dollars and <sup>NO</sup>/Cents (\$9,000.00) and that Your Honorable Body direct the Finance Director to issue a draft in the amount of \$9,000.00 payable to Southfield Pain Management and Kajy Law, PLLC, its attorneys to be delivered upon receipt of a properly executed Release and Stipulated Order of Dismissal to be entered in Lawsuit No. 18-002023-NF, as approved by the Law Department.

Respectfully submitted,

Mary Beth Cobbs  
Senior Assistant Corporation Counsel

APPROVED: DEC 20 2018

LAWRENCE T. GARCIA  
Corporation Counsel

BY:

James Noseda  
Supervising Assistant Corporation Counsel

CITY CLERK 2019 JAN 2 PM 12:34

**RESOLUTION**

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

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of Nine Thousand Dollars and No Cents (\$9,000.00); 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, Southfield Pain Management and Kajy Law, PLLC their attorneys, in the amount of Nine Thousand Dollars and No Cents (\$9,000.00) in full payment for any and all claims which Southfield Pain Management may have against the City of Detroit and any City of Detroit employees by reason of alleged injuries or property damage sustained by Gabriele Mullen on or about August 6, 2016, as otherwise set forth in Case No. 18-002023-NF in the Wayne County Circuit Court, and that said amount be paid upon receipt of properly executed Releases and a Stipulation and Order of Dismissal entered in Case No. 18-002023-NF.

**APPROVED:**

LAWRENCE T. GARCIA

Corporation Counsel

BY:

  
\_\_\_\_\_  
James D. Nosedo  
Supervising Assistant Corporation Counsel

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

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



CITY OF DETROIT  
LAW DEPARTMENT

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December 21, 2018

**HONORABLE CITY COUNCIL**

**RE: STANLEY ROGERS v CITY OF DETROIT  
CASE NO. 17-015314-NI  
FILE NO. L17-00728 (MA)**

On December 10, 2018, a case evaluation panel evaluated the above-captioned lawsuit and awarded **Twenty-Nine Thousand Five Hundred Dollars and No Cents (\$29,500.00)** in favor of Plaintiff. The parties have until January 31, 2019, to either accept or reject the case evaluation. Failure to file a written acceptance or rejection within that period constitutes a rejection.

Based upon our review of the facts and particulars of the lawsuit, which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body, it is our considered opinion that acceptance of the case evaluation award is in the best interest of the City of Detroit.

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event that Plaintiff accepts the award, to deem such acceptance as a settlement and to direct the Finance Director to issue a draft payable to **Stanley Rogers, and his attorneys Robert A. Canner, P.C.** in the amount of **Twenty-Nine Thousand Five Hundred Dollars and No Cents (\$29,500.00)** in full payment for any and all claims which Stanley Rogers may have against the City of Detroit, Centrus Williams, and any City of Detroit employees by reason of alleged injuries or property damage sustained by Stanley Rogers on or about December 3, 2015, as otherwise set forth in Case No. 17-015314-NI filed 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. 17-015314-NI.

Respectfully submitted,

Michael L. Auten (P81884)  
Assistant Corporation Counsel

APPROVED: **DEC 21 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

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

**RESOLUTION**

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

**RESOLVED**, that the Law Department is hereby authorized to accept the case evaluation award in the amount of **TWENTY-NINE THOUSAND FIVE HUNDRED DOLLARS and NO CENTS (\$29,500.00)** in the case of **STANLEY ROGERS v CITY OF DETROIT**, and **CENTRUS WILLIAMS** Wayne County Circuit Court Case No. 17-015314-NI; and be it further **RESOLVED**, that in the event Plaintiff accepts the case evaluation, such acceptance is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **STANLEY ROGERS**, and his attorneys **Robert A. Canner, P.C.**, in the amount of **TWENTY-NINE THOUSAND FIVE HUNDRED DOLLARS and NO CENTS (\$29,500.00)** in full payment for any and all claims which **STANLEY ROGERS** may have against the City of Detroit, Centrus Williams, and any City of Detroit employees by reason of alleged injuries or property damage sustained by **STANLEY ROGERS** on or about December 3, 2015, as otherwise set forth in Case No. 17-015314-NI filed 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. 17-015314-NI.

