

*Referrals  
Journal Session 9-3-19*

**INTERNAL  
OPERATIONS  
STANDING  
COMMITTEE**

62

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

August 28, 2019

HONORABLE CITY COUNCIL:

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

6000434      100% City Funding – AMEND 2 – To Provide Software Support for Work Brain. – Contractor: Infor Enterprise Applications LP and its Subsidiaries/Infor US – Location: 13560 Morris Rd., Ste. 4100, Alpharetta, GA 30004 – Contract Period: Upon City Council Approval through September 30, 2020 – Contract Increase: \$228,339.74 – Total Contract Amount: \$834,794.33 **DoIT**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**           MCCALISTER          

**RESOLVED**, that Contract No. 6000434 referred to in the foregoing communication dated August 28, 2019, be hereby and is approved.



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

Date: July 23, 2019

To: Honorable City Council

From: Law Department

*LSW*

Re: Emergency Procurement of Legal Services – City Ordinance 18-5-21 – Fink & Associates **SCOPE ONLY**

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The Law Department has submitted privileged and confidential correspondence, dated July 22, 2019, regarding the above-referenced matter.

CITY CLERK 2019 JUL 23 AM 10:04



CITY OF DETROIT  
LAW DEPARTMENT

64

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

Date: August 13, 2019

To: Honorable City Council

From: Law Department

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

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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 2019 AUG 13 PM 1:58



CITY OF DETROIT  
LAW DEPARTMENT

65

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: August 21, 2019

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.

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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 2019 AUG 21 PM 2:11



CITY OF DETROIT  
LAW DEPARTMENT

66

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

Date: August 22, 2019

To: Honorable City Council

*esw*

From: Law Department

Re: Emergency Procurement of Legal Services – City Ordinance 18-5-21 –  
Cummings, McClorey, Davis and Acho P.L.C.

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The Law Department has submitted privileged and confidential correspondence, dated August 22, 2019, regarding the above-referenced matter.



CITY OF DETROIT  
LAW DEPARTMENT

67

COLEMAN A. YOUNG MUNICIPAL CENTER  
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August 8, 2019

**HONORABLE CITY COUNCIL**

RE: Williams, Jeffrey v COD  
Case No: 18-002618-NF  
File No:L18-00140 PH

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 **Five Thousand Dollars and <sup>NO</sup>/Cents (\$5,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Five Thousand Dollars and <sup>NO</sup>/Cents (\$5,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **Jeffrey Williams** and his attorney, **Law Offices of Brian E. Muawad, PC**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.18-002618-NF, approved by the Law Department.

Respectfully submitted,

Philip Hiltner

Assistant Corporation Counsel

**APPROVED: AUG 09 2019**

LAWRENCE GARCIA  
Corporation Counsel

BY:   
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2019 AUG 28 PM 12:17

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 **Five Thousand Dollars and <sup>NO</sup>/Cents (\$5,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **Jeffrey Williams** and his attorney, **Law Offices of Brian E. Muawad, PC**, in the amount of **Five Thousand Dollars and <sup>NO</sup>/Cents (\$5,000.00)** in full payment for any and all claims which Jeffrey Williams may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No.18-002618-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-002618-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**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

68

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
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July 29, 2019

**HONORABLE CITY COUNCIL**

RE: M1 Imaging (Phillip Gauley) v COD  
Case No: 19-146262  
File No: L19-00166(CBO)

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 **Three Thousand Two Hundred and Sixty Dollars and <sup>NO</sup>/Cents (\$3,260.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Three Thousand Two Hundred and Sixty Dollars and <sup>NO</sup>/Cents (\$3,260.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to M1 Imaging and attorney, Seva Law Firm, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 19-146262, approved by the Law Department.

Respectfully submitted,

Crystal Olmstead  
Senior Assistant Corporation Counsel

**APPROVED: AUG 12 2019**  
LAWRENCE GARCIA  
Corporation Counsel

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

Attachments

R E S O L U T I O N

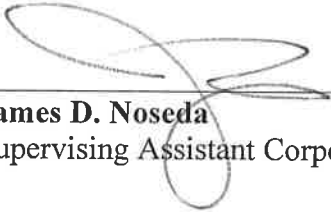
**BY COUNCIL MEMBER** \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Three Thousand Two Hundred and Sixty Dollars and <sup>NO</sup>/Cents (\$3,260.00)**; 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 M1 Imaging and **HIS/HER/THEIR** attorney, Seva Law Firm, in the amount of **Three Thousand Two Hundred and Sixty Dollars and <sup>NO</sup>/Cents (\$3,260.00)** in full payment for any and all claims which M1 Imaging may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about July 8, 2015, and otherwise set forth in Case No.19-146262, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.19-146262 and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY:

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

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

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



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

August 8, 2019

**HONORABLE CITY COUNCIL**

RE: Smith, James v COD  
Case No: 18-007484-NF  
File No: L18-00438 PH

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 <sup>NO</sup>/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 <sup>NO</sup>/Cents (\$30,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **James Smith** and his attorney, **Law Offices of Brian E. Muawad, PC**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.18-007484-NF, approved by the Law Department.

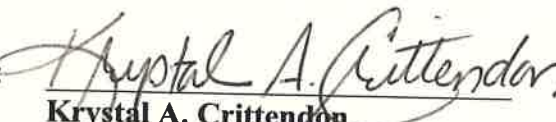
Respectfully submitted,

Philip Hiltner

Assistant Corporation Counsel

**APPROVED: AUG 08 2019**

LAWRENCE GARCIA  
Corporation Counsel

BY:   
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2019 AUG 23 AM 12:17

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 **Thirty Thousand Dollars and <sup>NO</sup>/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 **James Smith** and his attorney, **Law Offices of Brian E. Muawad, PC**, in the amount of **Thirty Thousand Dollars and <sup>NO</sup>/Cents (\$30,000.00)** in full payment for any and all claims which James Smith may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No.18-007484-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-007484-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**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

70

COLEMAN A. YOUNG MUNICIPAL CENTER  
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DETROIT, MICHIGAN 48226-3437  
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August 14, 2019

**HONORABLE CITY COUNCIL**

RE: Associated Surgical Center (Ronald Pendleton) v COD  
Case No: 18-175045  
File No: L18-00729(PH)

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 **Six Thousand Dollars and <sup>NO</sup>/Cents (\$6,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Six Thousand Dollars and <sup>NO</sup>/Cents (\$6,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **Associated Surgical Center, LLC**, and its attorney, **Haas & Goldstein**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-175045, approved by the Law Department.

Respectfully submitted,

Philip Hiltner  
Assistant Corporation Counsel

**APPROVED: AUG 14 2019**  
LAWRENCE GARCIA  
Corporation Counsel

BY:   
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2019 AUG 28 PM 2:45

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 **Six Thousand Dollars and <sup>NO</sup>/Cents (\$6,000.00)**; 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 **Associated Surgical Center, LLC**, and its attorney, **Haas & Goldstein**, in the amount of **Six Thousand Dollars and <sup>NO</sup>/Cents (\$6,000.00)** in full payment for any and all claims which **Associated Surgical Center, LLC**, may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **1/27/2017**, and otherwise set forth in **Case No.18-175045**, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in **Lawsuit No.18-175045** and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**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

71

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

August 1, 2019

**Lawrence Garcia**  
Corporation Counsel

**RE: *Allen Rimson v City of Detroit, et al***  
**Case No. 2:18-cv-12989**  
**File No.: L18-00655 (GBP)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum attached hereto. From this review, it is our considered opinion that a settlement in the amount of **Four Thousand Dollars and Zero Cents (\$4,000.00)** is in the best interest of CITY OF DETROIT.

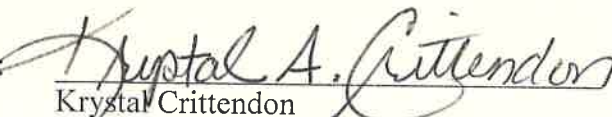
We, therefore, request authorization to settle this matter in the amount of **Four Thousand Dollars and Zero Cents (\$4,000.00)** and that you direct the Finance Director to issue a draft in that amount payable to **ALLEN RIMSON and EXCOLO LAW, PLLC, and KLEIN FIRM, PLLC**, his attorneys, to be delivered upon receipt of an Order of Dismissal entered in Lawsuit No.: 2:18-cv-12989, approved by the Law Department.

Very truly yours,

Gregory B. Paddison  
Assistant Corporation Counsel

**APPROVED: AUG 12 2019**

Lawrence Garcia  
Corporation Counsel

By:   
Krystal Crittendon  
Supervising Assistant Corporation Counsel

RESOLUTION

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

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Four Thousand Dollars and Zero Cents (\$4,000.00)**; 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 **ALLEN RIMSON** and his attorneys, **KLEIN FIRM PLLC and EXCOLO LAW PLLC**, in the amount of **Four Thousand Dollars and Zero Cents (\$4,000.00)** in full payment for any and all claims which **ALLEN RIMSON** may have against Defendant, **CITY OF DETROIT**, by reason of the Constitutional Violations alleged to have occurred on or about **April 18, 2018**, and that said amount be paid upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.: 2:18-cv-12989, approved by the Law Department.

**APPROVED:**

LAWRENCE GARCIA  
Corporation Counsel

By:   
\_\_\_\_\_  
Krystal A. Crittendon  
Supervising Assistant Corporation Counsel





CITY OF DETROIT  
LAW DEPARTMENT

72.

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

July, 2019

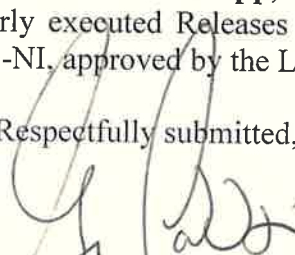
**HONORABLE CITY COUNCIL**

**RE: *Lawrence Shipp v City of Detroit, et al***  
**Case No.: 18-006145-NI**  
**File No.: L18-00352 (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 **Eighteen Thousand Five Hundred Dollars and Zero Cents (\$18,500.00)** is in the best interest of the City of Detroit.

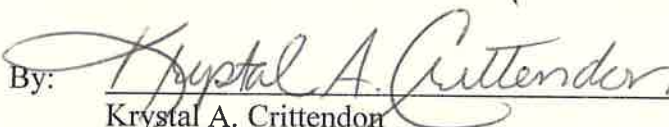
We, therefore, request authorization to settle this matter in the amount of **Eighteen Thousand Five Hundred Dollars and Zero Cents (\$18,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **Lawrence Shipp**, his attorneys, **Kepes and Wine, PC**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.: 18-006145-NI, approved by the Law Department.

Respectfully submitted,

  
Gregory B. Paddison  
Assistant Corporation Counsel

.. APPROVED: **JUL 24 2019**

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 **Eighteen Thousand Five Hundred Dollars and Zero Cents (\$18,500.00)**; 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 **Lawrence Shipp**, his attorneys, **Kepes and Wine, PC**, in the amount of **Eighteen Thousand Five Hundred Dollars and Zero Cents (\$18,500.00)** in full payment for any and all claims which **Lawrence Shipp** may have against the City of Detroit by reason of alleged injuries sustained when the DOT coach on which he was a passenger struck a Parking Enforcement Vehicle, on or about **July 27, 2017**, and that said amount be paid upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit 18-006145-NI, approved by the Law Department.

**APPROVED:**

LAWRENCE GARCIA  
Corporation Counsel

By:   
Krystal A. Crittendon  
Supervising Assistant Corporation Counsel



CITY OF DETROIT  
LAW DEPARTMENT

73

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

August 26, 2019

**HONORABLE CITY COUNCIL**

RE: Elizabeth Wilson v Brooke Darcy and City of Detroit  
Case No: 18-013379-NI  
File No: L18-00658 (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 **Twenty Eight Thousand Dollars and No Cents (\$28,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Twenty Eight Thousand Dollars and No Cents (\$28,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Elizabeth Wilson and her attorney, The Lobb Law Firm, to be delivered upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No.18-013379-NI, approved by the Law Department.

Respectfully submitted,

Michael Auten (P81884)  
Assistant Corporation Counsel

APPROVED: **AUG 28 2019**  
LAWRENCE GARCIA  
Corporation Counsel

BY:   
Krystal A. Crittendon

Supervising Assistant Corporation Counsel

CITY CLERK 2019 AUG 28 PM 4:24

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 **Twenty Eight Thousand Dollars and No Cents (\$28,000.00)**; 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 Elizabeth Wilson and her attorney, The Lobb Law Firm, in the amount of **Twenty Eight Thousand Dollars and No Cents (\$28,000.00)** in full payment for any and all claims which Elizabeth Wilson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No.18-013379-NI, that said amount be paid upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 18-013379-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY:  \_\_\_\_\_  
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

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

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



**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

July 30, 2019

**HONORABLE CITY COUNCIL**

RE: Victor Stanley, Inc. v SCH Enterprises, Mark Pappas, and COD  
Case No: 18-002944-CZ  
File No: L19-00017 CNR

In late 2017, the City, via DPW, issued a purchase order to procure 1,500 waste receptacles to place throughout the City as part of the City's efforts to combat blight. SCH Enterprises ("SCH") was the selected vendor. The City agreed to pay \$650 per receptacle for a total price of \$975,000. The City did not know that a company called Victor Stanley, Inc. ("VSI") had a judgment against SCH for more than \$3 million.

SCH was supposed to deliver all 1,500 receptacles by early 2018, although the City initially asked that deliveries be delayed due to space concerns. SCH began deliveries in dribs and drabs. And shortly after deliveries began, VSI issued a garnishment to the City to collect VSI's \$3+ million judgment against SCH. The garnishment required the City to issue to VSI all payments due to SCH for delivery of receptacles.

Initially, the City did properly pay \$108,099 to VSI under the garnishment. However, due to some miscommunications the City paid \$110,000 to SCH in error when those funds should have been paid to VSI under the garnishment. That erroneous payment exposed the City to duplicative liability - i.e., a claim by VSI that the City was obliged to pay that amount a second time, this time to VSI. That serious error has been fully discussed with the OCFO and should never happen again. The law department ultimately terminated SCH's contract for failure to deliver under the contract. SCH ended up shipping receptacles with a contract price of \$79,000 for which the City did not pay because of SCH's breach.

VSI asserted a claim against the City for (i) the \$110,000 that was paid in error to SCH, and (ii) the \$79,000 that the City did not pay to anyone on the grounds that SCH had breached its contract. VSI's total claim against the City was \$189,000. In a recent facilitation, the law department agreed, subject to City Council approval, to resolve that claim for \$93,500.

This was a difficult and messy case. But the bottom line was this: The City received a total of 630 containers from SCH. At the contract price of \$650 each, the City should have paid \$409,500. Instead, including all payments made to SCH and VSI, and the settlement payment of \$93,500, the City will pay a total of \$429,500.

In short, the City resolved a potential exposure of \$189,000 to VSI for roughly \$20,000. Moreover, DPW has rebid the waste receptacle contract. Although the replacement receptacles are not as heavy duty as those supplied by SCH, the replacement receptacles meet the City's specs and are considerably less expensive - \$423 each vs. \$650 for the SCH receptacles. So the City will emerge from this mess in the black.


The law department believes this is an excellent resolution and strongly recommends it to City Council

Respectfully submitted,  
Charles N. Raimi  
Deputy Corporation Counsel



**APPROVED: JUL 31 2019**  
LAWRENCE GARCIA  
Corporation Counsel

BY:

  
\_\_\_\_\_  
**Charles N. Raimi**  
Deputy Corporation Counsel

Attachments

R E S O L U T I O N


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

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Ninety-Three Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$93,500.00)**; 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 Victor Stanley Inc. and **THEIR** attorney, Anthony Vittiglio Esq., in the amount of **Ninety-Three Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$93,500.00)** in full payment for any and all claims which Victor Stanley Inc. may have against the City of Detroit and any other City of Detroit employees and otherwise set forth in Case No. 18-002944-CZ, that said amount be paid upon receipt of properly executed Releases in Lawsuit No. 18-002944-CZ 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: \_\_\_\_\_



**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

August 5, 2019

**HONORABLE CITY COUNCIL**

RE: The Realty Company v COD  
Case No: 17-015291-CZ  
File No:L17-00722 CNR

The Realty Company (TRC) owns real estate upon which Gene's Towing operates. For many years DPD stored "evidence vehicles" on Gene's/TRC property. Evidence vehicles are vehicles that have evidence of criminal activity, such as a vehicle in which a car-jacking or homicide took place. DPD had an evidence facility on adjacent property so they could access the evidence vehicles for criminal prosecutions.

For many years, until 2018, DPD and Gene's had an informal arrangement covering DPD's storage of evidence vehicles on Gene's property. DPD agreed to pay Gene's \$175 regardless of how long the storage was. Gene's would in turn pay \$75 from the \$175 to the tower that brought the vehicle to Gene's. As a result of this arrangement, the owner of the vehicle typically would not have to pay any towing or storage.

In 2018, Gene's, which was affiliated with Gasper Fiore, was removed from DPD's tow rotation. DPD also moved its evidence facility to another location. However, at that time, more than 1,000 evidence vehicles were sitting on Gene's property, many of which had been there for years. This was one aspect of DPD's historic towing problems which had been ongoing for years.

Gene's/TRC sued and claimed that DPD owed the City ordinance storage rate of \$15 per day per vehicle resulting in a multi-million dollar claim. The law governing this dispute was unclear. At case evaluation, the three attorney panel largely accepted Gene's position and entered an award in Gene's favor of \$3.1 million. The City rejected the award.

Thereafter, the parties agreed to a facilitation. After lengthy negotiations, the facilitator recommended to both parties a settlement of \$500,000.



The law department believes that is a reasonable settlement in view of the potential multi-million dollar exposure in the case. DPD now has its own storage facilities for the evidence vehicles so this situation will not reoccur. DPD supports the proposed settlement.

For those reasons, the law department strongly recommends the settlement to City Council.

Respectfully submitted,  
Charles N Raimi  
Deputy Corporation Counsel

APPROVED: **AUG 05 2019**  
LAWRENCE GARCIA  
Corporation Counsel

BY:

  
\_\_\_\_\_  
Charles N. Raimi  
Deputy Corporation Counsel

Attachments

R E S O L U T I O N

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

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Five Hundred Thousand Dollars and <sup>NO</sup>/Cents (\$500,000.00)**; 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 The Realty Company, Inc. and **THEIR** attorney, David P. Fraser Esq., in the amount of **Five Hundred Thousand Dollars and <sup>NO</sup>/Cents (\$500,000.00)** in full payment for any and all claims which The Realty Company, Inc. may have against the City of Detroit and any other City of Detroit employees by reason of alleged claims set forth in Case No.17-015291-CZ, that said amount be paid upon receipt of properly executed Releases 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  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
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DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
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August 20, 2019

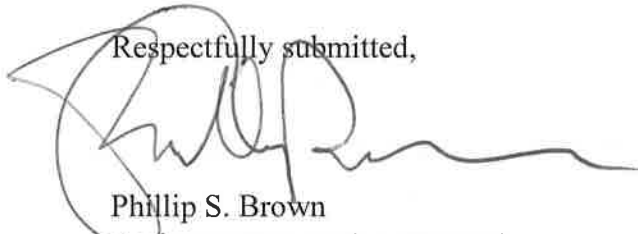
HONORABLE CITY COUNCIL

**RE: FELICIA COLE vs CITY OF DETROIT  
DEPARTMENT OF TRANSPORTATION  
FILE #: 14914 (PSB)**

On June 26, 2018, your Honorable Body adopted a resolution authorizing payment of \$50,000.00 to settle the workers compensation claim of Felicia Cole. However, additional medical costs related to Medicare and accrued wage loss benefits have resulted in an increase in the City's exposure for this matter of \$20,510.00.

We, therefore, request that your Honorable Body rescind the resolution of June 26, 2018, and request authorization to settle this workers compensation claim for the amount of **SEVENTY THOUSAND FIVE HUNDRED TEN DOLLARS (\$70,510.00)**, and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Felicia Cole and her attorney Richard L. Warsh**, in Workers Compensation Claim # 14914 approved by the Law Department.

