

Referrals
4/16/19

INTERNAL
OPERATIONS
STANDING
COMMITTEE



3

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

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

April 10, 2019

Honorable Council,

It gives me great pleasure to submit my appointment of David P. Massaron to Chief Financial Officer for the City of Detroit for your consideration.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'M. E. Duggan'.

Michael E. Duggan
Mayor

CITY CLERK 2019 APR 10 PM 12:57



CITY OF DETROIT
LAW DEPARTMENT

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COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
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PHONE 313•224•4550
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Date: April 9, 2019

To: Honorable City Council

esw

From: Law Department

Re: Request for Legal Opinion and Closed Session to Discuss Lighting Warranty

Your Honorable Body, through Council Member Scott Benson, requested an opinion regarding the City's light fixtures. The Law Department has filed a privileged and confidential memorandum in response to his inquiries. This item was referred to the Public Health and Safety committee agenda, as line item 46, on the April 2, 2019 Formal Session Agenda.

After consultation with the Council President's office, the Law Department is respectfully requesting that a closed session be held on **Tuesday, May 7, 2017 at 2:00 p.m.** to discuss the privileged document.



LAW DEPARTMENT

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04/08/2019
#2706

April 2, 2018

To: The Honorable Detroit City Council:

Subject: Law Administration and Operation Appropriation #00527 Increase

The Law department respectfully requests authorization to increase their fiscal year 2018-19 budget expenditures by \$1, 500,000 for procuring unbudgeted outside legal services for defending the City of Detroit in various legal matters. Pursuant to the number and complexity of recent lawsuit filings against the City of Detroit, the Law Department is in need of additional funding for outside legal services for defending the City of Detroit.

The law department continues to keep as many cases as possible in-house, including four wrongful incarceration cases, many complex commercial claims including putative class actions, many recently filed labor and employment cases, many high exposure personal injury cases, all first and third party auto cases (in the hundreds), etc. The law department secures outside counsel only as absolutely necessary to best protect the City's interests. Those cases include several wrongful incarceration cases, multiple civil rights claims arising from alleged wrongful raids by former members of the DPD narcotics' unit, an inverse condemnation case involving property near the City airport, and numerous towing related cases arising from the improper issuance of "tow permits" in 2016. The City also is obliged to engage outside counsel for several DPD officers and other City employees due to a legal conflict of interest that prevents the Law Department from representing them.

To offset the expenditure appropriation increase in the Law Administration appropriation, a decrease in the DoIT Central Data Processing appropriation expenditure budget for the same amount in appropriation # 00024.

I am requesting approval from your Honorable Body to adopt the enclosed resolution. If you have any questions or concerns regarding this matter, please feel free to contact me at (313) 237-5037.

A Waiver of reconsideration is requested.


Charles Raimi
Deputy Corporation Counsel



Cc: Lawrence Garcia, Corporation Counsel
David Massaron, Chief Financial Officer
Tanya Stoudemire, Deputy CFO/Budget Director
James George, OCFO

RESOLUTION

BY CITY COUNCIL MEMBER _____

RESOLVED, that the FY 2018-2019 Budget be amended as follows: increase Appropriation 00527 – Law Administration and Operations Legal services expense by \$1,500,000.

RESOLVED, that the FY 2018-2019 Budget be amended as follows: decrease Appropriation 00024 – DoIT Central Data Processing by \$1,500,000.