**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

61  
COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

December 11, 2018

**HONORABLE CITY COUNCIL**

**RE: Kissia Alexander v City of Detroit**  
**CASE NO.: 17-015641-NI**  
**FILE NO.: L17-00816 (PMC)**

On November 13, 2018, a case evaluation panel evaluated the above-captioned lawsuit and awarded **NINE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$9,500.00)** in favor of Plaintiff. The parties have until January 29, 2018, to either accept or reject the case evaluation. Failure to file a written acceptance or rejection within this period constitutes a rejection.

Based upon our review of the facts and particulars of this lawsuit, which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body, it is our considered opinion that acceptance of the case evaluation award is in the best interest of the City of Detroit.

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event that Plaintiff accepts the award, to deem such acceptance as a settlement and to direct the Finance Director to issue a draft in the amount of **NINE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$9,500.00)** payable to **Kissia Alexander, and her attorneys The Seva Law Firm**, to be delivered upon receipt of a properly executed Release, and Stipulation and Order of Dismissal entered in Lawsuit No. 17-015641-NI, approved by the Law Department.

Respectfully submitted,

Patrick M. Cunningham  
Assistant Corporation Counsel

**APPROVED: DEC 11 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY: \_\_\_\_\_

James D. Noseda  
Supervising Assistant Corporation Counsel



**RESOLUTION**

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

**RESOLVED**, that the Law Department is hereby authorized to accept the case evaluation award in the amount of **NINE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$9,500.00)** in the case of **KISSIA ALEXANDER v CITY OF DETROIT**, et al, Wayne County

Circuit Court Case No. 17-015641-NI; and be it further

**RESOLVED**, that in the event Plaintiff accepts the case evaluation, that such acceptance

is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to

draw a warrant upon the proper account in favor of **Kissia Alexander, and her attorneys The**

**Seva Law Firm**, in the amount of **NINE THOUSAND FIVE HUNDRED DOLLARS AND NO**

**CENTS (\$9,500.00)** in full payment of any and all claims which **Kissia Alexander** may have

against the City of Detroit by reason of alleged injuries sustained by **Kissia Alexander** on or about

October 29, 2016, as otherwise set forth in Case No. 17-015641-NI in the Wayne County Circuit

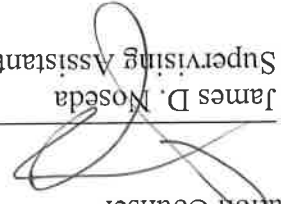
Court and that said amount be paid upon receipt of properly executed Releases, Stipulation and

Order of Dismissal entered in Lawsuit No. 17-015641-NI, approved by the Law Department.

**APPROVED:**

LAWRENCE T. GARCIA

Corporation Counsel



James D. Moseda

Supervising Assistant Corporation Counsel

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

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



CITY OF DETROIT  
LAW DEPARTMENT

62

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

December 18, 2018

**HONORABLE CITY COUNCIL**

**RE: MICHIGAN PAIN MANAGEMENT LLC v CITY OF DETROIT  
CASE NO. 18-002246-NF  
FILE NO. L18-00180 (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 acceptance of the Case Evaluation Award in the amount of Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00) is in the best interest of the City of Detroit.

We, therefore, request authorization to accept the Case Evaluation Award in this matter in the amount of Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00) and that in the event Plaintiff accepts the Case Evaluation Award, Your Honorable Body direct the Finance Director to issue a draft payable to MICHIGAN PAIN MANAGEMENT and REIFMAN LAW FIRM, PLLC, their attorneys, in the amount of Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00) to be delivered upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Case No. 18-002246-NF as approved by the Law Department.

Respectfully submitted,

*Mary Beth Cobbs*

Mary Beth Cobbs  
Assistant Corporation Counsel

**APPROVED: DEC 18 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:

  
James D. Nosedo,  
Supervising Assistant Corporation Counsel

**RESOLUTION**

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

**RESOLVED**, that acceptance of case evaluation of the above matter be and is hereby authorized in the amount Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00) and be it further

**RESOLVED**, that in the event plaintiff accepts the case evaluation award, the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **MICHIGAN PAIN MANAGEMENT, LLC** and **REIFMAN LAW FIRM, PLLC** , its attorneys, in the amount of Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00) in full payment for any and all claims which MICHIGAN PAIN MANAGEMENT has against the City of Detroit, by reason of alleged injuries sustained by Terry Peterson on or about August 31, 2016, and that said amount be paid upon mutual acceptance of the case evaluation award, receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Case No. 18-002246-NF as approved by the Law Department.

