

New Business
4.9.2019

**INTERNAL
OPERATIONS
STANDING
COMMITTEE**

19

**OFFICE OF CONTRACTING
AND PROCUREMENT**

April 4, 2019

HONORABLE CITY COUNCIL:

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

3032538 100% City Funding – To Provide the Purchase of Laptop/Desktop Computers and Accessories for DoIT. – Contractor: Sehi Computer Products – Location: 2930 Bond St., Rochester Hills, MI 48309 – Contract Period: Upon City Council Approval through June 30, 2019 – Total Contract Amount: \$679,262.60. **DoIT**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL MEMBER MCCALISTER

RESOLVED, that Contract No. 3032538 referred to in the foregoing communication dated April 4, 2019, be hereby and is approved.



APR 10 2019 10:51 AM

MEMORADUM

TO: Honorable City Council Members
 FROM: James W. Ribbron
 DATE: April 4, 2019
 RE: BZA Training recommendations with costs

I have researched some options for training of BZA Members and staff.

Training	Description	Cost
Michigan State University Extension Citizen Planner Classroom Program	The Citizen Planner Classroom Program is a six-week course offered in a classroom setting or through video conferencing. Participants earn the certificate by successfully completing all six sessions. Courses are held during consecutive weeks at a local facility or via computer-based video conference at your home or office. Each three-hour session includes lectures and hands-on learning exercises. The six sessions provide the fundamentals on roles, responsibilities and best practices for planning and zoning in Michigan	\$295.00 per person in classroom \$275.00 per person on-line
Michigan Association of Planning Annual Conference	Planning Michigan Conference MAP's 2019 Annual Conference Kalamazoo Radisson Plaza Hotel at Kalamazoo Center September 25-27, 2019	Based on 2018 cost: 540.00 per person (early-bird registration)



Based on 7 Board members and 4 BZA staff the estimated cost for the Michigan State University Extension Citizen Planner Classroom Program is \$3,245 for the classroom or 3,025 for the on-line class. I recommend the option because there are no classroom options left for 2019 in Wayne, Oakland or Macomb Counties.

Based on 7 Board members and 2 BZA staff the estimated cost for the 2019 Michigan Association of Planning Annual Conference is 4,860. This does not include hotel accommodations.

The proposed training opportunities cost are: 7,885.00. The Michigan State University Extension Citizen Planner Classroom Program offers several opportunities for continuing education and training once the Citizen Planner Program is completed. I have attached information on the program and the dates for the 2019 convention.

I am available to discuss this information and other options for training.



Making Great Communities Happen

Planning Michigan Conference

MAP's 2019 Annual Conference

Kalamazoo | Radisson Plaza Hotel at Kalamazoo Center

September 25-27, 2019

Call for Sessions Deadline - April 8, 2019

The Planning Michigan Conference Committee is requesting session proposals for the annual conference.

The committee seeks session ideas that are relevant, timely, and thought-provoking.

When submitting a proposal, please consider:

- Limiting session descriptions to 80 words.
- Session ideas that are well constructed, are weighted higher.
- Incorporating an interactive element.
- The session selection process is highly competitive, the committee can not select all sessions that are submitted.

[Click here to access the call for sessions form.](#)

Quick Links

- [Register for Spring Institute](#)
- [Thank you Corporate Members](#)
- [MAP Policies](#)
- [Donate to MAP](#)

Upcoming Events

- Mon Apr 8, 2019

[Call for Sessions Deadline](#)

Category: MAP Events
 - Mon Apr 15, 2019

[Chapter Reception at the APA Conference](#)

Category: MAP Events
 - Thu Apr 25, 2019

[Spring Institute](#)

Category: MAP Events
 - Tue Apr 30, 2019

[MAP West Muskegon Event](#)

Category: MAP BBB
 - Wed May 1, 2019

[MAP Award Deadline](#)

Category: MAP Events
- [View Full Calendar](#)

Michigan Association of Planning
1919 West Stadium Boulevard, Suite 4
Ann Arbor, MI 48103
info@planningmi.org
734.913.2000 (office)
734.913.2061 (fax)

[Back to top](#)



Share this page

2018 MML Convention



September 20-22
Amway Grand & DeVos Place, Grand Rapids

The Michigan Municipal League and the Michigan Association of Planners are partnering up for this year's Convention! With double the power, we'll bring you more of what you want.