Respectfully submitted,

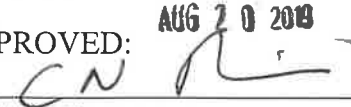


Phillip S. Brown  
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: **AUG 20 2019**  
  
CHARLES RAIMI  
Deputy Corporation Counsel

CITY CLERK 2019 AUG 20 10:05 AM

**RESOLUTION**

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

RESOLVED, that the resolution regarding Felicia Cole approved on June 26, 2018 is hereby Rescinded; and be it further

RESOLVED, that settlement of the above matters be and hereby are authorized in the amount of **SEVENTY THOUSAND FIVE HUNDRED TEN DOLLARS (\$70,510.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized to draw a warrant upon the proper fund in favor of **Felicia Cole, and her attorney, Richard L. Warsh**, in the sum of **SEVENTY THOUSAND FIVE HUNDRED TEN DOLLARS (\$70,510.00)** in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of his past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: ~~AUG 20 2018~~



\_\_\_\_\_  
CHARLES RAIMI

Deputy Corporation Counsel

# TRUE COPY CERTIFICATE

STATE OF MICHIGAN, }  
City of Detroit } ss.

CITY CLERK'S OFFICE, DETROIT

I, JANICE M. WINFREY

, City Clerk of the City of Detroit, in said

State, do hereby certify that the annexed paper is a TRUE COPY OF RESOLUTION

adopted (passed) by the City Council at session of

JUNE 26 2018

and approved by Mayor

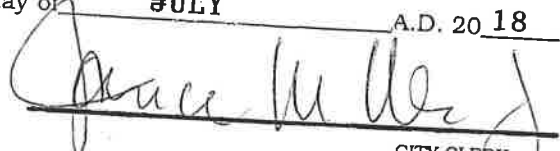
JUNBE 27 2018

as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid; that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City, at

Detroit, this 3rd

day of JULY A.D. 2018

  
CITY CLERK



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

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54

June 6, 2018

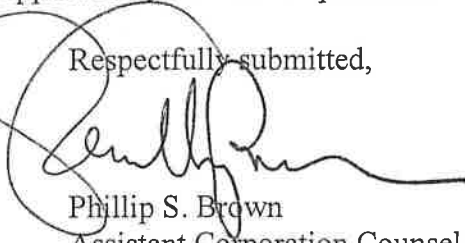
HONORABLE CITY COUNCIL

RE: **FELICIA COLE vs CITY OF DETROIT**  
**DEPARTMENT OF TRANSPORTATION**  
**FILE #: 14914 (PSB)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential attorney-client privileged 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 **FIFTY THOUSAND DOLLARS (\$50,000.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **FIFTY THOUSAND DOLLARS (\$50,000.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Felicia Cole and her attorney, Richard L. Warsh**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14914, approved by the Law Department.

Respectfully submitted,

  
Phillip S. Brown  
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: JUN 08 2018

  
CHARLES RAIMI  
Deputy Corporation Counsel

CITY CLERK 14 JUN 20 2018 09:15:42

ENTERED JUN 20 2018 Move To Forward - JT (B10)

**R E S O L U T I O N**

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

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **FIFTY THOUSAND DOLLARS (\$50,000.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor **Felicia Cole and her attorney, Richard L. Warsh**, in the sum of **FIFTY THOUSAND DOLLARS (\$50,000.00)** in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of her past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: **JUN 08 2018**

  
\_\_\_\_\_  
CHARLES RAIMI  
Deputy Corporation Counsel

**ADOPTED AS FOLLOWS  
COUNCIL MEMBERS**

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		YEAS	NAYS
Janee	AYERS	✓	
Scott	BENSON	✓	
Raquel	CASTANEDA-LOPEZ	✓	
Gabe	LELAND	✓	
Roy	MCCALISTER, JR.	✓	
*Mary	SHEFFIELD	✓	
Andre	SPIVEY	✓	
James	TATE	ABSENT	
Brenda	PRESIDENT JONES	✓	
*PRESIDENT PRO TEM			
		8	0
WAIVER OF RECONSIDERATION (No. _____)			
Per motions before adjournment.			





CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
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July 1, 2019

**HONORABLE CITY COUNCIL**

**RE: David Jackson vs City of Detroit  
Civil Action Case No: 18-013947-NO**

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:

**Sgt. Justin Lyons**

**Badge No: S-405**

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 AUG 28 PM 4:53

**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 **David T. Jackson vs City of Detroit, Civil Case No. 18-013947-NO.**

**Sgt. Justin Lyons**

**Badge No: S-405**

APPROVED:

BY:



LAWRENCE T. GARCIA  
CORPORATION COUNSEL



CITY OF DETROIT  
LAW DEPARTMENT

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July 1, 2019

**HONORABLE CITY COUNCIL**

**RE: David Jackson vs City of Detroit  
Civil Action Case No: 18-013947-NO**

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:

**P.O. James Pierce                      Badge No: 572**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA  
CORPORATION COUNSEL

DB/sb

Attachments

**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 **David T. Jackson vs City of Detroit, Civil Case No. 18-013947-NO.**

**P.O. James Pierce**

**Badge No: 572**

APPROVED:

BY:



\_\_\_\_\_  
LAWRENCE T. GARCIA  
CORPORATION COUNSEL



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
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July 1, 2019

**HONORABLE CITY COUNCIL**

**RE: David Jackson vs City of Detroit  
Civil Action Case No: 18-013947-NO**

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:

**P.O. Wendell Smith      Badge No: 2406**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

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

DB/sb

Attachments

CITY CLERK 2019 AUG 28 AM 1:39

**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 **David T. Jackson vs City of Detroit, Civil Case No. 18-013947-NO.**

**P.O. Wendell Smith**

**Badge No: 2406**

APPROVED:

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



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
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July 1, 2019

**HONORABLE CITY COUNCIL**

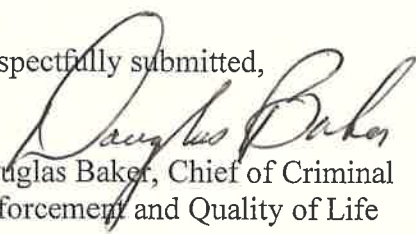
**RE: David Jackson vs City of Detroit  
Civil Action Case No: 18-013947-NO**

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:

**P.O. Bradley Clark      Badge No: 337**

Respectfully submitted,

  
Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

BY:

  
LAWRENCE T. GARCIA  
CORPORATION COUNSEL

DB/sb

Attachments

**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 **David T. Jackson vs City of Detroit, Civil Case No. 18-013947-NO.**

**P.O. Bradley Clark      Badge No: 337**

APPROVED:

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





CITY OF DETROIT  
LAW DEPARTMENT

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July 30, 2019

**HONORABLE CITY COUNCIL**

**RE: David T. Jackson v City of Detroit  
Civil Action Case No: 18-013947 NZ**

Representation by the Law Department of the City employees or officers listed below is hereby recommended, as 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 or Officer requesting representation:

**CPL Julian Sage (retired)**

**Badge No: 3074**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

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

DB/sb

Attachments

CITY CLERK 2019 AUG 29 PM 4:52

## 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 **David T. Jackson v City of Detroit, Civil Case No. 18-013947-NZ.**

**CPL Julian Sage (retired)**

**Badge No: 3074**

APPROVED:

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



CITY OF DETROIT  
LAW DEPARTMENT

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July 23, 2019

**HONORABLE CITY COUNCIL**

**RE: Nazar Brikho, et al. v City of Detroit  
Civil Action Case No: 19-10592**

Representation by the Law Department of the City employees or officers listed below is hereby recommended, as 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.

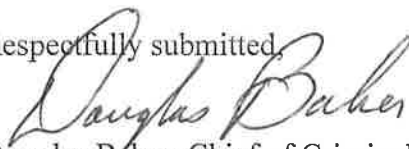
Copies of the relevant documents are submitted under separate cover.

Employee or Officer requesting representation:

**P.O. Walter Merida**

**Badge No: S-693**

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 AUG 20 11:13 AM

**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 **Nazar Brikho, et al. v City of Detroit, Civil Case No. 19-10592.**

**P.O. Walter Merida**

**Badge No: S-693**

APPROVED:

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



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
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July 23, 2019

**HONORABLE CITY COUNCIL**

**RE: Nazar Brikho, et al. v City of Detroit  
Civil Action Case No: 19-10592**

Representation by the Law Department of the City employees or officers listed below is hereby recommended, as 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 or Officer requesting representation:

**P.O. Jana Greeno Badge No: 1357**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

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

DB/sb

Attachments

CITY CLERK 2019 AUG 28 PM 4:54

**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 **Nazar Brikho, et al. v City of Detroit, Civil Case No. 19-10592.**

**P.O. Jana Greeno**

**Badge No: 1357**

APPROVED:

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



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
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FAX 313•224•5505  
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84

July 1, 2019

**HONORABLE CITY COUNCIL**

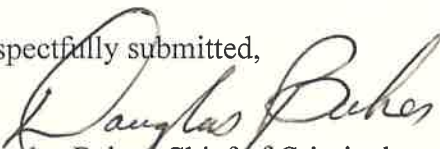
**RE: David Jackson vs City of Detroit  
Civil Action Case No: 18-013947-NO**

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:

**P.O. Fabio Buscemi      Badge No: 2596**

Respectfully submitted,

  
Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

BY:   
LAWRENCE T. GARCIA  
CORPORATION COUNSEL

DB/sb

Attachments

## 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 **David T. Jackson vs City of Detroit, Civil Case No. 18-013947-NO.**

**P.O. Fabio Buscemi**

**Badge No: 2596**

APPROVED:

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





CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
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PHONE 313•224•4550  
FAX 313•224•5505  
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85

July 23, 2019

**HONORABLE CITY COUNCIL**

**RE: Travis Hailey v City of Detroit et al.  
Case No: 18-12651**

Representation by the Law Department of the City employees or officers listed below is hereby recommended, as 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 or Officer requesting representation:

**P.O. Stephen Kue**

**Badge No: 2088**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA  
CORPORATION COUNSEL

DB/sb

Attachments

**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 **Travis Hailey v City of Detroit, Civil Case No. 18-12651.**

**P.O. Stephen Kue**

**Badge No: 2088**

APPROVED:

BY:

*Lawrence T. Garcia*

LAWRENCE T. GARCIA  
CORPORATION COUNSEL



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
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WWW.DETROITMI.GOV

86

July 23, 2019

**HONORABLE CITY COUNCIL**

**RE: Travis Hailey v City of Detroit et al.  
Case No: 18-12651**

Representation by the Law Department of the City employees or officers listed below is hereby recommended, as 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 or Officer requesting representation:

**P.O. Christopher Bush**

**Badge No: 4781**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA  
CORPORATION COUNSEL

DB/sb

Attachments

**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 **Travis Hailey v City of Detroit, Civil Case No. 18-12651.**

**P.O. Christopher Bush**

**Badge No: 4781**

APPROVED:

BY:



LAWRENCE T. GARCIA  
CORPORATION COUNSEL



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
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87

July 30, 2019

**HONORABLE CITY COUNCIL**

**RE: Travon Bivins v City of Detroit  
Civil Action Case No: 18-cv-11863**

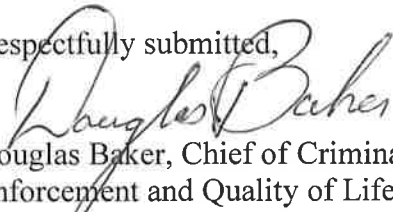
Representation by the Law Department of the City employees or officers listed below is hereby announced, and we concur with the recommendation of the Head of the Department and believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance 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:

**P.O. Brian Gibbings      Badge No: 2633**

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 AUG 28 PM 4:35

**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 **Travon Bivins v City of Detroit, Civil Case No. 18-cv-11863.**

**P.O. Brian Gibbings**

**Badge No: 2633**

APPROVED:

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



CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
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WWW.DETROITMI.GOV

June 10, 2019

**HONORABLE CITY COUNCIL**

**RE: Justin Reid, et al. vs City of Detroit  
Civil Action Case No: 18-13681**

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:

**P.O. Gregory Tourville      Badge No: 682**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA  
CORPORATION COUNSEL

DB/sb

Attachments

## RESOLUTION

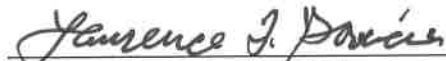
By Council Member \_\_\_\_\_ :

**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 **Justin Reid vs City of Detroit, Civil Case No. 18-13681.**

**P.O. Gregory Tourville      Badge No: 682**

APPROVED:

BY:



\_\_\_\_\_  
LAWRENCE T. GARCIA  
CORPORATION COUNSEL





CITY OF DETROIT  
LAW DEPARTMENT

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89.

July 23, 2019

**HONORABLE CITY COUNCIL**

**RE: Angell Cyars-Williams v City of Detroit  
Case No: 18-013365 NO**

Representation by the Law Department of the City employees or officers listed below is hereby recommended, as 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 or Officer requesting representation:

**P.O. Thomas Skender      Badge No: 4893**

Respectfully submitted,

Douglas Baker, Chief of Criminal  
Enforcement and Quality of Life

APPROVED:

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

DB/sb

Attachments

CITY CLERK 2019 AUG 28 AM 1:34

**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 **Angell Cyars-Williams v City of Detroit, Civil Case No. 18-013365 NO.**

**P.O. Thomas Skender**

**Badge No: 4893**

APPROVED:

BY:

*Lawrence T. Garcia*

LAWRENCE T. GARCIA  
CORPORATION COUNSEL



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Coleman A. Young Municipal Center  
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www.detroitmi.gov

August 19, 2019

HONORABLE CITY COUNCIL

**RE: 2020 Medical, Dental and Vision Plan Rate Schedules for City of Detroit Employees**

Medical, Dental and Vision companies that provide benefits to active City of Detroit employees and their eligible dependents have submitted rates to be in effect January 1, 2020. The Employees Benefit Plan Governing Board has examined these rates and certified them by Resolution. These rates are hereby submitted for final approval by your Honorable Body.

The Plans are as follows:

**Medical Insurances**

Blue Cross Blue Shield of Michigan  
Health Alliance Plan  
Blue Care Network

**Dental Insurances**

Blue Cross Traditional Plus  
DenCap Dental Plan  
Golden Dental Plan


**Vision Insurances**

Heritage Vision Plans

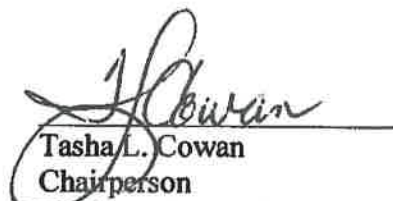
Attached are schedules of monthly rates being charged for each plan.

In conclusion, the Governing Board of the City Employee's Benefit Board presents the various rates contained on the attached schedules and recommends that the City Council approve them for application.

Respectfully Submitted,

  
Hakim Berry  
Benefits Administration  
Labor Relations Division

  
Executive Secretary  
Employee Benefit Board

  
Tasha L. Cowan  
Chairperson  
Employee Benefit Board

Approved:

  
Tonya Stoudemire  
Deputy CFO/Director - Office of Budget  
8/19/19

  
John Naglick  
Chief Deputy CFO/Finance Director

CITY CLERK 3076 BLDG 26 44224

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

**RESOLVED, that the attached rate schedules for medical benefits for City employees, as submitted by Blue Cross/Blue Shield of Michigan, Blue Care Network and Health Alliance Plan, are effective January 1, 2020 and be it further**

**RESOLVED, that the attached rate schedules for dental benefits for City employees, as submitted by Blue Cross Traditional Plus, Dencap and Golden are effective January 1, 2020.**

**RESOLVED, that the attached rate schedules for vision benefits for City employees, as submitted by Heritage are effective January 1, 2020.**

# 2020 Percentage Increase/Decrease for Medical, Dental and Optical Rates for City of Detroit Employees

	Percentage Increase/Decrease
<b>Medical Plans (Employees)</b>	
Blue Cross Blue Shield of Michigan	
Blue Cross Community Blue (PPO)	5.6%
Blue Care Network Healthy Blue Living	-3.5%
Health Alliance Plan (HMO)	-5.4%
<b>Dental Plans (Employees)</b>	
Blue Cross Dental	-1.4%
DenCap Dental Plan	0.0%
Golden Dental Plan	0.0%
<b>Optical Plans (Employees)</b>	
Heritage Standard	0.0%
Heritage Enhanced	27.9%
Heritage Premier	59.4%

Prepared By:  
City of Detroit - Labor Relations  
Benefits Administration Office  
8/20/2019

**City of Detroit**  
**2020 Health Care Premiums and Contributions for Active Employees**

8/20/2019

**COST CHANGE COMPARISON - BCBSM PPO**  
 (Monthly Rate Comparison)

	Monthly Illustrative Rate	City Illustrative Rate	Employee Pays Monthly
<b>(1) Current BCBSM Michigan PPO</b>			
Single	\$ 493.63	\$ 394.90	\$ 98.73
2 Person	\$ 1,036.63	\$ 829.30	\$ 207.33
Family	\$ 1,382.17	\$ 1,105.74	\$ 276.43

Renewal	Monthly Illustrative Rate	City Illustrative Rate	Employee Pays Monthly	Increase to Employee in \$ per month from Current
Single	\$ 521.23	\$ 416.98	\$ 104.25	\$ 5.52
2 Person	\$ 1,094.60	\$ 875.68	\$ 218.92	\$ 11.59
Family	\$ 1,459.46	\$ 1,167.57	\$ 291.89	\$ 15.46

**COST CHANGE COMPARISON - HEALTH ALLIANCE PLAN (HMO)**  
 (Monthly Rate Comparison)

	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly
<b>(2) Current Health Alliance Plan (HMO)</b>			
Single	\$ 562.49	\$ 450.00	\$ 112.49
2 Person	\$ 1,181.23	\$ 944.98	\$ 236.25
Family	\$ 1,574.98	\$ 1,259.99	\$ 314.99

Renewal	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly	Increase to Employee in \$ per month from Current
Single	\$ 532.00	\$ 425.60	\$ 106.40	\$ (6.09)
2 Person	\$ 1,117.19	\$ 893.75	\$ 223.44	\$ (12.81)
Family	\$ 1,489.59	\$ 1,191.67	\$ 297.92	\$ (17.07)

	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly
<b>(3) Blue Care Network - Focus Network Wellness Plan</b>			
Single	\$ 364.41	\$ 351.08	\$ 13.33
2 Person	\$ 874.57	\$ 846.58	\$ 27.99
Family	\$ 1,093.21	\$ 1,055.90	\$ 37.31

Renewal	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly	Increase to Employee in \$ per month from Current
Single	\$ 351.80	\$ 338.52	\$ 13.28	\$ (0.05)
2 Person	\$ 844.32	\$ 816.33	\$ 27.99	\$ 0.00
Family	\$ 1,055.40	\$ 1,018.09	\$ 37.31	\$

**City of Detroit**  
**Dental Premium for Plan Year 2020 for Active Employees**

**COST CHANGE COMPARISON - DENTAL**  
 (Monthly Rate Comparison)

8/20/2019

	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly
<b>(1) Current Blue Cross Dental</b>			
	\$ 53.85	\$ 43.08	\$ 10.77
<b>(2) Current DenCap Dental</b>			
	\$ 38.66	\$ 30.93	\$ 7.73
<b>(3) Current Golden Dental</b>			
	\$ 39.00	\$ 31.20	\$ 7.80

Renewal	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly	Increase to Employee in \$ per month from Current
<b>(1) Renewal Blue Cross Dental</b>				
	\$ 53.12	\$ 42.50	\$ 10.62	\$ (0.15)
<b>(2) Renewal DenCap Dental</b>				
	\$ 38.66	\$ 30.93	\$ 7.73	\$ -
<b>(3) Renewal Golden Dental</b>				
	\$ 39.00	\$ 31.20	\$ 7.80	\$ -

**City of Detroit**  
**Optical Premium for Plan Year 2020 for Active Employees**

**COST CHANGE COMPARISON - OPTICAL**  
 (Monthly Rate Comparison)

	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly
<b>(1) Current Heritage Vision Plan</b>			
Basic	\$ 5.55	\$ 4.44	\$ 1.11
Enhanced	\$ 8.82	\$ 4.44	\$ 4.38
Premier	\$ 12.48	\$ 4.44	\$ 8.04

Renewal	Monthly Premium Rate	City Premium Rate	Employee Pays Monthly	Increase to Employee in \$ per month from Current
<b>(1) Renewal Heritage Vision Plan</b>				
Basic	\$ 5.55	\$ 4.44	\$ 1.11	\$ -
Enhanced	\$ 11.28	\$ 4.44	\$ 6.84	\$ 2.46
Premier	\$ 19.89	\$ 4.44	\$ 15.45	\$ 7.41



CITY OF DETROIT  
HUMAN RESOURCES DEPARTMENT  
LABOR RELATIONS DIVISION

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91

August 27, 2019

**HONORABLE CITY COUNCIL:**

**Re: Implementation of the 2019 – 2023 Labor Agreement between the City of Detroit and the employees represented by the Michigan Building Trades Council**

The Labor Relations Division is recommending your Honorable Body's official approval of the 2019 - 2023 Master Agreement between the City of Detroit and the Michigan Building Trades Council.

