

Referrals
7/2/19

**INTERNAL
OPERATIONS
STANDING
COMMITTEE**



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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
www.detroitmi.gov

June 26, 2019

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

Re: Appointment to the Board of Ethics

Dear Honorable City Council Members:

The Mayor's Office is withdrawing Byron Osbern as our joint appointee to the Board of Ethics.

If you have any questions or concerns please contact Elisa Malile, Deputy Chief of Staff, at 313.628.2285 or by email at malilee@detroitmi.gov.

Sincerely,

Michael E. Duggan
Mayor

Enclosures

cc: Alexis Wiley, Chief of Staff, Mayor's Office
Elisa Malile, Deputy Chief of Staff, Mayor's Office
Stephanie Washington, City Council Liaison, Mayor's Office

CITY CLERK 2019 JUN 27 AM 10:22

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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

June 28, 2019

HONORABLE CITY COUNCIL

RE: **Proposed settlement of claim by Receiver for FutureNet**
Case No: 18-004682-CB
File No: L19-00482(CNR)

We have reviewed the above captioned settlement, 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 ^{NO}/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 ^{NO}/Cents (\$97,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Basil T. Simon, the Receiver of FutureNet Group, Inc and FutureNet Security Solutions to be delivered upon receipt of properly executed Order approved by the Law Department.

Respectfully submitted,


Charles Raimi
Deputy Corporation Counsel

APPROVED: JUN 28 2019
LAWRENCE GARCIA
Corporation Counsel

Attachments

CITY CLERK 2019 JUN 28 09:10:29

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 **Ninety-Seven Thousand Five Hundred Dollars and ^{NO}/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 Basil T. Simon, the Receiver of FutureNet Group, Inc and FutureNet Security Solutions, in the amount of **Ninety-Seven Thousand Five Hundred Dollars and ^{NO}/Cents (\$97,500.00)** in full payment for any and all claims which FutureNet Group, Inc and FutureNet Security Solutions may have against the City of Detroit and any other City of Detroit employees, and otherwise set forth in Case No.18-004682-CB, that said amount be paid upon receipt of properly executed Order approving settlement entered in Lawsuit No.18-004682-CB and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
LAWRENCE GARCIA
Corporation Counsel

BY:  _____
Charles N. Raimi
Deputy Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT OFFICE OF INSPECTOR GENERAL

Ellen Ha, Esq.
Inspector General

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VIA HAND DELIVERY

June 28, 2019

Honorable Council President Brenda Jones
Honorable Council President Pro-Tem Mary Sheffield
Honorable Council Member James Tate
Honorable Council Member Roy McCalister, Jr.
Honorable Council Member Scott Benson
Honorable Council Member Andre Spivey
Honorable Council Member Raquel Castañeda-López
Honorable Council Member Gabe Leland
Honorable Council Member Janeé Ayers

Detroit City Council
Coleman A. Young Municipal Center
2 Woodward Avenue, 13th Floor
Detroit, Michigan 48226

**RE: Appeal of OIG Investigative File Nos. 16-0071-INV and 18-0031-INV
Debarment Proceedings Against: Parimal Mehta, Jay Mehta, and
FutureNet Group, Inc.**

Honorable Members of Detroit City Council:

It is my understanding that, in accordance with Section 18-11-11(a) and (b) of the City of Detroit Debarment Ordinance, Parimal (Perry) Mehta and FutureNet Group, Inc. (FutureNet) has filed an appeal of the City of Detroit Office of the Inspector General (OIG)'s Report of the Administrative Hearing and Final Determination pertaining to the above-referenced OIG Investigative files with the City Clerk. Specifically, on June 7th, 2019, the OIG recommended:

- **20 years** of debarment of **Perry and Jay Mehta**, effective September 30, 2016 and ending September 30, 2036; and
- **15 years** of debarment of **FutureNet**, effective September 30, 2016 and ending September 30, 2031.

Enclosed please find, for your information and convenience, a copy of the Office of the Inspector General (OIG) binder, which includes a copy of: the OIG's letter of June 7, 2019 to Steve Fishman, attorney for Perry Mehta and FutureNet; the OIG's letter of November 5, 2018 to Jay Mehta's attorney, Marshall Eric Goldberg; OIG's Report of Administrative Hearing and Final Determination; the administrative hearing

transcript for Perry Mehta and FutureNet; and the City of Detroit Law Department's Legal Guidance and Opinion re: viability of debarment appeal based on unopposed debarment.

In accordance with Section 18-11-11(d) of the Debarment Ordinance, please be advised that I am exercising the Inspector General's right to appear in person and submit written comments to this honorable body. Lastly, please be reminded that this honorable body must hold the Appeal Hearing within 45 days of receipt of the appeal from Perry Mehta and FutureNet. See, Section 18-11-11(e) of the Debarment Ordinance.

Lastly, we note that Mr. Fishman seeks to appeal Jay Mehta's debarment of 20 years, effective September 30, 2016 and ending September 30, 2036. Please be advised that Jay Mehta, through his then attorney, Mr. Goldberg, was provided with the Final Decision of Debarment on November 5, 2018 for failure to oppose the OIG's Proposed Debarment. Therefore, it is the OIG's position that Mr. Jay Mehta is precluded from submitting an appeal before this honorable body.