- **MORE** breakout sessions
- **MORE** topics
- **MORE** mobile tours

Bonus – ArtPrize will be in full swing throughout the city!

We hope to see you in Grand Rapids!

Early Bird Available until August 23

Member Rate: \$390

Non-Member Government Rate: \$465

Regular Rate Available until September 12

Member Rate: \$465

Non-Member Government Rate: \$540

Late Registration Rate for all registrations after September 12

Member Rate: \$515

Non-Member Government Rate: \$590

For the complete Convention 2018 agenda and program visit convention.mml.org.

Registration

To register online, login to the right, and then click the "Register Myself" or "Register Someone Else" button below.

Fax

Please fax registration form to 734.669.4223, then mail with check payable to: Michigan Municipal League, P.O. Box 7409, Ann Arbor, MI 48107-7409

[Click here](#) for a faxable form.

Housing

Housing reservations will only be accepted for registered Convention attendees with a personalized housing registration code. Within 48 hours of the League receiving your conference registration form,

Sign In

Username

Password

Remember me on this computer

[Sign In](#)

Forgot [my password](#) or [my username](#)

[Create a new account](#)

The Michigan State University Extension (<http://www.msue.msu.edu/>) Citizen Planner Program offers land use education for locally appointed and elected planning officials and interested residents throughout Michigan. This non-credit course leads to a certificate of completion awarded by MSU Extension. Advanced training through the Master Citizen Planner (MCP) credential is also available. The Citizen Planner Program is offered in a classroom or via video conference setting, or through a convenient self-paced opportunity called Citizen Planner Online.

Citizen Planner Classroom Program

The Citizen Planner Classroom Program is a six-week course offered in a classroom setting or through video conferencing. Participants earn the certificate by successfully completing all six sessions. Courses are held during consecutive weeks at a local facility or via computer-based video conference at your home or office. Each three-hour session includes lectures and hands-on learning exercises. The six sessions provide the fundamentals on roles, responsibilities and best practices for planning and zoning in Michigan, including:

1. **Understanding the Planning and Zoning Context:** Learn the legal sources and limitations of planning and zoning authority and explore your understanding of ethical decision-making.
2. **Planning for the Future of Your Community:** Recognize the function and importance of a master plan, know the process for developing one and its relationship to zoning.
3. **Implementing the Plan with Zoning:** Discover the importance of zoning, learn how zoning is administered and gain confidence in your zoning reviews, including site plans.
4. **Making Zoning Decisions:** Learn how to adopt and amend a zoning ordinance, understand the role of the zoning board of appeals and obtain skills in basic property development methods.
5. **Using Innovative Planning and Zoning:** Strategize with placemaking and design-based solutions for local and regional success in the New Economy.
6. **Successfully Fulfilling Your Role:** Strengthen your ethical decision-making skills, apply standards to your decision-making and know when to ask for help.

Citizen Planner instructors include MSU Extension educators, MSU faculty, and practicing planners and attorneys in Michigan. The registration fee for the Citizen Planner Classroom Program is \$295 and includes a comprehensive training manual. Review the listing of planned Events linked at the top of this page or contact the Citizen Planner office for information on upcoming events.

Citizen Planner Online

Citizen Planner Online is a completely online, self-paced version of the program designed for individuals who can't fit a six-week course into their schedule or who prefer this style of learning. It takes approximately 15 hours or so to complete, and can be accessed 24/7 so that individuals can

Master Citizen Planner Credential

Participants who complete the Citizen Planner Classroom Program or Citizen Planner Online are eligible to earn the Master Citizen Planner (MCP) credential. In addition to completing the course, the MCP credential requires passage of an online exam, capstone presentation and meeting annual continuing education requirements.

Master Citizen Planners may receive incentives, such as course discounts, exclusive training opportunities and scholarships for annual conferences and regional training offered by partnering organizations. The MCP designation is an achievement recognized as the standard of excellence among planning officials and community leaders in Michigan.