The Master Agreement covers wages, hours and other basic conditions of employment from January 1, 2019 through June 30, 2023. It has been signed by all parties concerned and meets with the approval of the Labor Relations Division.

We therefore respectfully request that your Honorable Body adopt the following resolution with a Waiver of Reconsideration.

Respectfully submitted,

Hakim W. Berry  
Chief Operating Officer





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

**WHEREAS**, the City of Detroit and the Michigan Building Trades Council have met the standards for recognition as exclusive agents for their members in the employ of the City of Detroit under Public Act 336 of 1947, as amended, and

**WHEREAS**, the Labor Relations Division, under the direction of the Mayor, is authorized and directed by the City Charter to act for the City of Detroit in negotiation and administration of collective bargaining agreements, and

**WHEREAS**, the Labor Relations Division and the Michigan Building Trades Council have met and negotiated this labor agreement which cover wages, hours and other economic conditions of employment through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Master Agreement between the City of Detroit and the Michigan Building Trades Council, be and is hereby approved and confirmed in accordance with the foregoing communication.

**2019 - 2023 LABOR AGREEMENT**  
**BETWEEN THE**  
**CITY OF DETROIT**  
**AND THE**  
**MICHIGAN BUILDING TRADES COUNCIL**  
***SUMMARY OF CHANGES***

---

**Article 5            Agency Shop**

- ◆ Deleted this Article in its entirety based on change in law.

**Article 7            Service Fee Check-Off**

- ◆ Deleted this Article in its entirety based on change in law.

**Article 9            Grievance and Arbitration Procedures**

- ◆ Added language to introduce an expedited arbitration process.

**Article 13          Seniority**

- ◆ Reduced the time considered as a not a break in service from a layoffs from four (4) years to three (3) years.

**Article 18          Leaves of Absence**

- ◆ Deleted language that referenced a full explanation of FMLA being included in New Employee Orientation. Added language to direct employees to the Human Resources Department for information regarding FMLA rights.

**Article 29          Sick Leave**

- ◆ Increased the number of hours for the sick leave cap, from 300 hours to 480 hours.

**Article 31          Overtime**

- ◆ Added language that provides for a forty (40) hour work week qualifier before overtime is paid, with the exception of vacation and holidays.

**Article 32          Holidays and Excused Time Off**

- ◆ Deleted all references to swing holidays.

**Article 34          Vacations**

- ◆ Removed the two - tier vacation schedule. All employees will be covered under the same vacation accrual schedule.

**Article 36          Jury Duty**

- ◆ Added language to provide bargaining unit members with his/her regular compensation when serving in Jury Duty, less monies received from the court.

**2019 - 2023 LABOR AGREEMENT**  
**BETWEEN THE**  
**CITY OF DETROIT**  
**AND THE**  
**MICHIGAN BUILDING TRADES COUNCIL**  
***SUMMARY OF CHANGES***

---

**Article 38            Workers' Compensation**

- ◆ Deleted language which referenced employees having the opportunity to supplement his/her compensation, through sick time usage, when receiving Workers' Compensation benefits.

**Article 40            Wages**

- ◆ Bargaining unit employees will transition to Step code "R" upon approval of the agreement by City Council.
- ◆ Bargaining unit employees at the maximum of the range shall receive a 2% wage increase annually on July 1<sup>st</sup>, for the life of the agreement.
- ◆ Effective each July 1, for the life of the agreement, the classifications of Plumber (62-60-41) and Electrical Worker General (73-83-41) shall receive a 50¢ per hour special wage adjustment.

**Article 41            Clothing, Tool and Uniform Allowance**

- ◆ Added language to provide a tool allowance to all bargaining unit employees of \$150 per year, which shall be paid every two years, on the same pay cycle as the current clothing and uniform allowance.

**Article 42            Retirement**

- ◆ Added language to clarify the vesting for both the Legacy Pension System and the Hybrid Pension System are both ten (10) years of service.

**Article 45            No Disadvantage**

- ◆ Updated the language and changed the Article name for protection provisions for Unions that settle subsequent to the Michigan Building Trades.

**Article 46            Modification and Duration**

- ◆ Contract expires 11:59 P.M., June 30, 2023

**.Letter of Understanding – Retiree Medical Benefits**

- ◆ Added letter detailing the terms of the retiree medical benefits; referred to as the VEBA



CITY OF DETROIT  
OFFICE OF THE CHIEF FINANCIAL OFFICER

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Detroit, MI 48226  
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E-Mail: OCFO@detroitmi.gov

**CFO MEMORANDUM  
NO. 2019-101-015**

**TO:** Michael E. Duggan, Mayor; Honorable Detroit City Council  
**FROM:** David P. Massaron, Chief Financial Officer  
**SUBJECT:** Fiscal Impact of Proposed Contract between the City of Detroit and the Building Trades Council (BTC)  
**DATE:** July 19, 2019

---

1. AUTHORITY

- 1.1. State of Michigan Public Act 279 of 1909, Section 4s(2)(d), as amended by Public Act 182 of 2014, states the chief financial officer shall submit in writing to the mayor and the governing body of the City his or her opinion on the effect that policy or budgetary decisions made by the mayor or the governing body of the City will have on the City's annual budget and its four-year financial plan.
- 1.2. CFO Directive No. 2018-101-029 Fiscal Impact Statements states that the CFO shall issue Fiscal Impact Statements for all items requiring fiscal impact statements, as defined in that Directive, to provide financial information to the Mayor and the City Council as they consider action on proposed local policy or budgetary decision items.

2. PURPOSE

- 2.1. To provide financial information to the Mayor and the Detroit City Council as they consider action on the proposed contract between the City of Detroit (the "City") and the Building Trades Council (the "BTC").

3. OBJECTIVE

- 3.1. This Memorandum serves as the report on the fiscal impact of the proposed contract in relation to the City's annual budget for FY 2020 and four-year financial plan for FY 2020 – FY 2023 (the "City budget").

4. SCOPE

- 4.1. This Memorandum is not intended to convey any statements nor opinions on the advisability of entering into the provisions in the proposed contract, including but not limited to Work Rules, except for those components of the proposed contract that have or may have a fiscal impact on the City budget.
- 4.2. This fiscal impact analysis is based on the proposed BTC contract submitted to the City Council on the week of July 22, 2019. Should the proposal change prior to final approval, an updated CFO Memorandum on its fiscal impact would need to be issued.

5. STATEMENT

- 5.1. Conclusion: The proposed contract has no net negative impact on the City budget.
- 5.2. Background: The proposed contract's financial provisions would impact the budget for the General Services and Public Works departments, providing annual wage increases of

2% for all bargaining unit members from FY 2020 through FY 2023. Additionally, positions under the Plumber and Electrical Worker – General titles will receive an annual \$0.50/hour special wage adjustment on top of the 2% annual wage increase from FY 2020 through FY 2023.

5.3. Fiscal Impact: The proposed 2% wage increases are factored in the City budget, so there is no incremental cost associated with the base increase. The special wage adjustment is not budgeted; however, given the minimal financial impact, the incremental costs can be absorbed within the General Services and Public Works departments through a combination of operational efficiencies and historic underspending. Thus, there is no net negative impact on the City budget.

**City of Detroit  
Building Trades Council**

<i>\$ in thousands</i>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Budgeted wages</b>	\$ 1,850	\$ 1,887	\$ 1,925	\$ 1,963
<i>Budgeted annual wage increase</i>	2.0%	2.0%	2.0%	2.0%
<u><i>Budgeted FTE</i></u>	<u>38</u>	<u>38</u>	<u>38</u>	<u>38</u>
<i>Electrical Worker - General</i>	8	8	8	8
<i>Electrical Worker -Foreman</i>	1	1	1	1
<i>Sign Stencil Preparator</i>	2	2	2	2
<i>Building Maintenance Foreman</i>	4	4	4	4
<i>Plumber</i>	3	3	3	3
<i>Finish Carpenter</i>	4	4	4	4
<i>Building Trades Worker - General</i>	15	15	15	15
<i>Finish Painter</i>	1	1	1	1
<b>Proposed wages</b>				
Proposed annual wages	\$ 1,861	\$ 1,910	\$ 1,960	\$ 2,012
<i>Proposed annual wage increase</i>	2.0%	2.0%	2.0%	2.0%
<i>Market rate adjustment<sup>1</sup></i>	0.6%	0.6%	0.6%	0.6%
Incremental wages	\$ 11	\$ 23	\$ 35	\$ 49
Incremental overtime <sup>2</sup>	1	1	2	2
Incremental other fringes <sup>3</sup>	2	4	7	9
<b>Total incremental cost of wage increase</b>	<b>\$ 14</b>	<b>\$ 28</b>	<b>\$ 44</b>	<b>\$ 60</b>
Cost savings from operational efficiencies <sup>4</sup>	\$ 14	\$ 28	\$ 44	\$ 60
<b>Total savings utilized</b>	<b>\$ 14</b>	<b>\$ 28</b>	<b>\$ 44</b>	<b>\$ 60</b>
<b>Net impact on Four-Year Financial Plan</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Notes:

1. Includes an annual \$0.50/hour wage increase for Plumbers and Electrical Workers- General positions on top of the across-the-board 2% annual wage growth. The special wage adjustments for these positions is equivalent to a 0.6% overall market rate adjustment.
2. Overtime calculated utilizing historical actual data
3. Comprised of 5% for hybrid pension and 13% for other fringes
4. The incremental cost increase can be supported through a combination of operational efficiencies and historic underspending within the Departments of General Services (General Fund) and Public Works (Street Fund).



CITY OF DETROIT  
HUMAN RESOURCES DEPARTMENT  
LABOR RELATIONS DIVISION

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92

August 27, 2019

**HONORABLE CITY COUNCIL:**

**Re: Implementation of the 2019 – 2023 Labor Agreement between the City of Detroit and the employees represented by the Emergency Medical Service Officers Association**

The Labor Relations Division is recommending your Honorable Body's official approval of the 2019 - 2023 Master Agreement between the City of Detroit and the Emergency Medical Service Officers Association.

The Master Agreement covers wages, hours, and other basic conditions of employment from June 1, 2019 through June 30, 2023. It has been signed by all parties concerned and meets with the approval of the Labor Relations Division.

We therefore respectfully request that your Honorable Body adopt the following resolution with a Waiver of Reconsideration.

Respectfully submitted,

Hakim W. Berry  
Chief Operating Officer



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

**WHEREAS,** the City of Detroit and the Emergency Medical Service Officers Association have met the standards for recognition as exclusive agents for their members in the employ of the City of Detroit under Public Act 336 of 1947, as amended, and

**WHEREAS,** the Labor Relations Division, under the direction of the Mayor, is authorized and directed by the City Charter to act for the City of Detroit in the negotiation and administration of collective bargaining agreements, and

**WHEREAS,** the Labor Relations Division and the Emergency Medical Service Officers Association have met and negotiated this labor agreement which cover wages, hours and other economic conditions of employment through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED,** that the Master Agreement between the City of Detroit and the Emergency Medical Service Officers Association, be and is hereby approved and confirmed in accordance with the foregoing communication.

**2019 - 2023 LABOR AGREEMENT**  
**BETWEEN THE**  
**CITY OF DETROIT**  
**AND THE**  
**EMERGENCY MEDICAL SERVICE OFFICERS ASSOCIATION**  
***SUMMARY OF CHANGES***

---

**Article 1            Purpose and Intent**

- ◆ Added language to emphasize that supervisors in the B.U. have on-scene Medical Control oversight.

**Article 2            Recognition**

- ◆ Added language to specify the medical oversight and other key responsibilities of the members of the B.U.

**Article 3            Management Rights**

- ◆ Added language which requires the City to give thirty (30) days' notice on any proposed changes relating to job descriptions.
- ◆ Added language which requires the City to give fourteen (14) days' notice on any proposed changes relating to subcontracting or civilianization of B.U. positions.

**Article 5            Association Security**

- ◆ Removed language which referenced an employees' failure to join the union, will result in discharge, to be in compliance with the law.

**Article 6            Stewards and Basis of Representation**

- ◆ Added language which grants the EMSOA President one (1) day off per month, with compensation, to attend to Association business.

**Article 11          Safety**

- ◆ Added language to recognize that B.U. members are Officers within the Incident Command System of the Fire Department.

**Article 12          Holidays**

- ◆ Added language to specify that when a B.U. member works on a holiday, he/she shall receive his/her hourly rate, plus one and one-half times his/her hourly rate for all hours actually worked on the holiday.

**Article 14          Sick Leave**

- ◆ Increased the number of sick hours that B.U. members can accumulate, from 300 hours, to 480 hours.

**Article 20          Department Files**

- ◆ Deleted most details of this article and replaced with a statement that review of personnel records will be in accordance with the State of Michigan Bullard-Plawecki Employee Right to Know Act.



**2019 - 2023 LABOR AGREEMENT**  
**BETWEEN THE**  
**CITY OF DETROIT**  
**AND THE**  
**EMERGENCY MEDICAL SERVICE OFFICERS ASSOCIATION**  
***SUMMARY OF CHANGES***

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**Article 24            Changes in Duties, Equipment and Work Assignments**

- ◆ Revised language which requires the City to give thirty (30) days' notice on any proposed changes or modifications in equipment or the roll out of new equipment.

**Article 29            Promotions to Emergency Medical Service Supervisor  
– Grade II**

- ◆ Added language which requires candidates to have a current Paramedics license to be considered for promotion or hire to the classification of Emergency Medical Service Supervisor – Grade II.

**Article 32            Wages**

- ◆ Bargaining unit members shall receive a three percent (3%) general wage increase annually on July 1<sup>st</sup> of each year, for the life of this agreement.
- ◆ Effective upon the first day of the payroll cycle, subsequent to Union ratification, bargaining unit members shall receive a one-time four percent (4%) special wage adjustment.
- ◆ Added language to place the Union on notice that when administratively feasible, the City will transmit all paychecks via direct deposit and the City will transition from the current Payroll C (bi-weekly) cycle to the Payroll B (bi-weekly) cycle.

**Article 34            Overtime and Overtime Computation**

- ◆ Added language to pay B.U. members overtime when work is in excess of the employee's normal work schedule for the week.
- ◆ Adjusted language to show that vacations, compensatory time and holidays shall be counted as time worked for the purposes of computing overtime.

**Article 38            Temporary Assignments**

- ◆ Added language to pay B.U. members out-of-class pay, when a bargaining unit member works in a higher classification for one (1) day or more.
- ◆ Added language to give the Department the ability to assign Captains to field duties, including patient care.

**Article 43            Uniform Allowance**

- ◆ Added language to transition from providing B.U. members with uniforms; to providing \$550 to newly promoted members and a \$1,100 annual allowance to the entire bargaining unit, beginning in July, 2020 and every year thereafter.

**2019 - 2023 LABOR AGREEMENT  
BETWEEN THE  
CITY OF DETROIT  
AND THE  
EMERGENCY MEDICAL SERVICE OFFICERS ASSOCIATION**

***SUMMARY OF CHANGES***

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**Article 47            Duration, Modification and Termination**

- ◆ Contract expires 11:59 P.M., June 30, 2023.

**.Letter of Understanding – Retiree Medical Benefits**

- ◆ Added letter detailing the terms of the retiree medical benefits; referred to as the VEBA.

**Memorandum of Understanding – Maintaining of Licensure and Responding to Calls for Service**

- ◆ Added MOU to clarify that B.U. employees are required to maintain his/her medical licensure and assist with patient care as needed.

**Memorandum of Understanding – EMS Division Attendance Policy**

- ◆ Added language to designate the EMS Division Attendance Policy dated April 7, 2016 as the exclusive attendance policy for B.U. members.



CITY OF DETROIT  
OFFICE OF THE CHIEF FINANCIAL OFFICER

Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1100  
Detroit, MI 48226  
Phone: (313) 628-2535  
Fax: (313) 224-2135  
E-Mail: OCFO@detroitmi.gov

**CFO MEMORANDUM**  
**NO. 2019-101-016**

**TO:** Michael E. Duggan, Mayor; Honorable Detroit City Council  
**FROM:** David P. Massaron, Chief Financial Officer *DM*  
**SUBJECT:** Fiscal Impact of Proposed Contract between the City of Detroit and the Emergency Medical Service Officers Association (EMSOA)  
**DATE:** August 28, 2019

---

1. AUTHORITY

- 1.1. State of Michigan Public Act 279 of 1909, Section 4s(2)(d), as amended by Public Act 182 of 2014, states the chief financial officer shall submit in writing to the mayor and the governing body of the City his or her opinion on the effect that policy or budgetary decisions made by the mayor or the governing body of the City will have on the City's annual budget and its four-year financial plan.
- 1.2. CFO Directive No. 2018-101-029 Fiscal Impact Statements states that the CFO shall issue Fiscal Impact Statements for all items requiring fiscal impact statements, as defined in that Directive, to provide financial information to the Mayor and the City Council as they consider action on proposed local policy or budgetary decision items.

2. PURPOSE

- 2.1. To provide financial information to the Mayor and the Detroit City Council as they consider action on the proposed contract between the City of Detroit (the "City") and the Emergency Medical Service Officers Association (the "EMSOA").

3. OBJECTIVE

- 3.1. This Memorandum serves as the report on the fiscal impact of the proposed contract in relation to the City's annual budget for FY 2020 and four-year financial plan for FY 2020 – FY 2023 (the "City budget").

4. SCOPE

- 4.1. This Memorandum is not intended to convey any statements nor opinions on the advisability of entering into the provisions in the proposed contract, including but not limited to Work Rules, except for those components of the proposed contract that have or may have a fiscal impact on the City budget.
- 4.2. This fiscal impact analysis is based on the proposed contract as described below in Section 5 of this Memorandum. Should the proposal change prior to final approval, an updated CFO Memorandum on its fiscal impact would need to be issued.

5. STATEMENT

- 5.1. Conclusion: The proposed contract has no net negative impact on the City budget.

5.2. Background: The proposed contract's financial provisions would impact the budget for the Fire Department, providing an immediate 4% market rate adjustment to all current bargaining unit members in FY 2020, and annual wage increases of 3% from FY 2020 through FY 2023.

5.3. Fiscal Impact: The proposed contract can be supported within the City budget through identified offsetting budget resources. The City budget only assumes a 3% annual wage increase in FY 2020 and 2% annual wage increases from FY 2021 through FY 2023, thus requiring the identification of recurring operational efficiencies. The Department will absorb the additional costs of the contract with historic underspending in their Building Rentals appropriation. The offset will not adversely impact program operations or services.