**APPROVED:**  
LAWRENCE T. GARCIA  
Corporation Counsel

BY:   
\_\_\_\_\_  
James D. Noseda,  
Supervising Assistant Corporation Counsel

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

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



CITY OF DETROIT  
LAW DEPARTMENT

63

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

December 18, 2018

**HONORABLE CITY COUNCIL**

**RE: Mary Thomas, et al v City of Detroit**  
**CASE NO.: 17-013478-NI**  
**FILE NO.: L17-00652 (PMC)**

On December 17, 2018, a case evaluation panel evaluated the above-captioned lawsuit and awarded **THIRTY-SEVEN THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$37,250.00)** in favor of the plaintiffs. The parties have until January 14, 2019, to either accept or reject the case evaluation. Failure to file a written acceptance or rejection within this period constitutes a rejection.

Based upon our review of the facts and particulars of this lawsuit, which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body, it is our considered opinion that acceptance of the case evaluation award is in the best interest of the City of Detroit.

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event that the plaintiffs accept the award, to deem such acceptance as a settlement and to direct the Finance Director to issue a draft to **Mary Thomas and her attorneys Puzio Law, P.C., in the amount of SIX THOUSAND DOLLARS AND NO CENTS (\$6,000.00); Oakland Physical Therapy and Rehab, Inc. and its attorneys Gary R. Blumberg, P.C., in the amount of FIFTEEN THOUSAND DOLLARS AND NO CENTS (\$15,000.00); Star Pain Management & Rehab, LLC and its attorneys Sigal Law Firm, P.L.L.C., in the amount of NINE THOUSAND DOLLARS AND NO CENTS (\$9,000.00); Focus Point Diagnostics, LLC and its attorneys Sigal Law Firm, P.L.L.C., in the amount of TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND NO CENTS (\$2,750.00 ); Anesthesia Services Affiliates and its attorneys Anthony, Paulovich & Worrall, P.L.L.C., in the amount of ONE THOUSAND DOLLARS AND NO CENTS (\$1,000.00); Michigan Ambulatory Surgical Center and its attorneys Anthony, Paulovich & Worrall, P.L.L.C., in the amount of THREE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$3,500.00)**, to be delivered upon receipt of a properly executed Release, and Stipulation and Order of Dismissal entered in Lawsuit No. 17-013478-NI, approved by the Law Department.



Respectfully submitted,

*Patrick Cunningham*

Patrick M. Cunningham  
Assistant Corporation Counsel

APPROVED: **DEC 18 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY: \_\_\_\_\_

  
James D. Nosedo  
Supervising Assistant Corporation Counsel

RESOLUTION

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

**RESOLVED**, that the Law Department is hereby authorized to accept the case evaluation award in the amount of **THIRTY-SEVEN THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$37,250.00)** in the case of **MARY THOMAS, et al v CITY OF DETROIT**, et al, Wayne County Circuit Court Case No. 17-013478-NI; and be it further

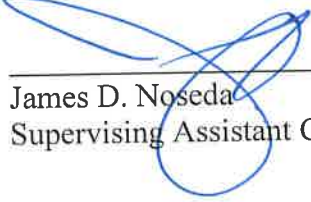
**RESOLVED**, that in the event the plaintiffs accept the case evaluation, that such acceptance is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **Mary Thomas and her attorneys Puzio Law, P.C.**, in the amount of **SIX THOUSAND DOLLARS AND NO CENTS (\$6,000.00)**; **Oakland Physical Therapy and Rehab, Inc. and its attorneys Gary R. Blumberg, P.C.**, in the amount of **FIFTEEN THOUSAND DOLLARS AND NO CENTS (\$15,000.00)**; **Star Pain Management & Rehab, LLC and its attorneys Sigal Law Firm, P.L.L.C.**, in the amount of **NINE THOUSAND DOLLARS AND NO CENTS (\$9,000.00)**; **Focus Point Diagnostics, LLC and its attorneys Sigal Law Firm, P.L.L.C.**, in the amount of **TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND NO CENTS (\$2,750.00 )**; **Anesthesia Services Affiliates and its attorneys Anthony, Paulovich & Worrall, P.L.L.C.**, in the amount of **ONE THOUSAND DOLLARS AND NO CENTS (\$1,000.00)**; **Michigan Ambulatory Surgical Center and its attorneys Anthony, Paulovich & Worrall, P.L.L.C.**, in the amount of **THREE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$3,500.00)** in full payment of any and all claims which these parties may have against the City of Detroit by reason of alleged injuries sustained by Mary Thomas on or about May 24, 2017, as otherwise set forth in Case No. 17-013478-NI 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 Lawsuit No. 17-013478-NI, approved by the Law Department.