[How to become a Master Citizen Planner](#)

/michigan_citizen_planner/uploads/files/MCPPacket18.pdf

Citizen Planner Advanced Academy

The Citizen Planner Advanced Academy is an annual training opportunity developed for Master Citizen Planners. Offered each year in early June, the Advanced Academy includes instruction on the latest developments within the discipline of planning and zoning, plus emerging land use hot topics statewide. While the program is tailored to MCPs, it is open to all.

Citizen Planner Impacts

Read about the history of the Citizen Planner Program, including stories about program impacts and details on a long-term evaluation in the *Planning & Zoning News* (<http://pznews.net/2604.html>), an Extension bulletin - *Measuring Impacts Using Ripple Effect Mapping and Survey Evaluation Techniques* (/uploads/resources/pdfs/E3312_Citizen_Planner_WCAG_2.0.pdf) and in the *Journal of Extension* - *Transforming the Knowledge Gap for Local Planning Officials: Impacts of Continuing Education in a Master Citizen Planner Program* (<https://www.joe.org/joe/2016december/a3.php>).

Contact

To learn more about the Citizen Planner Program, contact:

Citizen Planner

Michigan State University Extension - Van Buren County

801 Hazen St., Suite D (NEW STREET ADDRESS)

Paw Paw, MI 49079

Citizen Planner Baraga County (/events/citizen-planner-course)

APRIL 16, 2019 - MAY 24, 2019 6 P.M. - 9 P.M. 770 N. MAIN STREET, L'ANSE, MI 49946

This 6-session series covers land use education and training. The course is intended for local appointed and elected officials, zoning administrators and interested citizens.

APR
18

2019 Master Citizen Planner Live Webinar Series (/events/2019-master-citizen-planner-live-webinar-series)

APRIL 18, 2019 6:30PM - 7:30PM 6:30 - 7:30 P.M.

This webinar series is designed to offer continuing education for Master Citizen Planners in a convenient online opportunity and is open to all planning and zoning officials.

APR
24

Protecting Inland Lakes: A Guide to Lake Stewardship (/events/protecting-inland-lakes-a-guide-to-lake-stewardship)

APRIL 24, 2019 7:00PM - 9:00PM 7 P.M. - 9 P.M. HAMBURG TOWNSHIP HALL, BOARD ROOM 10405 MERRILL ROAD, HAMBURG, MI 48139

Join Michigan State University Extension and the Huron River Watershed Council for a primer on lakes and what you can do to protect and enhance them.

JUN
5

Citizen Planner Advanced Academy 2019 (/events/citizen-planner-advanced-academy-2019)

JUNE 5, 2019 9:00AM - 4:30PM 9 A.M. - 4:30 P.M. EAST LANSING HANNAH COMMUNITY CENTER 819 ABBOT ROAD, EAST LANSING, MI 48823

This seven-session series covers land use education and training. The course is intended for local appointed and elected officials, zoning administrators and interested citizens.

JUN
20

2019 Master Citizen Planner Live Webinar Series - June 20th (/events/2019-master-citizen-planner-live-webinar-series-june-20th)

JUNE 20, 2019 6:30PM - 7:30PM 6:30 P.M. - 7:30 P.M.

This webinar series is designed to offer continuing education for Master Citizen Planners in a convenient online opportunity and is open to all planning and zoning officials.

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April 8, 2019

Honorable City Council

RE: **Petition No.: 782 – 360 Detroit INC.**, a nonprofit organization, 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, 360 Detroit INC., (PO Box 02283, Detroit, Michigan 48202) 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 the 360 Detroit INC., (P O Box 02283, Detroit, Michigan 48202) as a nonprofit organization with a gaming license from the Bureau of State Lottery.

OFFICE OF THE
DETROIT CITY CLERK

2019 APR -8 A 9 22 1

DEPARTMENTAL REFERENCE COMMUNICATION

Monday, April 08, 2019

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.