**City of Detroit  
EMSOA**

<i>\$ in thousands</i>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Budgeted wages</b>	\$ 1,623	\$ 1,656	\$ 1,689	\$ 1,723
<i>Budgeted annual wage increase</i>	3.0%	2.0%	2.0%	2.0%
<i>Budgeted FTE</i>	25	25	25	25
<b>Proposed wages</b>				
Proposed annual wages	\$ 1,688	\$ 1,739	\$ 1,791	\$ 1,845
<i>Proposed annual wage increase</i>	3.0%	3.0%	3.0%	3.0%
<i>Market rate adjustment<sup>1</sup></i>	4.0%	0.0%	0.0%	0.0%
Incremental wages	\$ 65	\$ 83	\$ 102	\$ 122
Incremental overtime <sup>2</sup>	2	2	3	4
Incremental other fringes <sup>3</sup>	12	15	19	23
<b>Total incremental cost of wage increase</b>	<b>\$ 79</b>	<b>\$ 100</b>	<b>\$ 124</b>	<b>\$ 149</b>
Cost savings <sup>4</sup>	\$ 79	\$ 100	\$ 124	\$ 149
<b>Total savings utilized</b>	<b>\$ 79</b>	<b>\$ 100</b>	<b>\$ 124</b>	<b>\$ 149</b>
<b>Net impact on Four-Year Financial Plan</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Notes:

1. Includes immediate salary range adjustments, resulting in new base salaries for all members
2. Overtime calculated utilizing historical actual data
3. Comprised of 5% for hybrid pension and 13% for other fringes
4. Operational savings will come from Building Rentals based on historic underspending



CITY OF DETROIT  
HUMAN RESOURCES DEPARTMENT  
LABOR RELATIONS DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE - SUITE 332  
DETROIT, MICHIGAN 48226  
(313) 224-3860 • TTY:711  
(313) 224-0738  
WWW.DETROITMI.GOV

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August 22, 2019

**HONORABLE CITY COUNCIL:**

**Re: Implementation of the 2019 – 2023 Labor Agreement between the City of Detroit and the employees represented by the D.D.O.T. Foremen’s Association of America Local 337 (Non-Supervisory)**

The Labor Relations Division is recommending your Honorable Body’s official approval of the 2019 - 2023 Master Agreement between the City of Detroit and the D.D.O.T. Foremen’s Association of America Local 337 (Non-Supervisory).

The Master Agreement covers wages, hours and other basic conditions of employment for the period of July 1, 2019 through June 30, 2023. It has been signed by all parties concerned and meets with the approval of the Labor Relations Division.

We therefore respectfully request that your Honorable Body adopt the following resolution with a Waiver of Reconsideration.

Respectfully submitted,

Hakim W. Berry  
Chief Operating Officer



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

**WHEREAS**, the City of Detroit and the D.D.O.T. Foremen’s Association of America, Local 337 (Non-Supervisory) have met the standards for recognition as exclusive agents for their members in the employ of the City of Detroit under Public Act 336 of 1947, as amended, and

**WHEREAS**, the Labor Relations Division, under the direction of the Mayor, is authorized and directed by the City Charter to act for the City of Detroit in negotiation and administration of collective bargaining agreements, and

**WHEREAS**, the Labor Relations Division and the D.D.O.T. Foremen’s Association of America, Local 337 (Non-Supervisory) have met and negotiated this labor agreement which cover wages, hours and other economic conditions of employment through June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Master Agreement between the City of Detroit and the D.D.O.T. Foremen’s Association of America, Local 337 (Non-Supervisory), be and is hereby approved and confirmed in accordance with the foregoing communication.

July 18, 2019

**COLLECTIVE BARGAINING AGREEMENT  
BETWEEN THE  
FOREMAN'S ASSOCIATION OF AMERICA (NON-SUPERVISORY) LOCAL 337  
AND  
CITY OF DETROIT  
2019 – 2023**

---

**SUMMARY OF CHANGES**

**Modified Articles**

1. **Article 4** - Agency Shop, replace entire article with Dues Deduction Language
2. **Article 5** - Association Representation, only Chapter President and grievant to attend grievance hearings.
3. **Article 16** - Reduction in Force – Replace current language with “Bargaining unit employees will be subject to the Reduction in Force rule and process as outlined in the City of Detroit Civil Service Human Resource Rule # 10.
4. **Article 19** - Leaves of Absence. Replaced current language with “The city shall comply with the requirement of all applicable laws relating to leaves of absences including but not limited to the Family and Medical Leave Act and Military Leave Act.”
5. **Article 24** - Wages – Changed wage schedule to include a 15% Market Rate Adjustment and a 2% annual increase for the duration of the contract. Due to wage range changes, bargaining unit members currently assigned to Step Code H will be reassigned to Step Code A on the effective date of this agreement.
6. **Article 25** - Overtime, Replace current language with “Work in excess of 40 hours per week shall be considered overtime to be paid at time and one half. Previously approved vacation time will count toward the calculation of the 40 hour, straight time work week.”
7. **Article 26** - Retirement, Replace language with “Employees will be eligible for retirement benefits pursuant to the terms and conditions included in the plan of adjustment approved by the United States Bankruptcy Court.”
8. **Article 29** - Sick Leave, Casual Leave, Sickness, and Accident and Extended Disability Insurance. Department Leave language added.
9. **Article 30** - Hospitalization, medical Insurance, Dental insurance and Optical Care Insurance.
10. **Article 31** - Vacations, 2<sup>nd</sup> tier vacation schedule deleted.
11. **Article 32** - Holidays and Excused Time Off, discontinued Swing Holiday’s
12. **Article 34** - Longevity Pay, Discontinue provision
13. **Article 36** - Unemployment Compensation – Supplemental Unemployment Benefits, discontinue Supplemental unemployment plan.
14. **Article 42** - Duration, Agreement effective 1<sup>st</sup> pay period after ratification and to extend 4 years to expire June 30, 2023.

July 18, 2019

**Carryover Articles**

1. **Article 1** - Recognition of Association
2. **Article 2** - Management Rights and Responsibilities
3. **Article 3** - Association Rights and Responsibilities
4. **Article 6** - Grievance Procedure
5. **Article 7** - Stipulations to the Grievance Procedure
6. **Article 8** - Time limit on Monetary Claims
7. **Article 9** - Discharge and Suspension
8. **Article 10** - Seniority of Association President and Vice President
9. **Article 11** - Contractual Work
10. **Article 12** - Special Conferences
11. **Article 13** - Non-Discrimination
12. **Article 14** - Seniority
13. **Article 15** - Probation Period
14. **Article 17** - Transfers (Shifts and Locations)
15. **Article 18** - Promotions
16. **Article 20** -Veterans – Reserves – Education
17. **Article 21** - Other Conditions of Employment
18. **Article 22** - Association Bulletin Boards
19. **Article 23** - Discontinuance of Entire Operation
20. **Article 27** - Work Week, Work Day Shift Premium
21. **Article 28** - Work Schedule
22. **Article 33** - Funeral Leave
23. **Article 34** - Jury Duty
24. **Article 37** - Death Benefits
25. **Article 38** - Miscellaneous
26. **Article 39** - Savings Clause
27. **Article 40** - Waiver of Bargaining Rights
28. **Article 41** - Successor Clause

**Modified MOU's**

1. Delete MOU – HR/ Payroll System.
2. Delete MOU – 2 Copies of the Contract will be provided to the Union.
3. MOU – Temporary Placement of Employees, carried forward.
4. Delete MOU – Defined Contribution Retirement Plan, Delete
5. Added MOU – Shoe Allowance

**General Provisions**

Any language not addressed or purposefully removed as a result of negotiations, shall remain and carried forward in the successor CBA





CITY OF DETROIT  
OFFICE OF THE CHIEF FINANCIAL OFFICER

Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1100  
Detroit, MI 48226  
Phone: (313) 628-2535  
Fax: (313) 224-2135  
E-Mail: OCFO@detroitmi.gov

**CFO MEMORANDUM  
NO. 2019-101-014**

**TO:** Michael E. Duggan, Mayor; Honorable Detroit City Council  
**FROM:** David P. Massaron, Chief Financial Officer  
**SUBJECT:** Fiscal Impact of Proposed Contract between the City of Detroit and the Detroit Department of Transportation Foremen's Association of America – Local 337 (Non-Supervisory Unit)  
**DATE:** July 19, 2019

---

1. AUTHORITY

- 1.1. State of Michigan Public Act 279 of 1909, Section 4s(2)(d), as amended by Public Act 182 of 2014, states the chief financial officer shall submit in writing to the mayor and the governing body of the City his or her opinion on the effect that policy or budgetary decisions made by the mayor or the governing body of the City will have on the City's annual budget and its four-year financial plan.
- 1.2. CFO Directive No. 2018-101-029 Fiscal Impact Statements states that the CFO shall issue Fiscal Impact Statements for all items requiring fiscal impact statements, as defined in that Directive, to provide financial information to the Mayor and the City Council as they consider action on proposed local policy or budgetary decision items.

2. PURPOSE

- 2.1. To provide financial information to the Mayor and the Detroit City Council as they consider action on the proposed contract between the City of Detroit (the "City") and the Detroit Department of Transportation Foremen's Association of America – Local 337 (Non-Supervisory Unit) (the "DDOT FAA").

3. OBJECTIVE

- 3.1. This Memorandum serves as the report on the fiscal impact of the proposed contract in relation to the City's annual budget for FY 2020 and four-year financial plan for FY 2020 – FY 2023 (the "City budget").

4. SCOPE

- 4.1. This Memorandum is not intended to convey any statements nor opinions on the advisability of entering into the provisions in the proposed DDOT FAA contract, including but not limited to Work Rules, except for those components of the proposed contract that have or may have a fiscal impact on the City budget.
- 4.2. This fiscal impact analysis is based on the proposed contract scheduled to be submitted to the City Council on July 22, 2019. Should the proposal change prior to final approval, an updated CFO Memorandum on its fiscal impact would need to be issued.

5. STATEMENT

- 5.1. Conclusion: The proposed contract has no net negative impact on the City budget.

- 5.2. Background: The proposed contract's financial provisions would impact the budget for the Transportation Department, providing annual wage increases of 2% for all bargaining unit members from FY 2020 through FY 2023. Additionally, all members will receive a one-time 15% market rate adjustment in FY 2020. The contract also provides a \$200 annual steel toe shoe allowance for all unit members. To help cover the costs of the market rate adjustment, the contract will reduce overtime rates from the current double hourly rate to time and one-half.
- 5.3. Fiscal Impact: The proposed 2% annual wage increase is factored in the City budget; however, the 15% market rate adjustment and shoe allowance are not budgeted. The incremental costs of the contract can be offset with a combination of the reduced overtime hourly rate, as well as historic underspending in Transportation's Software Maintenance expenditure object. Thus, there is no net negative impact on the City budget.

**City of Detroit**  
**Foremen's Association of America – Local 337 (Non-Supervisory Unit)**

<i>\$ in thousands</i>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Budgeted wages</b>				
Budgeted annual wages	\$ 714	\$ 728	\$ 743	\$ 758
Budgeted annual wage increase	2.0%	2.0%	2.0%	2.0%
Budgeted FTE	16	16	16	16
<b>Proposed wages</b>				
Proposed annual wages	\$ 835	\$ 852	\$ 869	\$ 887
Proposed annual wage increase	2.0%	2.0%	2.0%	2.0%
Market rate adjustment	15.0%	0.0%	0.0%	0.0%
Lump sum payment for shoe allowance	3	3	3	3
Incremental wages	\$ 121	\$ 124	\$ 126	\$ 129
Incremental overtime <sup>1</sup>	28	28	29	30
Incremental other fringes <sup>2</sup>	24	25	25	26
<b>Total incremental cost of wage increase and lump sum</b>	<b>\$ 176</b>	<b>\$ 180</b>	<b>\$ 183</b>	<b>\$ 188</b>
Overtime Rate Savings <sup>3</sup>	\$ 48	\$ 49	\$ 50	\$ 51
Cost savings from operational efficiencies <sup>4</sup>	128	131	133	137
<b>Total savings utilized</b>	<b>\$ 176</b>	<b>\$ 180</b>	<b>\$ 183</b>	<b>\$ 188</b>
<b>Net impact on Four-Year Financial Plan</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**Notes:**

1. Overtime calculated utilizing historical actual data
2. Comprised of 5% for hybrid pension and 13% for other fringes
3. Savings achieved by reducing overtime from current double hourly rate to time and one-half.
4. Operational savings achieved from historic underspending in the Transportation Software Maintenance expenditure object.

City of Detroit  
OFFICE OF THE CITY CLERK

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Janice M. Winfrey  
City Clerk

Andre P. Gilbert II  
Deputy City Clerk

August 26, 2019

Honorable City Council

RE: **Petition No. 1050: Delta Service Through Detroit Foundation, Inc.** – a nonprofit organization, requests a resolution from your Honorable Body in support of 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 operating in the community for purposes of obtaining 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, Delta Service Through Detroit Foundation, Inc., (24760 West Seven Mile Road, Detroit, Michigan 48219) requests for recognition as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license from the State of Michigan, and

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

Therefore Be it Resolved, the Detroit City Council recognizes Delta Service Through Detroit Foundation, Inc., (24760 West Seven Mile Road, Detroit, Michigan 48219) as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license from the Bureau of State Lottery.

**City of Detroit**  
OFFICE OF THE CITY CLERK

**Janice M. Winfrey**  
*City Clerk*

**Andre P. Gilbert II**  
*Deputy City Clerk*

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Monday, August 26, 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

**1050** *Delta Service Through Detroit Foundation, Inc., request from your Honorable Body, a resolution granting a Charitable Gaming License.*



1050

24760 West Seven Mile Road  
Detroit, Michigan 48219

August 21, 2019

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

RE: Charitable Gaming License Petition

Dear President Jones:

Please accept our request for a Charitable Gaming License Petition for the Sixth Mission Possible Raffle sponsored by Delta Service Through Detroit Foundation, Inc. (DSTDFI). Proceeds from the Raffle support the numerous programs of the organization in conjunction with the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, Inc. ("Detroit Deltas").

Delta Service Through Detroit Foundation, Inc. (DSTDFI) promotes and establishes educational, historical, cultural and scholarship programs for youth, seniors and the homeless. Through its various activities, the Foundation has aided thousands of Detroit citizens.

Established in 1999 as a 501 (c)(3), tax exempt organization, the contributions of individuals, community and corporations enable us to continue to embark upon our mission to *"improve the quality of life for future generations,"* and make substantial contributions and investments in our community by way of scholarship programs for the youth, seniors and the homeless.

As you might have anticipated, time is of the essence. Should you require additional information please do not hesitate to contact Sharon Clark Woodside via mobile phone at 313 920-4785.

Sincerely,

Jessye Verona Franklin  
President, DSTDFI

Internal Revenue Service  
P.O. Box 2508  
Cincinnati, OH 45201

Department of the Treasury

Date: May 3, 2012

DELTA SERVICE THROUGH DETROIT FOUNDATION  
INC  
% JESSYE FRANKLIN  
PO BOX 441921  
DETROIT MI 48244

Person to Contact:

Sophia Brown # 02-02975

Toll Free Telephone Number:

877-829-5500

Employer Identification Number:

38-3437688

Dear Sir or Madam:

This is in response to your April 12, 2012 request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in April 1999.

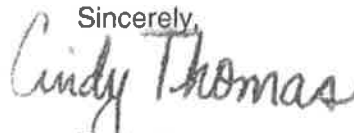
Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your 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.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. The IRS maintains a list on our website of organizations whose tax-exempt status was automatically revoked under section 6033 (j) of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Cindy Thomas  
Manager, Exempt Organizations  
Determinations



# *Bylaws*

2012 Edition  
Revised October 12, 2012



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**BYLAWS  
OF**

**DELTA SERVICE THROUGH DETROIT FOUNDATION, INC.**

**A Michigan Non-Profit Corporation**

**ARTICLE I**

**NAME AND PURPOSE**

**Section 1.01 Name.** The name of the corporation shall be DELTA SERVICE THROUGH DETROIT FOUNDATION, INC. (The "Corporation" or "DSTDFI").

Section 1.02 Place of Business: The Corporation shall have as its principle place of business: 24760 West Seven Mile Road, Detroit, MI 48219.

**ARTICLE II**

**PURPOSE**

**Section 2.01 Purpose.** The purposes for which the Corporation is organized are as follows:

- A. To engage in public service programs which promote and encourage high intellectual, cultural, and moral standards among residents of our community, with an emphasis on the homeless, senior citizens and youth ("intergenerational") activities;
- B. To establish, foster and organize educational, historical and cultural programs that will provide meaningful intergenerational activities for our community and will instill values and respect for all citizens as well as improve the quality of life for future generations;
- C. To raise funds to purchase and maintain property(s) and/or facility(s) in which to carry out the objectives and programs stated above;
- D. To solicit, collect, receive and administer funds exclusively for services for the homeless, senior citizens and youth, scholarships, cultural, historical and any other purposes as permitted for organizations defined in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, all for the public welfare and, to that end, to take and to hold, by bequest, gift, purchase, or lease, either absolutely or in trust, for any of the aforementioned purposes, any property: real, personal, or mixed, without limitation as to amount or value, except such limitations hereinafter provided and as may be imposed by law;
- E. To sell, convey, and dispose of any such property and to invest and reinvest the principal thereof, and to deal with and expend the income and assets of the Corporation in such manner as in the judgment of the members will best promote its objectives and purposes, without limitation, except such limitations, if any, that may be contained in

the instrument under which such property is received; and

- F. To exercise any, all and every power which is consistent with the purposes described above and which is a non-profit Corporation organized under the provisions of the Michigan Profit Corporation Act can be authorized to exercise, but not any other power.

**Section 2.01 Limitations/Restrictions.** Notwithstanding any other provisions of these Bylaws:

- A. The Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt under Section 501(c) (3) of the Internal Revenue Code and other related legislation and regulations as they now exist or as they may hereafter be amended, or by organizational contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code and related legislation and regulations as they now exist or as they may hereafter be amended.
- B. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in these Bylaws.
- C. No substantial part of the activities of the Corporation shall be: the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

**ARTICLE III**

**MEMBERSHIP**

**Section 3.01 Membership.** The Corporation shall have one class of membership-- A Board of Directors. The Board shall consist of no less than sixteen (16) and no more than twenty-five (25) members.

**ARTICLE IV**

**FORM OF ORGANIZATION**

**Section 4.01 Form of Organization.** The Corporation is expressly organized on a directorship basis.

**ARTICLE V**

**OFFICES**

**Section 5.01 Offices.** The Corporation shall have and continuously maintain in the State of Michigan a registered office and a registered agent whose office is identical with such registered offices and may have other offices within the State of Michigan, as the Board of Directors may from time to time determine.

**ARTICLE VI**

**MANAGEMENT OF CORPORATION**

**Section 6.01 Powers.** The business and affairs of the Corporation shall be managed by a Board of Directors. All corporate powers shall be exercised by the Directors, subject to limitations imposed by law, the Articles of Incorporation, or these Bylaws

**Section 6.02 Number and Term of Directors**

A. The number of Directors of this Corporation shall be no less than 16 and not exceed 25.

B. The Directors shall be elected by a majority vote of the members voting and shall be elected to four (4) year terms. New Director(s) shall be elected pursuant to Section 6.03.

**Section 6.03 Election of Board of Directors:**

A. In each term of office, the Board of Directors shall consist of nine (9) Directors

- with a remaining two-year term and nine (9) new Directors elected to a four-year term.
- B. In each election, candidates receiving the highest number of votes shall be elected to the vacant terms according to the majority vote of the directors present and voting at the meeting.
  - C. Board vacancies, by reason of death, resignation, removal, or otherwise shall be filled by appointment of the President of the Corporation or as provided in ARTICLE VII, Section 7.12.
  - D. The term of office will be four (4) years and will be designated as the "Class of (insert year)".