**APPROVED:**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:

  
\_\_\_\_\_  
James D. Noseda  
Supervising Assistant Corporation Counsel

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

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

64  
???

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November 28, 2018

TO: HONORABLE CITY COUNCIL

Re: Contracts and Purchase Orders Scheduled to be considered at the Formal Session for December 6, 2018.

Please be advised that the Contract listed was submitted on December 7, 2017 for the City Council Agenda for December 11, 2017 has been amended as follows:

1. The contractor's **Contract Number** was submitted incorrectly by the Office of Contracting and Procurement. Please see the correction(s) below:

**Submitted as:** Page 1

**CITYWIDE**

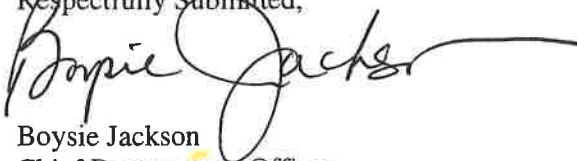
**6001121** 100% City Funding – To Provide Entire City of Detroit and Departments with Water, which include the Following: 5- Gallon Distilled Water, 5- Gallon Natural Spring Water, Bottle Water, Cooler Dispensers and 16.9 Oz Spring Water Cases– Contractor: Absopure Water Company, Location: 8835 General Drive, P.O. Box 701760, Plymouth, MI 48170 – Contract Period: December 31, 2017 through December 31, 2019 –Total Contract Amount: \$39,224.00

**Should read as:** Page 1

**CITYWIDE**

**6001733** 100% City Funding – To Provide Entire City of Detroit and Departments with Water, which include the Following: 5- Gallon Distilled Water, 5- Gallon Natural Spring Water, Bottle Water, Cooler Dispensers and 16.9 Oz Spring Water Cases– Contractor: Absopure Water Company, Location: 8835 General Drive, P.O. Box 701760, Plymouth, MI 48170 – Contract Period: December 31, 2017 through December 31, 2019 –Total Contract Amount: \$39,224.00

Respectfully Submitted,



Boiesie Jackson  
Chief Procurement Officer  
BJ/CD



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

RESOLVED, that **Contract #6001121/6001733** referred to in the foregoing communication dated December 6, 2018 be hereby and is approved.

65



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

Date: December 4, 2018

To: Honorable City Council

From: Law Department

Re: Law Department Report on MVA Settlements as authorized by resolution of the Detroit City Council.

---

The Law Department has submitted a privileged and confidential memorandum regarding the above-referenced matter. Please submit this item for referral so that Council may consider any action that is necessary.

CITY CLERK 2018 DEC 4 PM3:40

66



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

Date: December 5, 2018

To: Honorable City Council

From: Law Department

Re: Law Department Report on Tax Collection Initiative on Foreclosed Properties as authorized by resolution of the Detroit City Council.

---

The Law Department has submitted a privileged and confidential memorandum regarding the above-referenced matter. Please submit this item for referral so that Council may consider any action that is necessary.

CITY CLERK 2018 DEC 5 PM 3:27



CITY OF DETROIT  
LAW DEPARTMENT

67  
COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

Date: December 6, 2018

To: Honorable City Council

From: Law Department *esw*

Re: Emergency Procurement of Legal Services – City Ordinance 18-5-21 –  
Amendment to **Scope Only** of Fink & Associates Contract

---

The Law Department has submitted a privileged and confidential memorandum regarding the above-referenced matter. Please submit this item for referral so that City Council can consider any action that is necessary.