CITY CLERK

782 *360 Detroit INC., request resolution from your Honorable Body a charitable gaming license.*



April 3, 2019

The Honorable City Council
ATTN: Office of the City Clerk
2 Woodward Avenue
200 CAYMC
Detroit, MI 48226

Conduit for Change!

MISSION:
360 Detroit Inc. strives to revitalize Detroit by catalyzing change, empowering people and improving life's quality.

FIND US ON SOCIAL MEDIA
Google+:
ThreeSixty Detroit

Facebook:
360 Detroit

Instagram & Twitter:
@360Detroit

Greetings:

360 Detroit, Inc. is planning to host our 5th annual Fundraiser on May 5, 2019 at Will Leather Good 4120 2nd Ave Detroit, MI 48201 from 5-8pm. 360 Detroit, Inc. was organized to revitalize Detroit by catalyzing change, empower people and improve life's quality. We have served the Virginia Park Neighborhood since 2014.

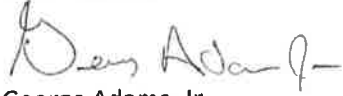
Our impact includes:
1200 Block Party Attendees, 1100 Volunteers Engaged
1000 New Children Books Distributed, 600 Gun Locks Distributed
500 Backpacks with School Supplies Distributed, 37 Trees Planted
4 Acres of Grass Cut, Developed 2 Vacant Lots (8000 sq. ft) into Usable Green Space

At the event, we would like to have raffle drawings. We are requesting your support in obtaining a raffle license by recognizing 360 Detroit, Inc. as a nonprofit organization. Council President Pro Tempore – Mary Sheffield is aware of our efforts in the community and has been a major supporter. Our ability to obtain a raffle license will give us an opportunity to raise money for 360 Detroit, Inc. to continue offering programs and services throughout the year.

Our contact information is as follows:

360 Detroit, Inc.
P O Box 02283
Detroit, MI 48202
313-466-4360
360Detroitcdc@gmail.com

If any additional information is required, please don't hesitate to contact me at 313-319-9843

Kind Regards,

George Adams, Jr.
Founder & CEO



360 Detroit, Inc.

Conduit for Change

360 Detroit, Inc.'s Mission

360 Detroit, Inc. strives to revitalize Detroit by catalyzing change, empowering people and improving life's quality.

360 Detroit, Inc.'s Vision

360 Detroit, Inc. will be a catalyst for safe, vibrant neighborhoods driven by a strong sense of community inclusion, connectedness and hope.

360 Detroit, Inc.'s Accomplishments (2014-2018)

- ✓ 1,200 Block Party Attendees
- ✓ 1,100 Volunteers Engaged
- ✓ 1,000 New Children's Books Distributed
- ✓ 600 Gun Locks Distributed
- ✓ 500 Backpacks with Supplies Distributed
- ✓ 37 Trees Planted
- ✓ 4 Acres of Grass Cut

360 Detroit, Inc.'s Upcoming Events

2019 Community Meeting Dates*

Wednesday, March 13th
Wednesday, April 10th
Wednesday, May 8th
Wednesday, June 12th

Wednesday, July 10th
Wednesday, August 14th
Wednesday, September 11th

Wednesday, October 9th
Wednesday, November 13th
Wednesday, December 11th

**All meetings are held at 6pm. Detroit Police Department 10th Precinct Mini Station
8675 Rosa Parks ~ Detroit, MI 48206 ~ Inside the Virginia Park Plaza*

Boots, Brims & Bites ~ Sunday, May 5, 2019 5-8pm ~ *Donation & Sponsorship Opportunities*

For Tickets... Visit our website: www.360DetroitInc.org or

Eventbrite: <https://www.eventbrite.com/e/boots-brims-and-bites-tickets-56248579014>

5th Annual Community Block Party ~ Saturday, August 10, 2019 ~ *Volunteer, Donation & Sponsorship Opportunities*

360 Park Grand Opening ~ *Summer/Fall 2019*

www.360DetroitInc.org ~ 360Detroitcdc@gmail.com ~ 313-466-4360



360Detroit



@360Detroit



@360Detroit

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **SEP 17 2015**

360 DETROIT
P O BOX 02283
DETROIT, MI 48202-0000

Employer Identification Number:
47-1423553
DLN:
26053657002165
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
509(a)(2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
June 30, 2014
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436

360 DETROIT

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cooper". The signature is stylized and cursive.

Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements



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)

David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Senior City Planner

LaKisha Barclift, Esq.
M. Rory Bolger, PhD, AICP
Timothy Boscarino, AICP
Elizabeth Cabot, Esq.
Janese Chapman
Tasha Cowen
Richard Drumb
George Etheridge

City of Detroit
CITY COUNCIL

LEGISLATIVE POLICY DIVISION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-4946 Fax: (313) 224-4336

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Deborah Goldstein
Christopher Gulock
Derrick Headd
Marcel Hurt, Esq.
Kimani Jeffrey
Anne Marie Langan
Jamie Murphy
Analine Powers, PhD
Sabrina Shockley
Thomas Stephens, Esq.
David Teeter
Theresa Thomas
Kathryn Lynch Underwood

TO: The Honorable Detroit City Council

FROM: David Whitaker, Director
Legislative Policy Division Staff

DATE: April 3, 2019

RE: **Action Required on Mayor's Proposed Amendments to the Executive Organization Plan**

The Mayor submitted a proposed amendment to the Executive Organization Plan (EOP), dated March 7, 2019, to "increase the number of Deputy Directors within the Buildings, Safety Engineering and Environmental Department from one to two, serving under the Director of the Department." See attached, "Executive Organization (EOP) Plan". Section 7-102 of the Charter requires that City Council review the plan, conduct hearings on the Mayor's proposed amendment(s), and take action on it within sixty business days, or May 31, 2019. If City Council does not act to disapprove the proposed amendment, it will become effective after sixty business days.

As discussed in LPD's March 7, 2019 memo (attached), sections 5-105 and 5-107 of the 2012 Charter specifically contemplate (and authorize) the appointment of one deputy director by the department director with the consent of the Mayor. It is therefore LPD's recommendation that City Council schedule a public hearing and take action to disapprove the proposed amendment.¹ The hearing can be held in the context of a formal session, immediately preceding the vote. Disapproval of the amendment requires a vote of two-thirds of serving City Council members. A "Resolution to set and provide notice of the public hearing on the Executive Organization Plan submitted March 7, 2019" is included in the Mayor's submission.

Should the Council have further questions, LPD will respond.
Attachments

¹ Given the clear direction provided by the Charter's explicit language and discussions with representatives of the Administration, it is LPD's expectation that the Administration will withdraw the proposed EOP. But as that step has not yet been taken, Council should act to avoid the automatic adoption of the EOP, as contemplated by the Charter.

SEC. 60. BUILDINGS, SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT

THIS IS A CHARTER MANDATED DEPARTMENT.

Summary of Departmental Purposes:

The purpose of this department is to conserve and protect the natural resources of the City of Detroit in the interests of the health, safety and welfare of the people; to promote improved social and economic conditions in the City; to protect limited environmental resources for the future benefit of City inhabitants; and to provide code enforcement service within the framework of current nationally recognized codes as established by ordinance; and

To accomplish the powers and duties set forth in Article 6, Chapter 5 of the 2012 Detroit City Charter, the department shall be divided into the following Divisions:

- 1) Administration,
- 2) Business License,
- 3) Construction,
- 4) Environmental,
- 5) Licensing and Permits,
- 6) Zoning and Plan Review, and
- 7) Property Maintenance.

Administration:

The Mayor appoints the Director of the Buildings, Safety Engineering and Environmental Department who is the Chief Executive Officer of the department. The Director appoints ~~the two~~ Deputy Directors with the Mayor's consent.