**Section 6.04 Meetings of Directors.**

Regular meetings of the Board of Directors shall be held quarterly. Special Meetings may be called by the President of the Board of Directors or by any Director, provided written notice of the meeting, stating the time, place and purpose shall be delivered to each Director, either personally, by mail or email, at least three (3) days prior to the date set for the meeting. The Directors shall designate the location of any Board of Directors meeting by resolution or by written consent of all the members, but if no designation is made, meetings shall be held at the registered office of the Corporation. The Board of Directors may conduct the regular or special meetings via telephonic conference provided that the quorum and voting requirements are otherwise met as provided herein.

**Section 6.05 Quorum – Quarterly Meetings.** A majority of the actual number of Directors shall be necessary to constitute a quorum for the transaction of any Board of Directors business.

**Section 6.06 Majority Action.** Every act or decision made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be an act of the Board of Directors, unless a greater number is required by statute, the Articles of Incorporation, or these Bylaws.

**Section 6.07 Action without Meeting.** Any action required by law to be taken at a meeting of the Board of Directors or any other action which may be taken at a meeting of the Board of Directors may be taken without a meeting if consent in writing or electronic email consent, setting forth the action to be taken, is signed by all of the Directors.

**Section 6.08. Annual Meeting.** At the close of the fiscal year, the Corporation will hold an Annual Business Meeting at which time written reports detailing the previous year's activities and matters will be presented by Corporation Officers and Committee Chairs. Written or printed notice stating the place, day and hour of the meeting shall be delivered by mail to each Member entitled to vote at the meeting, not less than 15 or more than 30 days before the date of the meeting.

**Section 6.09. Quorum – Annual Meetings.** A quorum at the annual meeting shall consist of one-tenth of the Members of the Corporation.

**Section 6.10 Attendance – Board of Directors.**

- A. Regular Meetings of the Board of Directors are held quarterly, with the additional requirement of one Annual Meeting of the Corporation (See Article VI, Sections 6.05 and 6.09) Attendance, of all Directors at these meetings, is encouraged. Three (3) consecutive unexcused absences in one calendar year constitutes sufficient grounds for removal.
- B. A Director shall indicate, to the Secretary, her intent to be absent from any meeting of the Board of Directors, and shall provide, in absentia, a written, including a “nil,” report of her office or committee activity/ responsibility.
- C. The President shall appoint as necessary an Ad Hoc Membership Committee whose purpose shall be to review Directors who fail to participate as prescribed above. The Ad Hoc committee shall make recommendations to the Board of Directors, regarding continued eligibility for membership on the Board of Directors. (See Article VII, Section 7.10)

**Section 6.11 Indemnification.** The Corporation shall indemnify its Directors and Officers of the Corporation against expenses (including actual, reasonable attorney fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by them in connection with any actions or suits brought or threatened against them, including actions by or in the right of the Corporation, by reason of the fact that such a person was serving as a Director or Officer of the Corporation, to the fullest extent provided by law.

- A. Authorization of Indemnification. Indemnification may be made (unless ordered by court or provided by law) only upon determination that such Director or Officer has acted in good faith and in the best interests of the Corporation. Such determination shall be made (1) by majority vote of a quorum of Directors who were not parties to such action or suit, or (2) if a quorum of disinterested Directors directs, by written opinion of legal counsel for the Corporation or by other independent legal counsel.
- B. Insurance. The Corporation must purchase and maintain insurance on behalf of any person who is or was a Director or Officer of this Corporation or is or was serving at the request of the Corporation in any other enterprise against any liability incurred in such capacity.

**ARTICLE VII**

## CORPORATE OFFICERS

**Section 7.01 01 Number, Titles and Term**. The officers of the Corporation shall be President, First Vice President, Second Vice President, Secretary, Assistant Secretary, Assistant Treasurer, and Financial Secretary. The term of office shall be two years. The Board of Directors may appoint other officers and agents as it deems necessary, each of whom shall hold office for such period, have such authority, and perform such duties in the management of the Corporation as may be provided in these Bylaws, or as may be determined by resolution of the Board of Directors not inconsistent with these Bylaws. The Board of Directors may from time to time delegate to any officer or committee the power to engage the services of a paid professional to perform required services as needed. The fees for such services shall be negotiated and approved by the Board of Directors.

**Section 7.02 Election**. The Officers of the Corporation, by majority vote, shall be elected biannually at the June Meeting by the Board of Directors and assume responsibilities at the beginning of the fiscal year.

**Section 7.03 President**. The President shall:

- A. Preside at all meetings of DSTDFI;
- B. Have final authority, subject to the control of the Board of Directors, over the general policy and business of the Corporation;
- C. Have the power, subject to the control of the Board of Directors, to appoint or discharge and to prescribe the duties and to fix compensation of such agents of the Corporation as necessary;
- D. Make and sign bonds, mortgages, and other contracts and agreements in the name of and on behalf of the Corporation, except when the Board of Directors instructs the same to be done by some other Officer or Agent;
- E. See that all orders and resolutions of the Board of Directors are carried into effect;
- F. Have the authority to delegate specific powers to any other Director;
- G. Serve as an ex-officio member of all committees except Nominations and Elections;
- H. Serve as the official spokesperson for DSTDFI;
- I. Be an official signatory on DSTDFI checks, drafts, etc.

**Section 7.04 First Vice President**. The First Vice President shall:

- A. Perform all duties of the President in her absence or her inability to perform those duties;
- B. Serve as the Chair of the Compliance Committee including, but not limited to
  1. Filing Michigan Non-Profit Corporation Annual Report to Department of Labor and Economic Growth (DLEG) by October 1 of each year.
  2. Filing IRS Form 990 and all required documents by November 15 of each year or as required by the governmental agency.
  3. Filing updated of bylaws with Department of Labor and Economic Growth (DLEG) by December 31, or as required by the governmental agency.

4. Renewing Charitable Solicitation License with the State of Michigan's Office of the Attorney General no later than January 1 of the calendar year of expiration, or as required by the governmental agency.
  5. Renewing Non-profit Directors and Officers Liability Insurance Policy by May of each year. Submit request for renewal to the treasurer by April.
  6. Submitting Board of Directors roster to State of Michigan annually or as required by the governmental agency.
  7. Collecting the Conflict of Interest Survey from all Directors annually, and, then, compiling and delivering the forms to the secretary for filing.
  8. Coordinating the annual audit; provide copy of annual financial statement to all Directors.
  9. Be an official signatory on DSTDFI checks, drafts, etc.
- C. Serve as the Chair of the Fund Development Committee.
- D. Serve as general overseer of the budget, finance and general governance issues of the Foundation.

**Section 7:05 Second Vice-President**

- A. Serve as the Programs Chair, including, but not limited to
1. Provide general oversight over administration of grants received by the Foundation.
  2. Provide general oversight over public relations related to grants and programs
  3. Provide general oversight over all programs of the Foundation.
  4. Develop a calendar of activities of the Foundation.
  5. Perform other duties as assigned by the President or the Board of Directors.
  6. Be an official signatory on DSTDFI checks, drafts, etc.
- B. Perform all the duties of the First Vice President in her absence or her inability to perform those duties.

**Section 7.06 Secretary.** The Secretary shall:

- A. Record and maintain the minutes of all meetings of the Board of Directors, including any official voting;
- B. Maintain correspondence, records, register of all members and record of attendance at all meetings;
- C. Be responsible to notifying the Board of Directors of scheduled meetings;
- D. Perform other duties as designated by the President or the Board of Directors.
- E. Should there be a Corporate Seal, it will be kept by the Secretary.
- F. Maintain file of signed Conflict of Interest surveys



- G. Archive all records for storage.

**Section 7:07 Assistant Secretary**

- A. Enter all donations in the designated database of Capital Campaign Donations
- B. Enter all donations in designated database of Twice Nice Donations
- C. Assist the secretary in completing mass mailings, i.e., annual meetings, elections, etc.
- D. Perform all the duties of the Secretary in her absence or her inability to perform those duties;

**Section 7.08 Treasurer. The Treasurer shall:**

- A. Provide care and custody of the Corporate funds and securities, except as otherwise provided by the Board of Directors;
- B. Maintain and keep full and accurate accounts of receipts and disbursements in records belonging to the Corporation;
- C. Deposit all monies and other valuable effects in the name of and to the credit of the Corporation in such depositories as may be designated by the Board of Directors;
- D. Make the records available for inspection at any time by any Director;
- E. Make the records available for inspection by any Member upon written request at least ten days prior;
- F. Chair the Finance Committee;
- G. Make a full report at each annual meeting and an updated report at each quarterly meeting;
- H. Be required to give bond for the faithful discharge of the duties and the expense of such a bond to be paid by the Corporation;
- I. Be an official signatory on DSTDFI checks, drafts, etc.
- J. Reconcile the monthly bank statements of the foundation.
- K. Provide all necessary financial documents to the First Vice President for the annual audit and provide support as needed.
- L. Archive all records for storage

**Section 7:09 Assistant Treasurer**

- A. Co-Chair the Finance Committee
- B. Develop a Business Manager structure for Twice Nice with the Treasurer/Program Manager of Twice Nice.
- C. Develop a structure for purchasing items for the store, i.e., ordering retail and marketing supplies with the Treasurer and Program Manager of Twice Nice.
- D. Be an official signatory on DSTDFI checks, drafts, etc.
- E. Perform all the duties of the Treasurer in her absence or her inability to perform those duties;

**Section 7.10 Financial Secretary.** The Financial Secretary shall:

- A. Accept and receive all monies, donations or other funds;
- B. Issue, in triplicate, receipts for all incoming monies, including one copy each for the Financial Secretary, the Treasurer and the person submitting such monies;
- C. Maintain financial records required by the Board of Directors;
- D. Distribute quarterly statements to Directors and annual statements to members at the annual meeting;
- E. Serve on the Finance Committee
- F. Archive all records for storage.

**Section 7.11 Auditor (Internal or External)**

- A. Examine the financial records of all financial officers (Treasurer and Financial Secretary ) of the Foundation;
- B. Examine financial reports of all committees;
- C. Submit conclusions, findings and recommendations from the audit in a written report to the Foundation within 30 days;
- D. Prepare Federal Income Tax Group form(990)by November 15 of each year..

**Section 7.12 Absence of Officer.** In case of the absence of any Officer or for any other reason that the Board of Directors may deem sufficient, the President or the Board of Directors may delegate, temporarily, the powers or duties of such Officer to any other Officer or to any Director.

**Section 7.13 Removal. Resignation.** Any Officer or agent may be removed by a majority vote of the Board of Directors whenever, in the judgment of the Board of Directors, the best interests of the Corporation will be served thereby; provided, however, that such removal shall be without prejudice to the contract rights, if any, of the person so removed. Any Officer may resign at any time by giving written notice to the Board of Directors, the President, or to the Secretary of the Corporation. Any such resignation shall take effect at the date of the receipt of such notice or any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. The President of the Corporation shall appoint a successor who shall hold the position for the unexpired term with the approval of the Board.

**Section 7.14 Impeachment.** Any Officer may be impeached by a majority vote of the Board of Directors at the conclusion of an official hearing scheduled to assure due process for the Officer. The hearing must be scheduled at a mutually acceptable time and the affected Officer has the right to request one other Member to accompany her during the time of the hearing.

**Section 7.15 Vacancies.** If the office of the President, Vice President, Secretary, Treasurer, or Financial Secretary become vacant by reason of death, resignation, removal, or otherwise, the Board of Directors, by majority vote, shall elect a successor who shall hold office for the unexpired term, and until a successor is elected.

**Section 7.16** **Bonds.** The Board of Directors may, by resolution, require any and all of the Officers to give bonds to the Corporation, with sufficient surety or sureties, conditioned for the faithful performance of the duties of their respective offices, and to comply with other conditions as may from time to time to be required by the Directors.

## ARTICLE VIII

### COMMITTEES

**Section 8.01** **Standing Committees.** The following are established as Standing Committees of the Board of Directors.

- A. **Finance Committee:** The Finance Committee shall be chaired by the Treasurer of the Board of Directors and shall include the Board's Financial Secretary and up to two(2) Board members appointed by the President of the Board of Directors. The Finance Committee shall develop the budget for all corporate programs and projects, make recommendations to the Board of Directors on such, and coordinate budget activities based on the needs of the Corporation. The Chair of the Finance Committee shall also keep records regarding all budget activities and reconcile such records with the official financial records of the Corporation.
  
- B. **Compliance Committee:** The Compliance Committee shall be chaired by the Vice President of the Board of Directors and shall include the Corporation's attorney and up to three (3) Corporation members appointed by the President of the Board of Directors. The Compliance Committee shall provide information to the Corporation to insure that the Corporation maintains compliance with any legal and/or tax issues relating to its tax exempt status. The Chair of the Compliance Committee need not be the Corporation's official attorney.
  
- C. **Fundraising Committee:** The Fundraising Committee, including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall coordinate all fundraising activities of the Corporation.
  
- D. **Nominations and Elections:** The Nominations and Elections Committee,

including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall coordinate all nominations and elections for the Corporation. The Chair of Nominations and Elections shall be the liaison between the Corporation and Members during nominating and voting for new Directors, at specified times, as provided in Article VI, Section 6.03.

The Nominations and Elections Chair will conduct the election of Board Officers at the June Meeting by ballot.

- E. Program Committee: The Program Committee, including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall administer and execute programs consistent with the stated purposes of the Corporation. Grant Committee: The Grant Committee, including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall seek and write grants to support the programs of the Corporation.
- F. The Conflicts of Interest Committee shall require a statement from each Director and Officer not less frequently than once a year setting forth all business and other affiliations which relate in any way to the business and other activities of the Corporation. The committee is to consist of at least two (2) Directors named by the Board.

**Section 8.02. Other Committees**. The Board of Directors from time to time, and at its own discretion, shall establish other such committees which the Board of Directors believes necessary to manage the activities of the Corporation. These other committees may be given the status of a Standing Committee or they may be temporary (Special or Ad Hoc) for such time periods as the Board of Directors may deem necessary.

**Section 8.03. Committee Chairpersons**: The President, with approval of the Board of Directors, shall appoint a Chairperson for all Committees, either Standing, Special or Ad Hoc. The committee chair shall serve until a replacement has been appointed by the President.

**Section 8.04. Membership on Committees**. Volunteers may serve as a member on any DSTDFI (Corporation) committee. All Directors are expected to serve on at least one committee.

**Section 8.05: Vacancies:** If the office of Committee Chairperson for any Corporation Committee becomes vacant for any reason, the President of the Corporation shall appoint a successor who shall hold the office for the unexpired term.

## ARTICLE IX

### PARLIAMENTARY AUTHORITY

**Section 9.01: Parliamentary Authority.** The parliamentary authority shall be taken from Roberts Rules of Order (latest edition) and shall answer all questions not covered in the Articles of Incorporation or these accompanying Bylaws of DSTDFI.

## ARTICLE X

### EVENT CO-SPONSORSHIP/JOINT VENTURE AUTHORITY AND PROCESS

**Section 10.01: Authority.**

- A. All promotion event materials must indicate the event is given in conjunction with DSTDFI and a portion of the proceeds shall be used for charitable purposes.
- B. All checks and money orders must be made payable to DSTDFI.
- C. A charitable cause, organization or event must be designated as a recipient and a portion of the proceeds must be distributed in accordance with the IRS Tax requirements governing non-profit organizations.
- D. DSTDFI will retain 10% of the total receipts of the event. DSTDFI may waive or reduce the 10% administrative fee for organizations as DSTDFI deems necessary. Current federal regulations allow 80% to be distributed to a charity and 20% may be retained for administrative costs incurred by the Foundation.

**Section 10.02: Process.**

#### PRE-EVENT

1. All requests for co-sponsorship must be submitted in writing no less than sixty

- (60) days prior to the event. Only written requests will be accepted from the chair of the event. Requests shall be submitted to the President of DSTDFI and shall include a proposed budget.
2. The President of DSTDFI shall review the request and submit to the Board for a recommendation.
  3. If approved, the President of DSTDFI shall notify the event chair in writing.
  4. Event chair shall follow appropriate protocol within their organization for final approval of co-sponsorship.
  5. If approved, a formal letter requesting co-sponsorship shall be forwarded to the President of DSTDFI along with a final budget. The final budget shall include a line item indicating 10% of the proceeds remain with the foundation.
  6. The President of DSTDFI shall provide the event chair with a co-sponsorship packet. The packet should include a voucher, DSTDFI's policy on co-sponsorship, a copy of DSTDFI's tax exempt form and a transmittal form and a copy of the Conflict of Interest Policy.
  7. DSTDFI must appear on all tickets and flyers. Language indicating a portion of the proceeds are tax-deductible shall also be included on all tickets and flyers.
  8. All contracts must be reviewed and signed by the President of DSTDFI.
  9. Upon receipt of original vouchers with original receipts and/or invoice, DSTDFI will pay all approved expenditures.
  10. The event chair will work closely with DSTDFI's financial secretary and treasurer. Original receipts must be provided. Event chair shall keep copies of all transmittals and vouchers.
  11. If a check is returned NSF, it is the event chair's responsibility to collect the funds along with a \$25 bank collection fee.
  12. If someone attends the event without a ticket (i.e. not pre-paid), the chair must collect the monies.
  13. A copy of the Final Ticket Verification Form should be sent to the Financial Secretary of DSTDFI as soon as tickets are verified.
  14. DSTDFI President/Treasurer will insure that insurance coverage is adequate for both organizations.
  15. DSTDFI's Conflict of Interest Policy will be followed for all co-sponsored events.
  16. DSTDFI may waive or reduce the 10% administrative fee for members of organizations as DSTDFI deems necessary.

### **POST EVENT**

1. Event chair must submit a profit/loss report within sixty (60) days of the event. The report must include cost savings as a result of partnering with the Foundation.
2. The President of DSTDFI shall submit a voucher to the treasurer for all grant monies raised from the event within 90 days of the event. All monies shall go towards a charitable activity that involves the general public benefit.

3. All monies will be given in the form of a grant(s).

## ARTICLE XI

### CONTRACTS. CHECKS. DEPOSITS. AND FUNDS

**Section 11.01 Contracts.** The Board of Directors may authorize an Officer or agent of the Corporation, in addition to the Officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of, and on behalf of the Corporation, and such authority may be general or confined to specific incidence.

**Section 11.02 Checks. Drafts. Etc.** All checks, drafts or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Corporation shall be signed by at least two (2) designated Officers of the Corporation and in such manner as shall from time to time, be determined by resolution of the Board of Directors.

**Section 11.03 Deposits.** All funds of the Corporation shall be deposited, from time to time, to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

## ARTICLE XII

### CORPORATE RECORDS. REPORTS. AND SEAL

**Section 12.01 Records.** The Corporation shall keep at its registered office a book of minutes of all meetings of the Board of Directors and books of account.

- A. The book of minutes shall note the time, place of any meeting, whether it was regular or special, how it was called, the notice given, the names of those present, and the proceedings thereof.
- B. The books of account shall cover the Corporation's property and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, and surplus.

C. All records will be stored in archives and retained in line with IRS guidelines for retention and destruction. (See partial retention schedule on page.22)

**Section 12.02: Inspection of Records by Directors or Members.** All books and records of the Corporation shall be open to inspection and examination during normal business hours for all proper purposes by every Director of the Corporation or the Directors' duly authorized agent or attorney. Any Member may request to look at the records provided the request is given a ten-day's notice to the Board of Directors.

**Section 12.03 Corporate Seal.** The Members may adopt, use and thereafter alter, a corporate seal. However, use of a corporate seal or a facsimile thereof shall not be required and shall not affect the validity of any instrument whatsoever.

#### ARTICLE XIII

##### FISCAL YEAR

**Section 13.01 Fiscal Year.** The fiscal year of the Corporation shall begin on the 1st day of July and shall end on the 30th of June of each year.