Should you have any questions or concerns regarding this matter, kindly let me know. Thank you.

Very truly yours,



Ellen Ha
Inspector General
City of Detroit
Office: 313-628-2517
Direct: 313-628-2514
HaE@detoig.org

Enclosures: OIG's binder

CC Via Hand-Delivery: Janice Winfrey, City Clerk

CC Via Email only: Lawrence Garcia, Corporation Counsel
David Whitaker, Director, Legislative Policy Division
Boysie Jackson, Chief Procurement Officer
Beth Niblock, Chief Information Officer

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MEMORANDUM

TO: Mr. Lawrence Garcia
Corporation Counsel
Law Department
City of Detroit

FROM: Roy McCalister, Jr., Councilman
City of Detroit

DATE: June 28, 2019

RE: **Questions Regarding Request for Indemnification for Officer Michael Russell in the case of Howard vs City of Detroit et al Civil Action case # 18-13678**

- 1- Please provide more details as to actions of Officer Michael Russell (Lieutenant), relative to the subsequent Narcotic raid, which is the subject of the case?
- 2- The suit describes three separate events in the attachments, one was the Robbery /Homicide which occurred on or about December 30, 2013. It was at that time, Officer Russell was in contact with one of the suit plaintiffs. During the investigation of the Robbery /Homicide the Narcotics unit responded to the same scene and collected and confiscated several marijuana plants and related products. As a direct result of the on-going investigation of the Robbery/ Homicide another agency became involved by engaging one of the suspects in alleged Robbery /Homicide where a gun battle ensued, and the suspect was shot and killed by the officers involved. This act negated the need to further investigate the case because the second suspect was never identified and the other case of Robbery /Homicide was closed under special circumstances. Approximately eight months later (August 22, 2014) there was a subsequent narcotic raid conducted at the same location where other property was seized, it appears as though the listed defendants were identified as defendants in this suit, yet there is no documentation of the incident in August 2014. Given these circumstances it is requested that all supporting documents be made available for review to determine Indemnification status before this body.
- 3- It is further requested as to the final outcomes of both contacts, relative to the return of property or not that the plaintiffs are suggesting were illegally obtained. Officer Russell's involvement specifically to the confiscations in either incident.
- 4- Were there any Department charges or investigation into these matters?

CITY CLERK 2019 JUN 28 AM 9:28

Sincerely,

Roy McCalister, Jr.
Detroit City Council

CC:
City Clerk

MEMORANDUM

TO: Mr. Lawrence Garcia
Corporation Counsel
Law Department
City of Detroit

FROM: Roy McCalister, Jr., Councilman
City of Detroit

DATE: June 27, 2019

RE: Questions regarding Settlement of Lawsuit of Lonzell Latimer; verses the City of Detroit
Case No.: 3:18-cv-11654; File No.: L18-00326

- 1- Please provide more details as to the rational for the initial stop (Probable Cause)?
- 2- The suit was forwarded but there are a lot of unanswered questions regarding the validity and or the lack of information. Therefore if there are any other supporting documents which would shed a better light on this case I would appreciate reviewing them. If not, this case is frustrating and I would like to have a better understanding as to why litigation is usually not pursued and a quick settlement is the only option.
- 3- The simple fact that a witness was produced how far reaching was the investigation?
- 4- Were there any Department charges or investigation into this matter?

Sincerely,

Roy McCalister, Jr.
Detroit City Council
CC:

City Clerk
Stephanie Washington, Mayor's Office

MEMORANDUM

TO: Lawrence Garcia, Corporation Counsel
Law Department

FROM: Roy McCalister, Jr., Member
Detroit City Council

DATE: June 27, 2019

RE: TEO Zoette Beard

A request for indemnification and representation for TEO Zoette Beard; Badge No.: 5019, involving Case No.: 18-003087-NI will be on the agenda for Internal Operations Standing Committee on Wednesday, July 3, 2019. I have some questions concerning this case that I would like for you to answer.

1. Was TEO Beard injured in the accident?
2. Was TEO Beard reprimanded for her role in the accident?
3. Was TEO Beard allowed to return to work? If so, when did she return after the accident and is she still employed by DDOT?

If you have any questions, please contact my office at 313-224-4535.

Thank you,

Roy McCalister, Jr.
Detroit City Council

CC: Colleagues
City Clerk

CITY CLERK 2019 JUN 27 4:14:45

MEMORANDUM

TO: Lawrence Garcia, Corporation Counsel
Law Department

FROM: Roy McCalister, Jr., Member
Detroit City Council

DATE: June 27, 2019

RE: TEO Denise Childress

A request for indemnification and representation for TEO Denise Childress; Badge No.: 5046, involving Case No.: 19-004318-NI will be on the agenda for Internal Operations Standing Committee on Wednesday, July 3, 2019. I have some questions concerning this case that I would like for you to answer.

1. What was the severity of the injuries TEO Childress sustained in the accident?
2. Was TEO Childress reprimanded for her role in the accident?
3. Was TEO Childress allowed to return to work? If so, when did she return after the accident and is she still employed by DDOT?
4. Why was FTA testing foregone for TEO Childress?

If you have any questions, please contact my office at 313-224-4535.

Thank you,

Roy McCalister, Jr.
Detroit City Council

CITY CLERK 2019 JUN 27 PM 4:19

CC: Colleagues
City Clerk