Administrative Offices:

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 401
Detroit, MI 48226

Major Functional Areas:

1. Administrative Services
 2. Environmental Affairs
 3. Development and Resource Center
 4. Zoning Ordinance and Laws
 5. Business Licensing Ordinance
 6. Licenses and Permits
 7. Plan Review Activities
-
-

8. Construction Inspections
 - a. Building inspections
 - b. Electrical Inspections
 - c. Plumbing Inspections
 - d. Mechanical Inspections
 - e. Safety inspections;
 - i. Elevators and Boilers
 9. Property Maintenance
 - a. Rental Inspections
 - b. Code Enforcement
 - c. Housing Inspections
 10. Identification and Process of Dangerous Buildings
 11. City-Wide Energy Conservation Efforts
-

**RESOLUTION DISTRIBUTING THE
EXECUTIVE ORGANIZATION PLAN AND NOTICE THEREOF**

BY COUNCIL MEMBER _____

WHEREAS In accordance with Section 7-102 of the 2012 Detroit City Charter, the Mayor submitted an amendment to the Executive Organization Plan (**EOP**) on March 7, 2019, which was filed with the City Clerk and distributed to City Council; and

WHEREAS Section 7-102 of the Charter requires that amendments to the EOP be made public and permits City Council to study and conduct hearings. City Council may also request that the Mayor make modifications; and

WHEREAS Pursuant to Section 7-102 of the Charter, sixty (60) business days after the filing of an EOP amendment, which is Friday, May 31, 2019, the EOP amendment shall become effective unless it is disapproved by a resolution adopted by a two-thirds majority of City Council members serving.

NOW, THEREFORE BE IT RESOLVED, THAT:

- (1) The EOP amendment submitted to City Council on March 7, 2019, shall be made available by the City Clerk for reference by all interested persons and posted on the City's website; and
- (2) The City Clerk is hereby authorized and directed to publish notice of the filing of the EOP amendment along with the summary of the EOP in a daily newspaper of general circulation in the City of Detroit and by posted on the City's website; and
- (3) The notice of the filing of the EOP amendment shall be substantially in the following form:

**NOTICE OF FILING OF PROPOSED
EXECUTIVE ORGANIZATION PLAN**

TO ALL INTERESTED PERSONS:

PLEASE TAKE NOTICE that pursuant to Section 7-102 of the 2012 Detroit City Charter, Mayor Mike Duggan has proposed an Executive Organization Plan amendment, which was filed with the City Clerk and submitted to City Council on March 7, 2019, that:

- (1) Reorganizes the administration of the General Services Department by increasing the number of Deputy Directors within the Buildings, Safety Engineering and Environmental Department.

Section 7-102 of the Charter requires that any amendment to the EOP be made public and permits the City Council to study, conduct hearings, and request modifications. The proposed EOP amendment is published herewith.

The City Council may request that the Mayor make modifications to the proposed EOP amendment within sixty (60) business days after the filing of the EOP amendment, which is May 31, 2019. The EOP amendment shall become effective with such modifications as are accepted by the Mayor, unless it is disapproved by a resolution adopted by a two-thirds majority of City Council members serving.

Copies of the proposed EOP amendment are on file in the Office of the Detroit City Clerk, Coleman A. Young Municipal Center, 2 Woodward Avenue, Suite 200 Detroit, MI 48226, and available on the City's website.

THIS NOTICE is given by Order of the Detroit City Council. Further information concerning the proposed EOP amendment may be obtained through the Office of the City Clerk.

**JANICE M. WINFREY
DETROIT CITY CLERK**

**RESOLUTION TO SET AND PROVIDE NOTICE OF THE PUBLIC HEARING ON
THE EXECUTIVE ORGANIZATION PLAN SUBMITTED MARCH 7, 2019**

BY COUNCIL MEMBER _____:

WHEREAS In accordance with Section 7-102 of the 2012 Detroit City Charter, the Mayor submitted an amendment to the Executive Organization Plan (EOP) on March 7, 2019 which was filed with the City Clerk and distributed to City Council; and

WHEREAS Section 7-102 of the Charter provides that amendments to the EOP be made public, that the City Council shall study and conduct hearings on the proposed amendments, and that the City Council may request the Mayor to make modifications to the proposed amendments; and

WHEREAS Pursuant to Section 7-102 of the Charter, sixty (60) business days after the filing of an EOP amendment, which is Friday, May 31, 2019, the amendments to the EOP shall become effective, with such modifications as are accepted by the Mayor, unless it is disapproved by a resolution adopted by a two-thirds majority of City Council members serving.