#### ARTICLE XIV

##### AMENDMENT TO THE BYLAWS

**Section 14.01 Amendment by the Members.** These Bylaws may be amended by a two-thirds vote of the Members present at any meeting specifically called for the amendment of Bylaws provided that a written statement of the amendment(s) was given at the preceding meeting or was included in the written notice of the meeting ten -days prior to the scheduled meeting

#### ARTICLE XV

##### DISSOLUTION



**Section 15.01 Dissolution.** Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c)(3) of the Internal Revenue code of 1986, as amended, or corresponding sections of any future Federal Tax Code, or shall be distributed to the Federal Government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Circuit Court of the County in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as the court shall determine which are organized and operated exclusively for such purposes.

## **Article XVI**

### **Conflicts of Interest Policy**

#### **1. Purpose**

The purpose of the Conflicts of Interest policy is to ensure that the deliberations and decisions of the Foundation are made in the interest of the community as a whole, and to protect the interests of the Foundation when it is contemplating entering into a transaction, contract, or arrangement that might benefit the private interest of an Interested Director, Officer or Person (as defined below). An Interested Director, Officer or Person may not use his or her position with respect to the Foundation, or confidential corporate information obtained by him or her relating to the Foundation, in order to achieve a financial benefit for himself or herself or for a third person, including another nonprofit or charitable organization. This policy is intended to supplement but not replace any applicable laws governing conflicts of interest in nonprofit and charitable corporations.

#### **2. Definitions**

2.1 **Compensation.** "Compensation" includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

2.2 **Family.** The "family" of any individual shall include only his or her spouse; his or her siblings and their spouses; his or her ancestors; and his or her descendants and their spouses.

2.3 **Financial Interest.** A person has a "financial interest" if the person has, directly or indirectly, through business, investment or family:

- (a) An existing or potential ownership or investment interest in any entity with

which the Foundation has a transaction, contract, or other arrangement, or

(b) A compensation arrangement with the Foundation or with any entity or individual with which the Foundation has a transaction, contract, or other arrangement, or

(c) An existing or potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Foundation is negotiating a transaction, contract, or other arrangement, or

(d) An existing or potential ownership or investment interest in, or compensation arrangement with, any entity whose business or operation has been or will be directly affected by a decision or action of the Foundation.

**2.4 Interested Director.** "Interested Director" shall mean any Director of the Foundation who has a material financial interest, as defined above, or who serves as a Director or Officer of any entity with which the Foundation has a transaction, contract, or other arrangement.

**2.5 Interested Officer.** "Interested Officer" shall mean any Officer who has a material financial interest, as defined above, or who serves as a Director or Officer of any entity with which the Foundation has a transaction, contract, or other arrangement. For purposes of this policy, the President of the Foundation shall be treated as an Officer.

**2.6 Interested Person.** "Interested Person" shall mean either:

(a) Any person currently being compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full- or part-time employee, independent contractor, or otherwise, or

(b) Any person whose family member, as defined in Section 2.2, is currently being compensated by the Foundation for services rendered to it within the previous 12 months, whether as a full- or part-time employee, independent contractor, or otherwise.

### **3. Committee on Conflicts of Interest**

3.1 To administer and monitor compliance with this Policy, the Board shall create a Committee of the Board on Conflicts of Interest ("Conflicts Committee"), to consist of at least two Directors named by the Board.

3.2 The Conflicts of Interest Committee shall require a statement from each Director and Officer not less frequently than once a year setting forth all business and other affiliations which relate in any way to the business and other activities of the Corporation.

#### **4. Duty to Abstain**

4.1 No Director shall vote on any matter in which he or she has a material and direct financial interest that will be affected by the outcome of the vote.

4.2 In the event of such an abstention, the abstaining Director shall state the reason for the abstention, which shall be noted in the minutes of the Board of Directors.

#### **5. Disclosure by Directors and Officers**

5.1 When requested by the Conflicts Committee (not less frequently than once a year), each Director and Officer shall promptly submit a statement to the Committee setting forth all business and other affiliations which relate in any way to the business and other affiliations of the Foundation.

5.2 With respect to any particular matter then pending before the Foundation, each Director and Officer shall disclose to the Conflicts Committee any matter that could reasonably be considered to make the Director or Officer an "Interested Director" or "Interested Officer," as defined above.

5.3 With respect to any particular matter then pending before the Foundation, each Director and Officer shall disclose to the Conflicts Committee any relationship or other factor that could reasonably be considered to cause the Director or Officer to be considered to be an "Interested Person," as defined above.

5.4 For purposes of this section, Officers of the Foundation need not disclose compensation and other benefits paid to the Officer by the Foundation pursuant to Board resolution.

#### **6. Disclosure by Supporting Organization**

Members of or participants in Supporting Organization councils must disclose conflicts of interest or other financial interests in matters within the scope of the Supporting Organization in the manner required by the Bylaws of the Supporting Organization.

## **7. Procedures in Connection with Proposed Transactions and Arrangements**

**7.1 Scope.** This section applies to any proposed transaction, contract, or arrangement in which a Director, Officer, or Interested Person has a material financial interest.

**7.2 Duty to Disclose.** In connection with any actual or possible conflicts of interest, an Interested Director or Interested Officer must disclose the existence and nature of his or her material financial interest to the Conflicts Committee prior to the consideration of the proposed transaction, contract, or arrangement by the Board or any Committee of the Board.

**7.3 Determining Whether a Conflict of Interest Exists.** After disclosure of the financial interest, the disinterested members of the Conflicts Committee shall determine whether a conflict of interest exists. Neither the Board nor any Committee of the Board shall vote upon any proposed transaction, contract, or arrangement in connection with which an actual or possible conflict of interest has been disclosed by an Interested Director until such time as the Conflicts Committee has addressed the actual or possible conflict of interest. For matters pending before the full Board of Directors, a referral to the Conflicts Committee will not be required where the Interested Director fully discloses to the Board his or her financial interest and abstains from participation in the Board's consideration of the proposed transaction, contract, or arrangement.

### **7.4 Procedures for Addressing a Conflict of Interest**

- a. Where a matter has been referred to the Conflicts Committee and the Conflicts Committee has concluded that a conflict of interest exists, the chairman of the Board or Committee of the Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction, contract, or arrangement.
- b. After exercising due diligence, the Board or Committee shall determine whether the Foundation can obtain a more advantageous transaction, contract, or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
- c. If a more advantageous transaction, contract, or other arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the Board or Committee shall determine by a majority vote of the disinterested Directors whether the transaction, contract, or arrangement is in the Corporation's best interest and for its own benefit and whether it is fair and reasonable to the Corporation, and shall make its decision as to whether to enter into the transaction, contract, or arrangement in conformity with such determination.

## **8. Violations of the Conflicts of Interest Policy**

8.1 If the Conflicts Committee has reasonable cause to believe that a Director or Officer has failed to disclose an actual or possible conflict of interest, it shall inform the Director or Officer of the basis for such belief and afford the Director or Officer an opportunity to explain the alleged failure to disclose.

8.2 If, after hearing the response of the Director or Officer and making such further investigation as may be warranted in the circumstances, the Conflicts Committee determines that the member has in fact failed to disclose an actual or possible conflict of interest, it shall recommend to the Board of Directors appropriate disciplinary and corrective action.

8.3 The violation of this conflicts of interest policy is a serious matter and may constitute "cause" for removal or termination of a Director or Officer, or the termination of any contractual relationship the Foundation may have with an Interested Person or other party.

## **9. Records of Proceedings**

9.1 The minutes of the Conflicts Committee shall contain:

(a) The names of Directors and Officers found to have a material financial interest in connection with an actual or possible conflict of interest; the nature of the financial interest; any action taken to determine whether a conflict of interest was present; and the decision of the Conflicts Committee as to whether a conflict of interest in fact existed.

(b) The names of the persons who were present for discussions and votes relating to the actual or potential conflict of interest; the content of the discussion; and a record of any votes taken in connection therewith.

9.2 In connection with a conflict of interest, the minutes of the Board or other Committee of the Board shall contain the names of the persons who were present for discussions and votes relating to the transaction or arrangement; the content of the discussion, including any alternatives to the proposed transaction or arrangement; and a record of any votes taken in connection therewith.

## **10. Compensation Committees**

A member of any Committee of the Board the jurisdiction of which includes compensation matters and who receives compensation from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

## **11. Annual Statements**

Each Director and Officer shall annually sign a statement which, affirms that such person:

- (a) Has received a copy of the conflicts of interest policy;
- (b) Has read and understands the policy;
- (c) Has agreed to comply with the policy; and
- (d) Understands that the Foundation is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

## **12. Periodic Reviews**

The Conflicts Committee shall periodically consider whether and how this Conflicts of Interest Policy should be revised or amended to better meet its objectives. In connection with any periodic review conducted by the Foundation to ensure that it operates in a manner consistent with its charitable purposes, the Conflicts Committee shall report on the matters referred to it and their resolution.

***Considered and passed by a majority resolution of a quorum of the Board of Directors of Delta Service Through Detroit Foundation, Inc. on September 6, 2012***

**SUGGESTED RECORD RETENTION SCHEDULE**  
**FOR DELTA SERVICE THROUGH DETROIT FOUNDATION, INC.**

Record	Retention Period
Accounts receivable ledgers	7 years
Articles of Incorporation	Permanently
Audit Reports	Permanently
Bank Reconciliations	2 years
Bank Statements	1-3 years
Bylaws & Charter	Permanently
Checks (canceled – see exception below)	7 years
Checks (canceled for important payments-  i.e. taxes, purchases of property, special contracts etc. Checks should be filed with the papers pertaining to the underlying transaction	Permanently
Contracts, mortgages, notes & leases (expired)	7 years
Contracts, mortgages, notes & leases (still in effect)	Permanently
Correspondence – general	2 years
Correspondence- legal & important matters only)	Permanently
Contributions	7 years
Deeds, mortgages & bills of sale	Permanently
Financial Statements (monthly & year-end)	Permanently
Insurance Policies (expired)	3 years
Internal Audits Reports	3 years or longer
Internal Reports (i.e. committee)	1-3 years
Loan Payment Schedules	7 years
Minutes	Permanently
Property Appraisals by outside appraisers	Permanently
Property records, including costs, depreciation reserves, yearend trials balances, depreciation schedules, blueprints, & plans	Permanently
Tax Returns & worksheets	Permanently
Vouchers for payment (includes reimbursement to officers etc.)	7 years

Internal Revenue Service  
P.O. Box 2508  
Cincinnati, OH 45201

Department of the Treasury

Date: May 3, 2012

DELTA SERVICE THROUGH DETROIT FOUNDATION  
INC  
% JESSYE FRANKLIN  
PO BOX 441921  
DETROIT MI 48244

**Person to Contact:**

Sophia Brown # 02-02975

**Toll Free Telephone Number:**

877-829-5500

**Employer Identification Number:**

38-3437688

Dear Sir or Madam:

This is in response to your April 12, 2012 request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in April 1999.

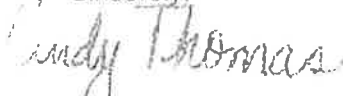
Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your 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.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. The IRS maintains a list on our website of organizations whose tax-exempt status was automatically revoked under section 6033 (j) of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Cindy Thomas  
Manager, Exempt Organizations  
Determinations



987E#9469 0804 ORG&FI \$20.00

FILED

AUG 05 1998

ARTICLES OF INCORPORATION

for

DELTA SIGMA THETA  
DETROIT FOUNDATION, INC.

Administrator  
MI DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
CORPORATION, SECURITIES & LAND DEVELOPMENT BUREAU

(A Domestic Non-Profit Corporation)

758-6666

Pursuant to the provisions of Act No. 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

Name

The name of the Corporation is:

DELTA SIGMA THETA DETROIT FOUNDATION, INC. ✓  
("DSTDFI" or the "Corporation")

ARTICLE II

Purposes

The purposes for which this Corporation is organized are as follows:

- A. To engage in public service programs which promote and encourage high intellectual, cultural, and moral standards among residents of our community, with an emphasis on the homeless, senior citizens and youth ("intergenerational") activities;
- B. To establish, foster and organize educational, historical and cultural programs that will provide meaningful intergenerational activities for our community and will instill values and respect for all citizens, as well as improve the quality of life for future generations;

- C. To raise funds to purchase and maintain property(ies) and/or facility(ies) in which to carry out the objectives and programs stated above;
- D. To solicit, collect, receive and administer funds exclusively for services for the homeless, senior citizens and youth, scholarships, cultural, historical and any other purposes as permitted for organizations defined in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, all for the public welfare and, to that end, to take and to hold, by bequest, devise, gift, purchase, or lease, either absolutely or in trust, for any of the aforementioned purposes, any property: real, personal, or mixed, without limitation as to amount or value, except such limitations hereinafter provided and as may be imposed by law;
- E. To sell, convey, and dispose of any such property and to invest and reinvest the principal thereof, and to deal with and expend the income and assets of the Corporation in such manner as in the judgment of the members will best promote its objectives and purposes, without limitation, except such limitations, if any, may be contained in the instrument under which such property is received; and
- F. In general, to exercise any, all and every power which is consistent with the purposes described above and which is a non-profit Corporation organized under the provisions of the Michigan Non-Profit Corporation Act can be authorized to exercise, but not any other power.

Notwithstanding any other provisions of these Articles of Incorporation, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt under Section 501(c)(3) of the Internal Revenue Code and other related legislation and regulations as they now exist or as they may hereafter be amended, or by organizational contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code and related legislation and regulations as they now exist or as they may hereafter be amended. No part of the funds of this Corporation shall inure to the benefit of any Director or Corporation shall consist of carrying on propaganda or otherwise, attempting to influence legislation

and this Corporation shall not participate in or intervene in (including publication or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

### ARTICLE III

#### MEMBERSHIP

Membership of the Corporation shall consist of all financial members of the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, inc. ("Members"). The Board of Directors of the Corporation shall be elected from the financial membership of the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, Inc. with exception of the *Initial Board* which shall be elected by the incorporators. Members of the *Initial Board* shall be financial members of the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

### ARTICLE IV

#### Form of Organization, Assets, and Financing

The Corporation is organized on a non-stock basis.

The Corporation possesses the following assets:

Real Property:	None
Personal Property:	None

Said Corporation is to be financed under the following general plan:

Income generated from sponsored activities of the foundation, and contribution made by the general public to the Corporation of funds and property absolutely or in trust for the Corporation's purposes as herein stated and for no other purpose.

ARTICLE V

Registered Office and Resident Agent

The address of the initial registered office is: 18340 W. Seven Mile, Detroit, Michigan 48219 (County of Wayne).

The name of the initial resident agent at the registered office is: Dorothy E. McLemore, Ph.D.

ARTICLE VI

The names and addresses of the Incorporators are as follows:

<u>Name</u>	<u>Address</u>
Dorothy McLemore, Ph.D.	892 W. Boston Blvd. Detroit, MI 48202
Doris B. Corsey Arnold	4074 Clements Detroit, MI 48238
Norma Y. Dotson-Sales	5600 Oakman Blvd. Detroit, MI 48204
Alma Yvonne Alston Hunter	19805 Stansbury Detroit, MI 48235
Denise Thames Jackson	18283 Muirland Detroit, MI 48221
Mattie B. Jones Jolinson	25245 Lindenwood Lane Southfield, MI 48034
Anitta Yvonne Orr	19990 Briarcliff Detroit, MI 48221
Clarice L. Ogilvie Posey	14362 Rosemont Detroit, MI 48223
Carol A. Sayers Puryear, Ph.D.	8837 Dawes Detroit, MI 48204

## ARTICLE VII

### Indemnification

The Corporation shall indemnify its present and past Directors, Officers, employees and agents, and such other persons as it shall have the power to indemnify, to the full extent permitted under, and subject to the limitations of, the laws of the State of Michigan, as they now exist or as they may hereafter be amended and further subject to limitations as may be provided in the Bylaws of the Corporation.

## ARTICLE VIII

### Restriction on Distributions

All of the property of this Corporation and accumulations thereof shall be held and administered to effectuate its tax-exempt purposes and no part of the income of this Corporation shall inure to the private benefit of any individual.

## ARTICLE IX

### Amendments

These Articles of Incorporation may be amended or repealed only by the affirmative vote of two-thirds of the Members present. Members must be officially notified of the proposed amendments at least ten days prior to the scheduled meeting.

## ARTICLE X

### Distribution of Assets Upon Dissolution

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the District or Circuit Court of the

county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

IN WITNESS WHEREOF, the incorporators of the above named Corporation have hereunto signed these Articles of Incorporation this 31<sup>ST</sup> day of May, 1998.

Dorothy M. Lenoir

David B. Conroy Arnold

Norma Y. Dotson - Sales

Alma Yvonne Alston Hunter

Lois Yvonne Jackson

Nellie B. Jones

Smitha Yvonne King

Clarice L. Lorraine Ray

Carol A. Hayes Puryear

\_\_\_\_\_



Charitable Gaming Division  
 Box 30023, Lansing, MI 48909  
 OVERNIGHT DELIVERY:  
 101 E. Hilldale, 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)

2019-08-23

**1050**

**1050** *Petition of Delta Service Through  
Detroit Foundation, Inc., request from  
your Honorable Body, a resolution  
granting a Charitable Gaming License.*

---

REFERRED TO THE FOLLOWING DEPARTMENT(S)

CITY CLERK



City of Detroit  
OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Andre P. Gilbert II  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Monday, August 26, 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

**1050** *Delta Service Through Detroit Foundation, Inc., request from your Honorable Body, a resolution granting a Charitable Gaming License.*



24760 West Seven Mile Road  
Detroit, Michigan 48219

August 21, 2019

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

RE: Charitable Gaming License Petition

Dear President Jones:

Please accept our request for a Charitable Gaming License Petition for the Sixth Mission Possible Raffle sponsored by Delta Service Through Detroit Foundation, Inc.(DSTDFI). Proceeds from the Raffle support the numerous programs of the organization in conjunction with the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, Inc. ("Detroit Deltas").

Delta Service Through Detroit Foundation, Inc. (DSTDFI) promotes and establishes educational, historical, cultural and scholarship programs for youth, seniors and the homeless. Through its various activities, the Foundation has aided thousands of Detroit citizens.

Established in 1999 as a 501 (c)(3), tax exempt organization, the contributions of individuals, community and corporations enable us to continue to embark upon our mission to *"improve the quality of life for future generations,"* and make substantial contributions and investments in our community by way of scholarship programs for the youth, seniors and the homeless.

As you might have anticipated, time is of the essence. Should you require additional information please do not hesitate to contact Sharon Clark Woodside via mobile phone at 313 920-4785.

Sincerely,

Jessye Verona Franklin  
President, DSTDFI



# ***Bylaws***

2012 Edition  
Revised October 12, 2012

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**BYLAWS  
OF**

**DELTA SERVICE THROUGH DETROIT FOUNDATION, INC.**

**A Michigan Non-Profit Corporation**

**ARTICLE I**

**NAME AND PURPOSE**

**Section 1.01 Name.** The name of the corporation shall be DELTA SERVICE THROUGH DETROIT FOUNDATION, INC. (The "Corporation" or "DSTDFI").

Section 1.02 Place of Business: The Corporation shall have as its principle place of business: 24760 West Seven Mile Road, Detroit, MI 48219.