CITY OF DETROIT  
LAW DEPARTMENT

68  
COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

Date: December 11, 2018

To: Honorable City Council

From: Law Department *lsu*

Re: Towing Issues – Request by CM Benson  
Towing Issues – Request by CM McCalister

---

The Law Department has filed a privileged and confidential memorandum in reference to each of the above-referenced matters. Please submit these items for referral so that City Council can take any action that is necessary.

CITY CLERK 2018 DEC 11 PM 3:29



CITY OF DETROIT  
LAW DEPARTMENT

69  
COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
FAX 313•224•5505  
WWW.DETROITMI.GOV

Date: December 14, 2018

To: Honorable City Council

From: Law Department *esw*

Re: Recommendation For Acceptance of Case Evaluation Award in Boulevard &  
Trumbull Towing Co. v. City of Detroit, Wayne County Circuit Court No. 17-  
010370-AW

---

The Law Department has filed a privileged and confidential Case Evaluation Acceptance Memorandum in reference to the above-referenced matter. **Please note that the parties have until January 8, 2019 to accept or reject the case evaluation, otherwise it will be deemed rejected.** The Deputy Corporation Counsel is respectfully requesting that this item be moved from a referral item to a voting action item on the January 8, 2019 Formal Agenda. The Law Department will work through the Council President's Office and the Internal Operations committee to ensure that any questions or concerns with accepting the case evaluation award are addressed prior to the meeting.

CITY CLERK 2018 DEC 14 PM 3:53

November 26, 2018

Honorable City Council

RE: **Petition No.: 587 – Detroit Repertory Theatre**, request resolution from your Honorable Body a charitable gaming license.

On this date, your Honorable Body referred the above petition to this office for investigation. Petitioner wishes to be recognized as a nonprofit organization with a gaming license from the Bureau of State Lottery.

Be advised that the organization meets the criteria for such recognition as established by the city Council on May 15, 2012.

Therefore, approval of this petition is recommended and an appropriate resolution is attached.

Respectfully submitted,

Janice M. Winfrey

JMW:cj

## RESOLUTION

By Council Member: \_\_\_\_\_

Whereas, Detroit Repertory Theatre (13103 Woodrow Wilson, Detroit, Michigan 48238) requests for resolution from your Honorable Body for a charitable gaming license and:

Whereas, the organization meets the criteria for such recognition as established by the City Council on May 15, 2012.

Therefore, Be it Resolved, That Detroit Repertory Theatre, (13103 Woodrow Wilson, Detroit, Michigan 48238) as a nonprofit organization for the sole purpose of obtaining a gaming license from the Bureau of State Lottery.



## DEPARTMENTAL REFERENCE COMMUNICATION

*Tuesday, November 20, 2018*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

---

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

---

**587**     *The Detroit Repertory Theatre, request resolution from you Honorable Body a charitable gaming license.*

# Detroit REPERTORY THEATRE

#587

Millan Theatre Company  
13103 Woodrow Wilson  
Detroit, Michigan 48238  
(313) 868-1347  
Fax: (313) 868-1705  
EMail:DetRepTh@aol.com

www.detroitreptheatre.com

November 10, 2018

Office of the City Clerk, City of Detroit  
Coleman A. Young Municipal Center  
2 Woodward Avenue, Room 200  
Detroit, Michigan 48226

Dear City Clerk, City of Detroit and  
Honorable Council Members:

The Detroit Repertory Theatre requests that the City of Detroit pass a resolution recognizing the Millan Theatre Company d/b/a Detroit Repertory Theatre as a nonprofit organization in the community. We request this resolution in order to conduct a raffle, bingo, millionaire party or other charitable game in the State of Michigan. The form required by the State is attached.

As you know, to keep the arts accessible and affordable to the community, many non-profit arts organizations depend upon donations. Each year the Board of Trustees holds a public event to raise funds for the operations of the theatre. This season, the event is expected to be in June, 2019. A charity raffle or bingo would greatly enhance the success of our fundraising event.

The Detroit Repertory Theatre aka Millan Theatre Company has been operating in the city of Detroit since 1957, and is tax exempt under Federal I.R.S. 501(c)3. Since its inception, the theatre has remained in the theatre vanguard by staunchly advocating interracial casting, creating novel audience development techniques, stressing theatrical relevancy, inventing an array of cultural and educational community services, and playing an active role in important neighborhood revitalization.

Thank you for your consideration. We have attached the resolution form required by the State, and our IRS documents. Please feel free to call if you have any further requirements.