NOW, THEREFORE BE IT RESOLVED, THAT:

- (1) The amendments to the EOP submitted to City Council on March 7, 2019, shall be made available by the City Clerk for reference by all interested persons and posted on the City's website; and
- (2) The City Clerk is hereby authorized and directed to publish notice of the filing of the amendments to the EOP in a daily newspaper of general circulation in the City of Detroit and by posting notice of the filing on the City's website; and

(3) A public hearing on the proposed amendments to the EOP shall be held on

_____, 2019, at _____, in the _____

on the 13th Floor, Coleman A. Young Municipal Center, Detroit, Michigan; and

(4) The notice of the filing of the EOP amendment shall be substantially in the following form:

**NOTICE OF FILING OF PROPOSED AMENDMENTS TO THE
EXECUTIVE ORGANIZATION PLAN SUBMITTED MARCH 7, 2019, AND NOTICE
OF CITY COUNCIL PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO
THE EXECUTIVE ORGANIZATION PLAN**

TO ALL INTERESTED PERSONS:

PLEASE TAKE NOTICE that pursuant to Section 7-102 of the 2012 Detroit City Charter, Mayor Mike Duggan has proposed amendments to the Executive Organization Plan, which was filed with the City Clerk and submitted to City Council on March 7, 2019, summarized as follows:

- (1) Reorganizes the administration of the Buildings, Safety Engineering and Environmental Department by increasing the number of Deputy Directors in the Buildings, Safety Engineering and Environmental Department.

Section 7-102 of the Charter requires that any amendments to the EOP be made public and that the City Council study and conduct hearings on the proposed amendments to the EOP.

Section 7-102 of the Charter provides that the City Council may request the Mayor make modifications to the proposed amendments to the EOP and sixty (60) business days after the filing of the amendments to the EOP, which is Friday, May 31, 2019, the amendments to the

EOP shall become effective with such modifications as are accepted by the Mayor, unless it is disapproved by a resolution adopted by a two-thirds majority of City Council members serving.

Copies of the proposed amendments to the EOP are on file in the Office of the Detroit City Clerk, Coleman A. Young Municipal Center, 2 Woodward Avenue, Suite 200 Detroit, MI 48226, and available on the City's website www.detroitmi.gov.

A public hearing on the proposed amendments to the EOP shall be held on _____, 2019, at _____, in the _____ on the 13th Floor, Coleman A. Young Municipal Center, Detroit, Michigan.

THIS NOTICE is given by Order of the Detroit City Council. Further information concerning the proposed amendments to the EOP may be obtained through the Office of the City Clerk.

**JANICE M. WINFREY
DETROIT CITY CLERK**


David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Senior City Planner

LaKisha Barclift, Esq.
M. Rory Bolger, PhD, AICP
Timothy Boscarino, AICP
Elizabeth Cabot, Esq.
Janese Chapman
Tasha Cowen
Richard Drumb
George Etheridge

City of Detroit
CITY COUNCIL
LEGISLATIVE POLICY DIVISION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-4946 Fax: (313) 224-4336

Deborah Goldstein
Christopher Gulock
Derrick Headd
Marcel Hurt, Esq.
Kimani Jeffrey
Anne Marie Langan
Jamie Murphy
Analine Powers, PhD
Sabrina Shockley
Thomas Stephens, Esq.
David Teeter
Theresa Thomas
Kathryn Lynch Underwood

TO: The Honorable Detroit City Council

FROM: David Whitaker, Director 

DATE: March 22, 2019

RE: **Proposed Amendments to the Executive Organization Plan**

The Mayor has submitted a proposed amendment to the Executive Organization Plan (EOP) to “increase the number of Deputy Directors within the Buildings, Safety Engineering and Environmental Department from one to two, serving under the Director of the Department.” The Mayor explains, “[g]iven the unprecedented level of blight enforcement needed to improve the quality of life for Detroit residents, it is imperative that the Department have a deputy director that is responsible for code.”