**ARTICLE II**

**PURPOSE**

**Section 2.01 Purpose.** The purposes for which the Corporation is organized are as follows:

- A. To engage in public service programs which promote and encourage high intellectual, cultural, and moral standards among residents of our community, with an emphasis on the homeless, senior citizens and youth ("intergenerational") activities;
- B. To establish, foster and organize educational, historical and cultural programs that will provide meaningful intergenerational activities for our community and will instill values and respect for all citizens as well as improve the quality of life for future generations;
- C. To raise funds to purchase and maintain property(s) and/or facility(s) in which to carry out the objectives and programs stated above;
- D. To solicit, collect, receive and administer funds exclusively for services for the homeless, senior citizens and youth, scholarships, cultural, historical and any other purposes as permitted for organizations defined in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, all for the public welfare and, to that end, to take and to hold, by bequest, gift, purchase, or lease, either absolutely or in trust, for any of the aforementioned purposes, any property: real, personal, or mixed, without limitation as to amount or value, except such limitations hereinafter provided and as may be imposed by law;
- E. To sell, convey, and dispose of any such property and to invest and reinvest the principal thereof, and to deal with and expend the income and assets of the Corporation in such manner as in the judgment of the members will best promote its objectives and purposes, without limitation, except such limitations, if any, that may be contained in

the instrument under which such property is received; and

- F. To exercise any, all and every power which is consistent with the purposes described above and which is a non-profit Corporation organized under the provisions of the Michigan Profit Corporation Act can be authorized to exercise, but not any other power.

**Section 2.01 Limitations/Restrictions. Notwithstanding any other provisions of these Bylaws:**

- A. The Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt under Section 501(c) (3) of the Internal Revenue Code and other related legislation and regulations as they now exist or as they may hereafter be amended, or by organizational contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code and related legislation and regulations as they now exist or as they may hereafter be amended.
- B. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in these Bylaws.
- C. No substantial part of the activities of the Corporation shall be: the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

**ARTICLE III**

**MEMBERSHIP**

**Section 3.01 Membership.** The Corporation shall have one class of membership-- A Board of Directors. The Board shall consist of no less than sixteen (16) and no more than twenty-five (25) members.

## ARTICLE IV

### FORM OF ORGANIZATION

**Section 4.01 Form of Organization.** The Corporation is expressly organized on a directorship basis.

## ARTICLE V

### OFFICES

**Section 5.01 Offices.** The Corporation shall have and continuously maintain in the State of Michigan a registered office and a registered agent whose office is identical with such registered offices and may have other offices within the State of Michigan, as the Board of Directors may from time to time determine.

## ARTICLE VI

### MANAGEMENT OF CORPORATION

**Section 6.01 Powers.** The business and affairs of the Corporation shall be managed by a Board of Directors. All corporate powers shall be exercised by the Directors, subject to limitations imposed by law, the Articles of Incorporation, or these Bylaws

**Section 6.02 Number and Term of Directors**

A. The number of Directors of this Corporation shall be no less than 16 and not exceed 25.

B. The Directors shall be elected by a majority vote of the members voting and shall be elected to four (4) year terms. New Director(s) shall be elected pursuant to Section 6.03.

**Section 6.03 Election of Board of Directors:**

A. In each term of office, the Board of Directors shall consist of nine (9) Directors

- with a remaining two-year term and nine (9) new Directors elected to a four-year term.
- B. In each election, candidates receiving the highest number of votes shall be elected to the vacant terms according to the majority vote of the directors present and voting at the meeting.
  - C. Board vacancies, by reason of death, resignation, removal, or otherwise shall be filled by appointment of the President of the Corporation or as provided in ARTICLE VII, Section 7.12.
  - D. The term of office will be four (4) years and will be designated as the "Class of (insert year)".

#### **Section 6.04 Meetings of Directors.**

Regular meetings of the Board of Directors shall be held quarterly. Special Meetings may be called by the President of the Board of Directors or by any Director, provided written notice of the meeting, stating the time, place and purpose shall be delivered to each Director, either personally, by mail or email, at least three (3) days prior to the date set for the meeting. The Directors shall designate the location of any Board of Directors meeting by resolution or by written consent of all the members, but if no designation is made, meetings shall be held at the registered office of the Corporation. The Board of Directors may conduct the regular or special meetings via telephonic conference provided that the quorum and voting requirements are otherwise met as provided herein.

**Section 6.05 Quorum – Quarterly Meetings.** A majority of the actual number of Directors shall be necessary to constitute a quorum for the transaction of any Board of Directors business.

**Section 6.06 Majority Action.** Every act or decision made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be an act of the Board of Directors, unless a greater number is required by statute, the Articles of Incorporation, or these Bylaws.

**Section 6.07 Action without Meeting.** Any action required by law to be taken at a meeting of the Board of Directors or any other action which may be taken at a meeting of the Board of Directors may be taken without a meeting if consent in writing or electronic email consent, setting forth the action to be taken, is signed by all of the Directors.

**Section 6.08. Annual Meeting.** At the close of the fiscal year, the Corporation will hold an Annual Business Meeting at which time written reports detailing the previous year's activities and matters will be presented by Corporation Officers and Committee Chairs. Written or printed notice stating the place, day and hour of the meeting shall be delivered by mail to each Member entitled to vote at the meeting, not less than 15 or more than 30 days before the date of the meeting.



**Section 6.09. Quorum – Annual Meetings.** A quorum at the annual meeting shall consist of one-tenth of the Members of the Corporation.

**Section 6.10 Attendance – Board of Directors.**

- A. Regular Meetings of the Board of Directors are held quarterly, with the additional requirement of one Annual Meeting of the Corporation (See Article VI, Sections 6.05 and 6.09) Attendance, of all Directors at these meetings, is encouraged. Three (3) consecutive unexcused absences in one calendar year constitutes sufficient grounds for removal.
- B. A Director shall indicate, to the Secretary, her intent to be absent from any meeting of the Board of Directors, and shall provide, in absentia, a written, including a “nil,” report of her office or committee activity/ responsibility.
- C. The President shall appoint as necessary an Ad Hoc Membership Committee whose purpose shall be to review Directors who fail to participate as prescribed above. The Ad Hoc committee shall make recommendations to the Board of Directors, regarding continued eligibility for membership on the Board of Directors. (See Article VII, Section 7.10)

**Section 6.11 Indemnification.** The Corporation shall indemnify its Directors and Officers of the Corporation against expenses (including actual, reasonable attorney fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by them in connection with any actions or suits brought or threatened against them, including actions by or in the right of the Corporation, by reason of the fact that such a person was serving as a Director or Officer of the Corporation, to the fullest extent provided by law.

- A. Authorization of Indemnification. Indemnification may be made (unless ordered by court or provided by law) only upon determination that such Director or Officer has acted in good faith and in the best interests of the Corporation. Such determination shall be made (1) by majority vote of a quorum of Directors who were not parties to such action or suit, or (2) if a quorum of disinterested Directors directs, by written opinion of legal counsel for the Corporation or by other independent legal counsel.
- B. Insurance. The Corporation must purchase and maintain insurance on behalf of any person who is or was a Director or Officer of this Corporation or is or was serving at the request of the Corporation in any other enterprise against any liability incurred in such capacity.

**ARTICLE VII**

## CORPORATE OFFICERS

**Section 7.01 01 Number, Titles and Term.** The officers of the Corporation shall be President, First Vice President, Second Vice President, Secretary, Assistant Secretary, Assistant Treasurer, and Financial Secretary. The term of office shall be two years. The Board of Directors may appoint other officers and agents as it deems necessary, each of whom shall hold office for such period, have such authority, and perform such duties in the management of the Corporation as may be provided in these Bylaws, or as may be determined by resolution of the Board of Directors not inconsistent with these Bylaws. The Board of Directors may from time to time delegate to any officer or committee the power to engage the services of a paid professional to perform required services as needed. The fees for such services shall be negotiated and approved by the Board of Directors.

**Section 7.02 Election.** The Officers of the Corporation, by majority vote, shall be elected biannually at the June Meeting by the Board of Directors and assume responsibilities at the beginning of the fiscal year.

**Section 7.03 President.** The President shall:

- A. Preside at all meetings of DSTDFI;
- B. Have final authority, subject to the control of the Board of Directors, over the general policy and business of the Corporation;
- C. Have the power, subject to the control of the Board of Directors, to appoint or discharge and to prescribe the duties and to fix compensation of such agents of the Corporation as necessary;
- D. Make and sign bonds, mortgages, and other contracts and agreements in the name of and on behalf of the Corporation, except when the Board of Directors instructs the same to be done by some other Officer or Agent;
- E. See that all orders and resolutions of the Board of Directors are carried into effect;
- F. Have the authority to delegate specific powers to any other Director;
- G. Serve as an ex-officio member of all committees except Nominations and Elections;
- H. Serve as the official spokesperson for DSTDFI;
- I. Be an official signatory on DSTDFI checks, drafts, etc.

**Section 7.04 First Vice President.** The First Vice President shall:

- A. Perform all duties of the President in her absence or her inability to perform those duties;
- B. Serve as the Chair of the Compliance Committee including, but not limited to
  1. Filing Michigan Non-Profit Corporation Annual Report to Department of Labor and Economic Growth (DLEG) by October 1 of each year.
  2. Filing IRS Form 990 and all required documents by November 15 of each year or as required by the governmental agency.
  3. Filing updated of bylaws with Department of Labor and Economic Growth (DLEG) by December 31, or as required by the governmental agency.

4. Renewing Charitable Solicitation License with the State of Michigan's Office of the Attorney General no later than January 1 of the calendar year of expiration, or as required by the governmental agency.
  5. Renewing Non-profit Directors and Officers Liability Insurance Policy by May of each year. Submit request for renewal to the treasurer by April.
  6. Submitting Board of Directors roster to State of Michigan annually or as required by the governmental agency.
  7. Collecting the Conflict of Interest Survey from all Directors annually, and, then, compiling and delivering the forms to the secretary for filing.
  8. Coordinating the annual audit; provide copy of annual financial statement to all Directors.
  9. Be an official signatory on DSTDFI checks, drafts, etc.
- C. Serve as the Chair of the Fund Development Committee.
- D. Serve as general overseer of the budget, finance and general governance issues of the Foundation.

**Section 7:05 Second Vice-President**

- A. Serve as the Programs Chair, including, but not limited to
1. Provide general oversight over administration of grants received by the Foundation.
  2. Provide general oversight over public relations related to grants and programs
  3. Provide general oversight over all programs of the Foundation.
  4. Develop a calendar of activities of the Foundation.
  5. Perform other duties as assigned by the President or the Board of Directors.
  6. Be an official signatory on DSTDFI checks, drafts, etc.
- B. Perform all the duties of the First Vice President in her absence or her inability to perform those duties.

**Section 7.06 Secretary.** The Secretary shall:

- A. Record and maintain the minutes of all meetings of the Board of Directors, including any official voting;
- B. Maintain correspondence, records, register of all members and record of attendance at all meetings;
- C. Be responsible to notifying the Board of Directors of scheduled meetings;
- D. Perform other duties as designated by the President or the Board of Directors.
- E. Should there be a Corporate Seal, it will be kept by the Secretary.
- F. Maintain file of signed Conflict of Interest surveys

- G. Archive all records for storage.

**Section 7:07 Assistant Secretary**

- A. Enter all donations in the designated database of Capital Campaign Donations
- B. Enter all donations in designated database of Twice Nice Donations
- C. Assist the secretary in completing mass mailings, i.e., annual meetings, elections, etc.
- D. Perform all the duties of the Secretary in her absence or her inability to perform those duties;

**Section 7.08 Treasurer. The Treasurer shall:**

- A. Provide care and custody of the Corporate funds and securities, except as otherwise provided by the Board of Directors;
- B. Maintain and keep full and accurate accounts of receipts and disbursements in records belonging to the Corporation;
- C. Deposit all monies and other valuable effects in the name of and to the credit of the Corporation in such depositories as may be designated by the Board of Directors;
- D. Make the records available for inspection at any time by any Director;
- E. Make the records available for inspection by any Member upon written request at least ten days prior;
- F. Chair the Finance Committee;
- G. Make a full report at each annual meeting and an updated report at each quarterly meeting;
- H. Be required to give bond for the faithful discharge of the duties and the expense of such a bond to be paid by the Corporation;
- I. Be an official signatory on DSTDFI checks, drafts, etc.
- J. Reconcile the monthly bank statements of the foundation.
- K. Provide all necessary financial documents to the First Vice President for the annual audit and provide support as needed.
- L. Archive all records for storage

**Section 7:09 Assistant Treasurer**

- A. Co-Chair the Finance Committee
- B. Develop a Business Manager structure for Twice Nice with the Treasurer/Program Manager of Twice Nice.
- C. Develop a structure for purchasing items for the store, i.e., ordering retail and marketing supplies with the Treasurer and Program Manager of Twice Nice.
- D. Be an official signatory on DSTDFI checks, drafts, etc.
- E. Perform all the duties of the Treasurer in her absence or her inability to perform those duties;

**Section 7.10 Financial Secretary.** The Financial Secretary shall:

- A. Accept and receive all monies, donations or other funds;
- B. Issue, in triplicate, receipts for all incoming monies, including one copy each for the Financial Secretary, the Treasurer and the person submitting such monies;
- C. Maintain financial records required by the Board of Directors;
- D. Distribute quarterly statements to Directors and annual statements to members at the annual meeting;
- E. Serve on the Finance Committee
- F. Archive all records for storage.

**Section 7.11 Auditor (Internal or External)**

- A. Examine the financial records of all financial officers (Treasurer and Financial Secretary ) of the Foundation;
- B. Examine financial reports of all committees;
- C. Submit conclusions, findings and recommendations from the audit in a written report to the Foundation within 30 days;
- D. Prepare Federal Income Tax Group form(990)by November 15 of each year..

**Section 7.12 Absence of Officer.** In case of the absence of any Officer or for any other reason that the Board of Directors may deem sufficient, the President or the Board of Directors may delegate, temporarily, the powers or duties of such Officer to any other Officer or to any Director.

**Section 7.13 Removal. Resignation.** Any Officer or agent may be removed by a majority vote of the Board of Directors whenever, in the judgment of the Board of Directors, the best interests of the Corporation will be served thereby; provided, however, that such removal shall be without prejudice to the contract rights, if any, of the person so removed. Any Officer may resign at any time by giving written notice to the Board of Directors, the President, or to the Secretary of the Corporation. Any such resignation shall take effect at the date of the receipt of such notice or any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. The President of the Corporation shall appoint a successor who shall hold the position for the unexpired term with the approval of the Board.

**Section 7.14 Impeachment.** Any Officer may be impeached by a majority vote of the Board of Directors at the conclusion of an official hearing scheduled to assure due process for the Officer. The hearing must be scheduled at a mutually acceptable time and the affected Officer has the right to request one other Member to accompany her during the time of the hearing.

**Section 7.15 Vacancies.** If the office of the President, Vice President, Secretary, Treasurer, or Financial Secretary become vacant by reason of death, resignation, removal, or otherwise, the Board of Directors, by majority vote, shall elect a successor who shall hold office for the unexpired term, and until a successor is elected.

**Section 7.16** Bonds. The Board of Directors may, by resolution, require any and all of the Officers to give bonds to the Corporation, with sufficient surety or sureties, conditioned for the faithful performance of the duties of their respective offices, and to comply with other conditions as may from time to time to be required by the Directors.

## ARTICLE VIII

### COMMITTEES

**Section 8.01** Standing Committees. The following are established as Standing Committees of the Board of Directors.

- A. Finance Committee: The Finance Committee shall be chaired by the Treasurer of the Board of Directors and shall include the Board's Financial Secretary and up to two(2) Board members appointed by the President of the Board of Directors. The Finance Committee shall develop the budget for all corporate programs and projects, make recommendations to the Board of Directors on such, and coordinate budget activities based on the needs of the Corporation. The Chair of the Finance Committee shall also keep records regarding all budget activities and reconcile such records with the official financial records of the Corporation.
- B. Compliance Committee: The Compliance Committee shall be chaired by the Vice President of the Board of Directors and shall include the Corporation's attorney and up to three (3) Corporation members appointed by the President of the Board of Directors. The Compliance Committee shall provide information to the Corporation to insure that the Corporation maintains compliance with any legal and/or tax issues relating to its tax exempt status. The Chair of the Compliance Committee need not be the Corporation's official attorney.
- C. Fundraising Committee: The Fundraising Committee, including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall coordinate all fundraising activities of the Corporation.
- D. Nominations and Elections: The Nominations and Elections Committee,

including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall coordinate all nominations and elections for the Corporation. The Chair of Nominations and Elections shall be the liaison between the Corporation and Members during nominating and voting for new Directors, at specified times, as provided in Article VI, Section 6.03.

The Nominations and Elections Chair will conduct the election of Board Officers at the June Meeting by ballot.

- E. Program Committee: The Program Committee, including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall administer and execute programs consistent with the stated purposes of the Corporation. Grant Committee: The Grant Committee, including a Chair and up to three (3) Corporation members appointed by the President of the Board of Directors, shall seek and write grants to support the programs of the Corporation.
- F. The Conflicts of Interest Committee shall require a statement from each Director and Officer not less frequently than once a year setting forth all business and other affiliations which relate in any way to the business and other activities of the Corporation. The committee is to consist of at least two (2) Directors named by the Board.

**Section 8.02. Other Committees.** The Board of Directors from time to time, and at its own discretion, shall establish other such committees which the Board of Directors believes necessary to manage the activities of the Corporation. These other committees may be given the status of a Standing Committee or they may be temporary (Special or Ad Hoc) for such time periods as the Board of Directors may deem necessary.

**Section 8.03. Committee Chairpersons.** The President, with approval of the Board of Directors, shall appoint a Chairperson for all Committees, either Standing, Special or Ad Hoc. The committee chair shall serve until a replacement has been appointed by the President.

**Section 8.04. Membership on Committees.** Volunteers may serve as a member on any DSTDFI (Corporation) committee. All Directors are expected to serve on at least one committee.

**Section 8.05: Vacancies.** If the office of Committee Chairperson for any Corporation Committee becomes vacant for any reason, the President of the Corporation shall appoint a successor who shall hold the office for the unexpired term.

## ARTICLE IX

### PARLIAMENTARY AUTHORITY

**Section 9.01: Parliamentary Authority.** The parliamentary authority shall be taken from Roberts Rules of Order (latest edition) and shall answer all questions not covered in the Articles of Incorporation or these accompanying Bylaws of DSTDFI.

## ARTICLE X

### EVENT CO-SPONSORSHIP/JOINT VENTURE AUTHORITY AND PROCESS

**Section 10.01: Authority.**

- A. All promotion event materials must indicate the event is given in conjunction with DSTDFI and a portion of the proceeds shall be used for charitable purposes.
- B. All checks and money orders must be made payable to DSTDFI.
- C. A charitable cause, organization or event must be designated as a recipient and a portion of the proceeds must be distributed in accordance with the IRS Tax requirements governing non-profit organizations.
- D. DSTDFI will retain 10% of the total receipts of the event. DSTDFI may waive or reduce the 10% administrative fee for organizations as DSTDFI deems necessary. Current federal regulations allow 80% to be distributed to a charity and 20% may be retained for administrative costs incurred by the Foundation.

**Section 10.02: Process.**

#### PRE-EVENT

1. All requests for co-sponsorship must be submitted in writing no less than sixty



- (60) days prior to the event. Only written requests will be accepted from the chair of the event. Requests shall be submitted to the President of DSTDFI and shall include a proposed budget.
2. The President of DSTDFI shall review the request and submit to the Board for a recommendation.
  3. If approved, the President of DSTDFI shall notify the event chair in writing.
  4. Event chair shall follow appropriate protocol within their organization for final approval of co-sponsorship.
  5. If approved, a formal letter requesting co-sponsorship shall be forwarded to the President of DSTDFI along with a final budget. The final budget shall include a line item indicating 10% of the proceeds remain with the foundation.
  6. The President of DSTDFI shall provide the event chair with a co-sponsorship packet. The packet should include a voucher, DSTDFI's policy on co-sponsorship, a copy of DSTDFI's tax exempt form and a transmittal form and a copy of the Conflict of Interest Policy.
  7. DSTDFI must appear on all tickets and flyers. Language indicating a portion of the proceeds are tax-deductible shall also be included on all tickets and flyers.
  8. All contracts must be reviewed and signed by the President of DSTDFI.
  9. Upon receipt of original vouchers with original receipts and/or invoice, DSTDFI will pay all approved expenditures.
  10. The event chair will work closely with DSTDFI's financial secretary and treasurer. Original receipts must be provided. Event chair shall keep copies of all transmittals and vouchers.
  11. If a check is returned NSF, it is the event chair's responsibility to collect the funds along with a \$25 bank collection fee.
  12. If someone attends the event without a ticket (i.e. not pre-paid), the chair must collect the monies.
  13. A copy of the Final Ticket Verification Form should be sent to the Financial Secretary of DSTDFI as soon as tickets are verified.
  14. DSTDFI President/Treasurer will insure that insurance coverage is adequate for both organizations.
  15. DSTDFI's Conflict of Interest Policy will be followed for all co-sponsored events.
  16. DSTDFI may waive or reduce the 10% administrative fee for members of organizations as DSTDFI deems necessary.