Sincerely,



Shirley Dismuke, Chair &  
Maryl Kacir Huntington, Acting Secretary  
Board of Trustees  
313-407-4377

2018 NOV 19 P 2:31

OFFICE OF THE  
DETROIT CITY CLERK  
2018 NOV 19 P 2:31



Charitable Gaming Division  
 Box 30023, Lansing, MI 48909  
 OVERNIGHT DELIVERY:  
 101 E. Hillsdale, Lansing MI 48933  
 (517) 335-5780  
 www.michigan.gov/cg

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES**  
 (Required by MCL.432.103(K)(ii))

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from \_\_\_\_\_ of \_\_\_\_\_  
NAME OF ORGANIZATION CITY

county of \_\_\_\_\_, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_  
APPROVAL/DISAPPROVAL

**APPROVAL**

**DISAPPROVAL**

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on \_\_\_\_\_  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.  
 PENALTY: Possible denial of application.

BSL-CG-1153(R6/09)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU	
Date Received	(FOR BUREAU USE ONLY)
JUN 20 2013	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.
Tran Info: 1 18742912-1 06/18/13 Chk#: 50666 Amt: \$10.00 ID: 800074	
Name	Millan Theatre Company
Address	13103 Woodrow Wilson
City	Detroit
State	MI
ZIP Code	48238-3686
EXPIRATION DATE: DECEMBER 31, 2018	

Document will be returned to the name and address you enter above.  
If left blank, document will be returned to the registered office.

**CERTIFICATE OF ASSUMED NAME**

For use by Corporations, Limited Partnerships and Limited Liability Companies  
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972 (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), Act 213, Public Acts of 1982 (limited partnerships), or Act 23, Public Acts of 1993 (limited liability companies), the undersigned execute the following Certificate:

- The name of the corporation, limited partnership, or limited liability company is:  
Millan Theatre Company
- The identification number assigned by the Bureau is: 800074
- The assumed name under which business is to be transacted is:  
Millan Theatre Company AKA The Detroit Repertory Theatre
- This document is hereby signed as required by the Act.

COMPLETE ITEM 5 ON PAGE 3 IF THIS NAME IS ASSUMED BY MORE THAN ONE ENTITY.

Signed this 17th day of June, 2013

By Barbara J. Busby  
(Signature)

Barbara J. Busby Fiscal Officer  
(Type or Print Name) (Type or Print Title or Capacity)

(Limited Partnerships Only - Indicate Name of General Partner, if the General Partner is a corporation or other entity)

of

**ATTACHMENT #4  
NONPROFIT DESIGNATION**

**Internal Revenue Service**

**Department of the Treasury**

**P. O. Box 2508  
Cincinnati, OH 45201**

**Date:** June 21, 2002

**Person to Contact:**  
S. Katherine Converse 31-07823  
Customer Service Specialist

**Millan Theatre Company  
13103 Woodrow Wilson  
Detroit, MI 48238-3686**

**Toll Free Telephone Number:**  
8:00 a.m. to 6:30 p.m. EST  
877-829-5500

**Fax Number:**  
513-263-3756

**Federal Identification Number:**  
38-1689662

**Dear Sir or Madam:**

This letter is in response to your request of June 21, 2002, for a copy of your organization's determination letter. This letter will take the place of the copy you requested.

Our records indicate that a determination letter issued in May 1973, granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in section 509(a)(2).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

2018-11-20

**587**

**587** *Petition of The Detroit Repertory Theatre, request resolution from you Honorable Body a charitable gaming license.*

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REFERRED TO THE FOLLOWING DEPARTMENT(S)


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Director  
Irvin Corley, Jr.  
Executive Policy Manager  
Marcell R. Todd, Jr.  
Senior City Planner  
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# City of Detroit CITY COUNCIL

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TO: The Honorable Detroit City Council  
FROM: David Whitaker, Director   
Legislative Policy Division (LPD) Staff  
DATE: November 27, 2018  
RE: **Charter Revision; Overview and Issues**

As Council Members know, the ballot initiative for a general City Charter revision was narrowly approved by Detroit voters in the August 2018 primary election. A new 9-member Charter Commission was elected on November 6, 2018 to revise the City Charter, and sworn in on November 20. This preliminary report is provided to: 1) advise Council and the public of the general background for a Charter Revision Commission in 2018-19; and 2) identify selected issues from the 2012 Charter Revision, without limitation or exclusion of meritorious new issues that Council Members or other Detroit residents may raise in the forthcoming Charter revision process.