Pursuant to section 7-102 of the 2012 City Charter, “the Mayor shall prepare an executive organization plan which, consistent with law and this Charter, sets forth all agencies of the executive branch and assigns authorized programs, services and activities to each agency.” Once the plan is proposed and made public, it is City Council’s role to review the plan, conduct hearings¹ on the Mayor’s proposed amendments, and where appropriate, request that the Mayor make modifications to the amendments. According to the Charter, “all amendments to the plan must originate with the Mayor.” (Charter section 7-102) The City Council can only approve or disapprove the Mayor’s amendments; Council has no independent ability to modify what the Mayor proffers.

The proposed amendment, dated March 7, 2019, was filed with the City Clerk on March 7, 2019. Sixty *business* days after the Mayor files the plan with City Council, “it shall become effective, with such modifications as are accepted by the Mayor, unless disapproved² by a resolution adopted by a two-thirds (2/3) majority of City Council members serving.” The Mayor’s filing calculates May 31, 2019 as sixty (60) business days from when the Plan was filed with the City

¹ A hearing can be held within the context of a formal session immediately preceding a vote on the amended EOP.

² City Council disapproval requires a vote of two-thirds (2/3) of serving City Council members.

Clerk.³ Thus, a vote to accept or reject the proposed EOP should be taken by that date.

Applicable City Charter Limitations

The Mayor's proposed EOP, which "assigns authorized programs, services and activities to each agency", is intended to increase transparency in governmental operations and provide a road map for the public to navigate through City government. Although the Mayor has great latitude in organizing City government, the plan must comport with the requirements of the Charter and other potentially applicable law. In that regard, section 5-105 states:

Sec. 5-105. Appointment of Deputies. Except as otherwise provided by law or this Charter, the Director of each department of the executive branch may, with the consent of the Mayor, appoint a Deputy. The appointment shall be made and may be revoked without cause by a writing filed with the City Clerk.

Section 5-105's specificity with respect to the appointment of a **single** deputy, is confirmed by the dictates of Section 5-107:

Sec. 5-107. Powers of a Departmental Deputy.

The Deputy in each department of the executive branch shall, under the Director's supervision, during the director's absence or disability, or while the director's position is vacant, exercise all the powers and perform all the duties of the director to the full extent permitted by law.

Section 5-107 clearly contemplates a single departmental deputy to stand in for an absent director.

While the Mayor's explanation of the need for an additional deputy is entirely reasonable, particularly given the resumption of demolition responsibilities within our city departments – an outcome this Honorable Body has strongly urged; however, the plain language of the Charter prohibits the appointment of more than one deputy per department. Appointment of an individual responsible for blight enforcement to serve in an appropriately titled position below the level of deputy director may be an alternative.

LPD recognizes that other departments have increased the number of deputy directors over the past few years, most recently the Department of Public Works (DPW).⁴ Careful review of the Charter in anticipation of the work of the Charter Revision Commission highlighted the discrepancy between the language of the Charter and the reality of the administrative structure of City government. The Charter Commission may reconsider the

³ This computation of time apparently assumes that Good Friday (April 19, 2019) is a business day, although Memorial Day (May 27, 2019), a federal holiday, is not a business day; the sixty day count customarily begins on March 8, 2019, the first business day following the March 7, 2019 filing of the proposed amendment with the City Clerk.

⁴ A survey of other departments may reveal that there are multiple deputies appointed under the authority of the Emergency Manager. However, absent the authority of an EM, the Charter currently limits appointment to one deputy per department.

limitations of Section 5-105 during the course of its work. However, in the interim and pending a revision of this section, the Charter controls. An EOP amendment cannot operate to amend the Charter.

As the primary goal of the proposed EOP currently under consideration is to create a second position for a deputy director for BSEED, City Council might request that the Mayor withdraw or amend the document to comport with the Charter.

Should the Council have further questions, LPD will respond.

MEMORANDUM

TO: Lawrence Garcia, Corporation Counsel
City of Detroit Law Department

FROM: Council President Brenda Jones *BA*

DATE: April 5, 2019

RE: CBO NAC Open Meetings Act

Please provide an opinion in writing on the legal requirement of a CBO Neighborhood Advisory Council to hold meetings subject to the Open Meetings Act.