RESOLVED, that the Chief Financial Officer is hereby authorized to increase the necessary accounts and honor vouchers in accordance with the foregoing communication and standard City Procedures



CITY OF DETROIT
LAW DEPARTMENT

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March 26, 2019

HONORABLE CITY COUNCIL

**RE: D'Marco Craft and Michaele Jackson v City of Detroit
Civil Action Case No: 17-12752**

Representation by the Law Department of the City employees or officers listed below is hereby announced, and we concur with the recommendation of the Head of the Department and believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of the official duties of such Defendant. We further recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We therefore, recommend a "YES" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

Employee(s) or Officer(s) requesting representation:

Paramedic Bryan Moore

Respectfully submitted,

Douglas Baker, Chief of Criminal
Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA
CORPORATION COUNSEL

DB/sb

Attachments

CITY CLERK 2019 APR 10 10:21:09

RESOLUTION

By Council Member _____ :

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication to provide legal representation and indemnification to the following Employees or Officers in the lawsuit **D'Marco Craft and Michael Jackson v City of Detroit et al., Civil Case No. 17-12752.**

Paramedic Bryan Moore

APPROVED:

BY: *Lawrence T. Garcia*
LAWRENCE T. GARCIA
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT



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April 4, 2019

HONORABLE CITY COUNCIL

RE: TONYA MONIQUE JOHNSON v CITY OF DETROIT and BONITA STONE
CASE NO.: 18-006594 NF
FILE NO.: L18-00418 (CB)

On March 18, 2019, a case evaluation panel evaluated the above-captioned lawsuit and awarded **FIFTY-NINE THOUSAND DOLLARS (\$59,000.00)** in favor of Plaintiff. The parties have until April 15, 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 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 **FIFTY-NINE THOUSAND DOLLARS (\$59,000.00)** payable to **CANNER LAW PLLC.**, her attorneys, and **TONYA MONIQUE JOHNSON**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-006594 NF, approved by the Law Department.

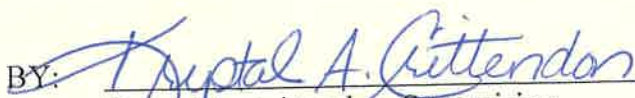
Respectfully submitted,


CALVERT BAILEY

Assistant Corporation Counsel

APPROVED: APR 05 2019

LAWRENCE T. GARCIA
Corporation Counsel

BY: 
Krystal A. Crittendon, Supervising
Assistant Corporation Counsel

CB:cb
Attachments

CITY CLERK 2019 APR 10 PM 2:09

RESOLUTION

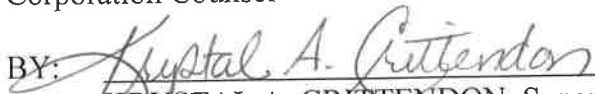
BY COUNCIL MEMBER _____:

RESOLVED, that the Law Department is hereby authorized to accept the case evaluation in the amount of **Fifty-nine Thousand Dollars and No Cents (\$59,000.00)** in the case of **Tonya Monique Johnson v City of Detroit and Bonita Stone**, Wayne County Circuit Court Case No. 18-006594 NF; and be it further

RESOLVED, that in the event Plaintiff accepts the case evaluation, that such acceptance is deemed a settlement, the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **CANNER LAW PLLC., her attorneys, and TONYA MONIQUE JOHNSON** in the amount of **Fifty-nine Thousand Dollars and No Cents (\$59,000.00)** in full payment for any and all claims which **TONYA MONIQUE JOHNSON** may have against the City of Detroit and/or its employees and agents by reason of alleged injuries when the DOT coach on which she was a passenger allegedly struck another vehicle, causing Plaintiff to be injured on or about **November 5, 2016**, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-006594 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 T. GARCIA
Corporation Counsel

BY: 
KRYSTAL A. CRITTENDON, Supervising
Assistant Corporation Counsel

Approved by City Council: _____
Approved by the Mayor: _____



MEMORANDUM

TO: David Whitaker, Director
Legislative Policy Division

FROM: Council President Brenda Jones *BJ*

DATE: April 16, 2019

RE: Opinion Request

Please provide a privilege and confidential report addressing the concerns in the following Law Department privilege and confidential opinions:

- *Greenhouse Gas Emission Ordinance*
- *Ordinance Request Regarding City Council Approval of Installation of Bike Lanes & the Creation of a Community Outreach and Engagement Strategy*