### Overview

One primary difference between the forthcoming Charter revision process and the one that generated the current Charter that became effective in 2012 is the very different background and purposes of the process.

The current Charter, adopted by the voters in November 2011, effective January 1, 2012, arose out of relatively clear circumstances and intentions. A rogue Mayor had engaged in a wide range of corrupt and unethical practices, and Detroiters learned that City Council was powerless acting independently under the Charter to do anything about it.<sup>1</sup> This was the immediate impetus for that

<sup>1</sup> The ex-Mayor resigned after the first day of a removal proceeding before the former Governor, which was initiated and conducted by City Council and its staff, pursuant to state law.

Charter revision, which was initiated by Council prior to the regularly scheduled August 2018 date. The primary intention was to improve the Charter's forfeiture-of-office provisions set forth at Sec. 2-107, to deal with abuses of office, which complemented enhanced ethics provisions in the new Charter,<sup>2</sup> and secondarily to address concerns that the office of Corporation Counsel could not represent City Council adequately regarding issues involving conflicts with the Mayor.

Without attempting at this time to set forth a comprehensive list of all changes adopted in 2012, the new Charter also:

- 1) fixed some technical problems with a previous Council-by-districts initiative adopted by the electorate in 2009, and required the new Council to elect its own leadership (Secs. 3-108 and 4-103); and
- 2) introduced the following more significant new features compared to the previous 1974 Charter:
  - Attempted to create more independence from the Mayor in the Charter-mandated position of Corporation Counsel and the Law Department (Sec. 7-5.201);<sup>3</sup>
  - Required mandatory, pre-filing intra-government dispute resolution procedures before litigation can be initiated between branches of government, such as Council and the Mayor (Sec. 7.5-208);
  - Gave City Council confirmation authority over the appointment of six (6) key department heads (Sec. 4-111);
  - Introduced a new Inspector General position to root out "waste, fraud and abuse" (Sec. 7-5.301);
  - Introduced new Green Initiatives and Technologies provisions assigned to the Buildings, Safety Engineering and Environmental Department (BSEED) (Sec. 6-509), including a recycling mandate (Sec. 7-403);
  - Required proportional funding for oversight agencies (sec. 8-214);

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<sup>2</sup> The Charter Commission Chair characterized the new Charter's ethics provisions set forth at Sec. 2-106.1 as a "Cujo" model, after a fierce attack dog featured in a Hollywood movie of that name.

<sup>3</sup> The new Charter also expressly makes Corporation Counsel responsible for enforcing compliance with the Charter (Sec. 7.5-209). There has been a great deal of informal debate about this, which places Corporation Counsel in the uncomfortable position of serving both as trusted legal advisor to City officials, and also as the enforcer of the Charter against these same public officials who are their clients. Both the increased independence of Corporation Counsel, and its expressly designated role as Charter enforcer, like most of the other major innovations listed here, have been less than robustly implemented in practice since 2012.



- Proposed the creation of Community Advisory Councils (Sec. 9-101);
- Expanded the duties of the City’s Risk Management Council (Secs. 9-701 and 9-702); and
- Proposed city-sponsored insurance assistance (Sec. 9-801), a well-intentioned reform that, to LPD’s understanding, proved simply impractical as well as probably impossible under state law.

Several of the above provisions have proven difficult to implement, and may deserve further study and possible amendment or repeal in a new Charter revision process.

In contrast, the 2018 Charter revision was driven by no particular policy imperatives. Rather, the previous 1997 Charter had stated that a new Charter revision initiative proposal should be on the summer 2018 primary election ballot, and the 2012 Charter Commission simply adopted that language verbatim (Sec. 9-403). As noted at the outset, a slim majority of City voters voted for this next Charter revision.

**The complex question of which public policies, among an extraordinarily wide range of options, the new Charter Commission should address is wide open, and deserves serious consideration and consultation with Detroit elected officials and residents.** And to be both fair and honest, serious consideration should be given to the axiom that “restraint is a far wiser course than revolution if chaos is to be avoided.”

**Discussion**

After adoption of the new Charter in 2011, which became effective in 2012, a few amendments were successfully submitted to the voters as Charter amendments and adopted at the next election:

- Sec. 2-106.4 Gifts and Gratuities: Authorizing an ordinance to determine what “other things of value” may be awarded but do not raise any serious ethical concerns.
- Sec. 2-106.5 One Year Post-Employment Prohibition: Narrowing this provision slightly to exempt personal service contracts, which do not present the same ethical concerns.
- Sec. 3-109 Nominating Petitions: Setting forth the specific number of petition signatures required for each elective office, instead of with reference to the number of votes cast at the preceding election.
- Sec. 7.5-203 Civil Litigation: Authorizing Corporation Counsel to take action on their own initiative pursuant to Sec. 7.5-209, rather than only when directed to do so by the Mayor.

The above amendments represented the technical issues that were most clearly problematic and easily resolved in the language of the 2012 Charter. In addition to them, Council and residents of the City may (or may not, depending on how they weigh the issues) wish to consider amending the following provisions:

- Sec. 7.5-201 Law Department: Provisions restricting City officials to receive advice and representation only from Corporation Counsel and the Law Department are unduly restrictive; City officials, including City Council when it is at odds with the Administration on particular issues, should have the same rights and scope of action as anyone else in Michigan when seeking legal representation and legal redress. This is especially problematic when lawyers hired by Council to advise them on matters are inhibited from doing so.
- Sec. 7.5-208 Intra-Government Dispute Resolution: These requirements, including the requirement that representation and advice come only from the Law Department and/or “outside” counsel, have proven to be cumbersome and to cause extreme delay in practice. They might well be eliminated, or significantly revised in some way that would make dispute resolution short of litigation more workable.
- Sec. 8-208 Budget Adoption: Expressly clarify that this applies to the Detroit Water and Sewerage Department (DWSD).
- Sec. 9-507 Service Fees: Expressly clarify that this applies to retail water, sewerage and drainage bills charged by the Detroit Water and Sewerage Department (DWSD).
- Sec. 7-1202 Powers of the Board of Water Commissioners: Expressly clarify that DWSD’s retail water, sewer and drainage charges shall be established by the board of water commissioners and shall be approved by the city council, as set forth in Section 56-3-12(c) of the City Code.
- Either delete or amend major innovations in the 2012 Charter listed above (green initiatives, community advisory councils, funding for oversight agencies, risk management council, and perhaps other provisions that could be improved after further study), that have so far proved in practice to be unworkable, generally at least in part because of drafting issues regarding their specific language.
- Provide that the Council President and President Pro Tem will be the two at-large members in order of the largest number of votes received, instead of Council electing its own leadership, which has proved to be very time-consuming and unnecessarily divisive in practice.
- Deal with the inherent conflict of interest plaguing Corporation Counsel as the official responsible for enforcing Charter compliance, where s/he also has to be trusted legal advisor for City officials and employees.

Based on events at the new Charter Commission’s initial meeting on November 20, LPD has a few friendly procedural suggestions intended to help the Commission organize itself to provide more control and direction over future meetings. The following are a few suggestions that may be passed on to the commission:

- Engage a person(s) to act as Parliamentarian for meeting and training for individual(s) if necessary;
- Adopt Robert's Rules of Order for parliamentary procedure;
- The CFO to draft for City Council's adoption a budget amendment that would determine the budget for the hiring of staff and for office space;
- Engage the Detroit Police Department to keep control of meetings, similar to how City Council's Executive Protection Unit serves City Council;
- Determine a general timeline on how the revision process will proceed, *i.e.* an overview of the current charter, engagement/comment process, writing process, etc.; and
- Determine where and how often the commission will meet.

LPD expects this will in all likelihood be only the first of many reports regarding the next Charter revision. There are many, many issues that may have to be debated and thought through in the course of making the Charter the most clear, useful and effective framework for local government that it can be. The above list of recommendations is most definitely not intended to be authoritative or comprehensive, only as a checklist of issues that have been the subject of previous consideration and debate. Council or residents may have other concerns, priorities or suggestions, and if so they should be brought forward. This preliminary report is intended to start that process and the conversations necessary to carry it forward.

If Council has any other questions or concerns regarding this subject, LPD will be happy to provide further research and analysis upon request.