## **POST EVENT**

1. Event chair must submit a profit/loss report within sixty (60) days of the event. The report must include cost savings as a result of partnering with the Foundation.
2. The President of DSTDFI shall submit a voucher to the treasurer for all grant monies raised from the event within 90 days of the event. All monies shall go towards a charitable activity that involves the general public benefit.

3. All monies will be given in the form of a grant(s).

## ARTICLE XI

### CONTRACTS. CHECKS. DEPOSITS. AND FUNDS

**Section 11.01 Contracts.** The Board of Directors may authorize an Officer or agent of the Corporation, in addition to the Officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of, and on behalf of the Corporation, and such authority may be general or confined to specific incidence.

**Section 11.02 Checks. Drafts. Etc.** All checks, drafts or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Corporation shall be signed by at least two (2) designated Officers of the Corporation and in such manner as shall from time to time, be determined by resolution of the Board of Directors.

**Section 11.03 Deposits.** All funds of the Corporation shall be deposited, from time to time, to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

## ARTICLE XII

### CORPORATE RECORDS. REPORTS. AND SEAL

**Section 12.01 Records.** The Corporation shall keep at its registered office a book of minutes of all meetings of the Board of Directors and books of account.

- A. The book of minutes shall note the time, place of any meeting, whether it was regular or special, how it was called, the notice given, the names of those present, and the proceedings thereof.
- B. The books of account shall cover the Corporation's property and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, and surplus.

C. All records will be stored in archives and retained in line with IRS guidelines for retention and destruction. (See partial retention schedule on page.22)

**Section 12.02: Inspection of Records by Directors or Members.** All books and records of the Corporation shall be open to inspection and examination during normal business hours for all proper purposes by every Director of the Corporation or the Directors' duly authorized agent or attorney. Any Member may request to look at the records provided the request is given a ten-day's notice to the Board of Directors.

**Section 12.03 Corporate Seal.** The Members may adopt, use and thereafter alter, a corporate seal. However, use of a corporate seal or a facsimile thereof shall not be required and shall not affect the validity of any instrument whatsoever.

#### ARTICLE XIII

##### FISCAL YEAR

**Section 13.01 Fiscal Year.** The fiscal year of the Corporation shall begin on the 1st day of July and shall end on the 30th of June of each year.

#### ARTICLE XIV

##### AMENDMENT TO THE BYLAWS

**Section 14.01 Amendment by the Members.** These Bylaws may be amended by a two-thirds vote of the Members present at any meeting specifically called for the amendment of Bylaws provided that a written statement of the amendment(s) was given at the preceding meeting or was included in the written notice of the meeting ten -days prior to the scheduled meeting

#### ARTICLE XV

##### DISSOLUTION

**Section 15.01 Dissolution.** Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c)(3) of the Internal Revenue code of 1986, as amended, or corresponding sections of any future Federal Tax Code, or shall be distributed to the Federal Government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Circuit Court of the County in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as the court shall determine which are organized and operated exclusively for such purposes.

## **Article XVI**

### **Conflicts of Interest Policy**

#### **1. Purpose**

The purpose of the Conflicts of Interest policy is to ensure that the deliberations and decisions of the Foundation are made in the interest of the community as a whole, and to protect the interests of the Foundation when it is contemplating entering into a transaction, contract, or arrangement that might benefit the private interest of an Interested Director, Officer or Person (as defined below). An Interested Director, Officer or Person may not use his or her position with respect to the Foundation, or confidential corporate information obtained by him or her relating to the Foundation, in order to achieve a financial benefit for himself or herself or for a third person, including another nonprofit or charitable organization. This policy is intended to supplement but not replace any applicable laws governing conflicts of interest in nonprofit and charitable corporations.

#### **2. Definitions**

**2.1 Compensation.** "Compensation" includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

**2.2 Family.** The "family" of any individual shall include only his or her spouse; his or her siblings and their spouses; his or her ancestors; and his or her descendants and their spouses.

**2.3 Financial Interest.** A person has a "financial interest" if the person has, directly or indirectly, through business, investment or family:

- (a) An existing or potential ownership or investment interest in any entity with

which the Foundation has a transaction, contract, or other arrangement, or

(b) A compensation arrangement with the Foundation or with any entity or individual with which the Foundation has a transaction, contract, or other arrangement, or

(c) An existing or potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Foundation is negotiating a transaction, contract, or other arrangement, or

(d) An existing or potential ownership or investment interest in, or compensation arrangement with, any entity whose business or operation has been or will be directly affected by a decision or action of the Foundation.

**2.4 Interested Director.** "Interested Director" shall mean any Director of the Foundation who has a material financial interest, as defined above, or who serves as a Director or Officer of any entity with which the Foundation has a transaction, contract, or other arrangement.

**2.5 Interested Officer.** "Interested Officer" shall mean any Officer who has a material financial interest, as defined above, or who serves as a Director or Officer of any entity with which the Foundation has a transaction, contract, or other arrangement. For purposes of this policy, the President of the Foundation shall be treated as an Officer.

**2.6 Interested Person.** "Interested Person" shall mean either:

(a) Any person currently being compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full- or part-time employee, independent contractor, or otherwise, or

(b) Any person whose family member, as defined in Section 2.2, is currently being compensated by the Foundation for services rendered to it within the previous 12 months, whether as a full- or part-time employee, independent contractor, or otherwise.

### **3. Committee on Conflicts of Interest**

**3.1** To administer and monitor compliance with this Policy, the Board shall create a Committee of the Board on Conflicts of Interest ("Conflicts Committee"), to consist of at least two Directors named by the Board.

3.2 The Conflicts of Interest Committee shall require a statement from each Director and Officer not less frequently than once a year setting forth all business and other affiliations which relate in any way to the business and other activities of the Corporation.

#### **4. Duty to Abstain**

4.1 No Director shall vote on any matter in which he or she has a material and direct financial interest that will be affected by the outcome of the vote.

4.2 In the event of such an abstention, the abstaining Director shall state the reason for the abstention, which shall be noted in the minutes of the Board of Directors.

#### **5. Disclosure by Directors and Officers**

5.1 When requested by the Conflicts Committee (not less frequently than once a year), each Director and Officer shall promptly submit a statement to the Committee setting forth all business and other affiliations which relate in any way to the business and other affiliations of the Foundation.

5.2 With respect to any particular matter then pending before the Foundation, each Director and Officer shall disclose to the Conflicts Committee any matter that could reasonably be considered to make the Director or Officer an "Interested Director" or "Interested Officer," as defined above.

5.3 With respect to any particular matter then pending before the Foundation, each Director and Officer shall disclose to the Conflicts Committee any relationship or other factor that could reasonably be considered to cause the Director or Officer to be considered to be an "Interested Person," as defined above.

5.4 For purposes of this section, Officers of the Foundation need not disclose compensation and other benefits paid to the Officer by the Foundation pursuant to Board resolution.

#### **6. Disclosure by Supporting Organization**

Members of or participants in Supporting Organization councils must disclose conflicts of interest or other financial interests in matters within the scope of the Supporting Organization in the manner required by the Bylaws of the Supporting Organization.

## **7. Procedures in Connection with Proposed Transactions and Arrangements**

**7.1 Scope.** This section applies to any proposed transaction, contract, or arrangement in which a Director, Officer, or Interested Person has a material financial interest.

**7.2 Duty to Disclose.** In connection with any actual or possible conflicts of interest, an Interested Director or Interested Officer must disclose the existence and nature of his or her material financial interest to the Conflicts Committee prior to the consideration of the proposed transaction, contract, or arrangement by the Board or any Committee of the Board.

**7.3 Determining Whether a Conflict of Interest Exists.** After disclosure of the financial interest, the disinterested members of the Conflicts Committee shall determine whether a conflict of interest exists. Neither the Board nor any Committee of the Board shall vote upon any proposed transaction, contract, or arrangement in connection with which an actual or possible conflict of interest has been disclosed by an Interested Director until such time as the Conflicts Committee has addressed the actual or possible conflict of interest. For matters pending before the full Board of Directors, a referral to the Conflicts Committee will not be required where the Interested Director fully discloses to the Board his or her financial interest and abstains from participation in the Board's consideration of the proposed transaction, contract, or arrangement.

### **7.4 Procedures for Addressing a Conflict of Interest**

- a. Where a matter has been referred to the Conflicts Committee and the Conflicts Committee has concluded that a conflict of interest exists, the chairman of the Board or Committee of the Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction, contract, or arrangement.
- b. After exercising due diligence, the Board or Committee shall determine whether the Foundation can obtain a more advantageous transaction, contract, or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
- c. If a more advantageous transaction, contract, or other arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the Board or Committee shall determine by a majority vote of the disinterested Directors whether the transaction, contract, or arrangement is in the Corporation's best interest and for its own benefit and whether it is fair and reasonable to the Corporation, and shall make its decision as to whether to enter into the transaction, contract, or arrangement in conformity with such determination.

## **8. Violations of the Conflicts of Interest Policy**

8.1 If the Conflicts Committee has reasonable cause to believe that a Director or Officer has failed to disclose an actual or possible conflict of interest, it shall inform the Director or Officer of the basis for such belief and afford the Director or Officer an opportunity to explain the alleged failure to disclose.

8.2 If, after hearing the response of the Director or Officer and making such further investigation as may be warranted in the circumstances, the Conflicts Committee determines that the member has in fact failed to disclose an actual or possible conflict of interest, it shall recommend to the Board of Directors appropriate disciplinary and corrective action.

8.3 The violation of this conflicts of interest policy is a serious matter and may constitute "cause" for removal or termination of a Director or Officer, or the termination of any contractual relationship the Foundation may have with an Interested Person or other party.

## **9. Records of Proceedings**

9.1 The minutes of the Conflicts Committee shall contain:

(a) The names of Directors and Officers found to have a material financial interest in connection with an actual or possible conflict of interest; the nature of the financial interest; any action taken to determine whether a conflict of interest was present; and the decision of the Conflicts Committee as to whether a conflict of interest in fact existed.

(b) The names of the persons who were present for discussions and votes relating to the actual or potential conflict of interest; the content of the discussion; and a record of any votes taken in connection therewith.

9.2 In connection with a conflict of interest, the minutes of the Board or other Committee of the Board shall contain the names of the persons who were present for discussions and votes relating to the transaction or arrangement; the content of the discussion, including any alternatives to the proposed transaction or arrangement; and a record of any votes taken in connection therewith.

## **10. Compensation Committees**



A member of any Committee of the Board the jurisdiction of which includes compensation matters and who receives compensation from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

## **11. Annual Statements**

Each Director and Officer shall annually sign a statement which, affirms that such person:

- (a) Has received a copy of the conflicts of interest policy;
- (b) Has read and understands the policy;
- (c) Has agreed to comply with the policy; and
- (d) Understands that the Foundation is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

## **12. Periodic Reviews**

The Conflicts Committee shall periodically consider whether and how this Conflicts of Interest Policy should be revised or amended to better meet its objectives. In connection with any periodic review conducted by the Foundation to ensure that it operates in a manner consistent with its charitable purposes, the Conflicts Committee shall report on the matters referred to it and their resolution.

***Considered and passed by a majority resolution of a quorum of the Board of Directors of Delta Service Through Detroit Foundation, Inc. on September 6, 2012***

**SUGGESTED RECORD RETENTION SCHEDULE**  
**FOR DELTA SERVICE THROUGH DETROIT FOUNDATION, INC.**

Record	Retention Period
Accounts receivable ledgers	7 years
Articles of Incorporation	Permanently
Audit Reports	Permanently
Bank Reconciliations	2 years
Bank Statements	1-3 years
Bylaws & Charter	Permanently
Checks (canceled – see exception below)	7 years
Checks (canceled for important payments-  i.e. taxes, purchases of property, special contracts etc. Checks should be filed with the papers pertaining to the underlying transaction	Permanently
Contracts, mortgages, notes & leases (expired)	7 years
Contracts, mortgages, notes & leases (still in effect)	Permanently
Correspondence – general	2 years
Correspondence- legal & important matters only)	Permanently
Contributions	7 years
Deeds, mortgages & bills of sale	Permanently
Financial Statements (monthly & year-end)	Permanently
Insurance Policies (expired)	3 years
Internal Audits Reports	3 years or longer
Internal Reports (i.e. committee)	1-3 years
Loan Payment Schedules	7 years
Minutes	Permanently
Property Appraisals by outside appraisers	Permanently
Property records, including costs, depreciation reserves, yearend trials balances, depreciation schedules, blueprints, & plans	Permanently
Tax Returns & worksheets	Permanently
Vouchers for payment (includes reimbursement to officers etc.)	7 years

Internal Revenue Service  
P.O. Box 2508  
Cincinnati, OH 45201

Department of the Treasury

Date: May 3, 2012

DELTA SERVICE THROUGH DETROIT FOUNDATION  
INC  
% JESSYE FRANKLIN  
PO BOX 441921  
DETROIT MI 48244

**Person to Contact:**

Sophia Brown # 02-02975

**Toll Free Telephone Number:**

877-829-5500

**Employer Identification Number:**

38-3437688

Dear Sir or Madam:

This is in response to your April 12, 2012 request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in April 1999.

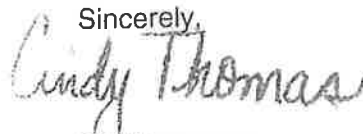
Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your 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.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. The IRS maintains a list on our website of organizations whose tax-exempt status was automatically revoked under section 6033 (j) of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Cindy Thomas  
Manager, Exempt Organizations  
Determinations

987E#9469 0804 ORG&FI \$20.00

FILED

AUG 05 1998

ARTICLES OF INCORPORATION

for

DELTA SIGMA THETA  
DETROIT FOUNDATION, INC.

Administrator  
MI DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
CORPORATION, SECURITIES & LAND DEVELOPMENT BUREAU

(A Domestic Non-Profit Corporation)

758-666

Pursuant to the provisions of Act No. 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

Name

The name of the Corporation is:

DELTA SIGMA THETA DETROIT FOUNDATION, INC. ✓  
("DSTDFI" or the "Corporation")

ARTICLE II

Purposes

The purposes for which this Corporation is organized are as follows:

- A. To engage in public service programs which promote and encourage high intellectual, cultural, and moral standards among residents of our community, with an emphasis on the homeless, senior citizens and youth ("intergenerational") activities;
- B. To establish, foster and organize educational, historical and cultural programs that will provide meaningful intergenerational activities for our community and will instill values and respect for all citizens, as well as improve the quality of life for future generations;

- C. To raise funds to purchase and maintain property(ies) and/or facility(ies) in which to carry out the objectives and programs stated above;
- D. To solicit, collect, receive and administer funds exclusively for services for the homeless, senior citizens and youth, scholarships, cultural, historical and any other purposes as permitted for organizations defined in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, all for the public welfare and, to that end, to take and to hold, by bequest, devise, gift, purchase, or lease, either absolutely or in trust, for any of the aforementioned purposes, any property: real, personal, or mixed, without limitation as to amount or value, except such limitations hereinafter provided and as may be imposed by law;
- E. To sell, convey, and dispose of any such property and to invest and reinvest the principal thereof, and to deal with and expend the income and assets of the Corporation in such manner as in the judgment of the members will best promote its objectives and purposes, without limitation, except such limitations, if any, may be contained in the instrument under which such property is received; and
- F. In general, to exercise any, all and every power which is consistent with the purposes described above and which is a non-profit Corporation organized under the provisions of the Michigan Non-Profit Corporation Act can be authorized to exercise, but not any other power.

Notwithstanding any other provisions of these Articles of Incorporation, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt under Section 501(c)(3) of the Internal Revenue Code and other related legislation and regulations as they now exist or as they may hereafter be amended, or by organizational contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code and related legislation and regulations as they now exist or as they may hereafter be amended. No part of the funds of this Corporation shall inure to the benefit of any Director or Corporation shall consist of carrying on propaganda or otherwise, attempting to influence legislation

and this Corporation shall not participate in or intervene in (including publication or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

### ARTICLE III

#### MEMBERSHIP

Membership of the Corporation shall consist of all financial members of the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, inc. ("Members"). The Board of Directors of the Corporation shall be elected from the financial membership of the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, Inc. with exception of the *Initial Board* which shall be elected by the incorporators. Members of the *Initial Board* shall be financial members of the Detroit Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

### ARTICLE IV

#### Form of Organization, Assets, and Financing

The Corporation is organized on a non-stock basis.

The Corporation possesses the following assets:

Real Property:	None
Personal Property:	None

Said Corporation is to be financed under the following general plan:

Income generated from sponsored activities of the foundation, and contribution made by the general public to the Corporation of funds and property absolutely or in trust for the Corporation's purposes as herein stated and for no other purpose.

## ARTICLE V

### Registered Office and Resident Agent

The address of the initial registered office is: 18340 W. Seven Mile, Detroit, Michigan 48219 (County of Wayne).

The name of the initial resident agent at the registered office is: Dorothy E. McLemore, Ph.D.

## ARTICLE VI

The names and addresses of the Incorporators are as follows:

<u>Name</u>	<u>Address</u>
Dorothy McLemore, Ph.D.	892 W. Boston Blvd. Detroit, MI 48202
Doris B. Corsey Arnold	4074 Clements Detroit, MI 48238
Norma Y. Dotson-Sales	5600 Oakman Blvd. Detroit, MI 48204
Alma Yvonne Alston Hunter	19805 Stansbury Detroit, MI 48235
Denise Thames Jackson	18283 Muirland Detroit, MI 48221
Mattie B. Jones Jolinson	25245 Lindenwood Lane Southfield, MI 48034
Anitta Yvonne Orr	19990 Briarcliff Detroit, MI 48221
Clarice L. Ogilvie Posey	14362 Rosemont Detroit, MI 48223
Carol A. Sayers Puryear, Ph.D.	8837 Dawes Detroit, MI 48204

## ARTICLE VII

### Indemnification

The Corporation shall indemnify its present and past Directors, Officers, employees and agents, and such other persons as it shall have the power to indemnify, to the full extent permitted under, and subject to the limitations of, the laws of the State of Michigan, as they now exist or as they may hereafter be amended and further subject to limitations as may be provided in the Bylaws of the Corporation.

## ARTICLE VIII

### Restriction on Distributions

All of the property of this Corporation and accumulations thereof shall be held and administered to effectuate its tax-exempt purposes and no part of the income of this Corporation shall inure to the private benefit of any individual.

## ARTICLE IX

### Amendments

These Articles of Incorporation may be amended or repealed only by the affirmative vote of two-thirds of the Members present. Members must be officially notified of the proposed amendments at least ten days prior to the scheduled meeting.

## ARTICLE X

### Distribution of Assets Upon Dissolution

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the District or Circuit Court of the



county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

IN WITNESS WHEREOF, the incorporators of the above named Corporation have hereunto signed these Articles of Incorporation this 31<sup>ST</sup> day of May, 1998.

Dorothy R. Lemore

Louis B. Corsey Arnold

Norma Y. Dotson-Sales

Alma Yvonne Alston Hunter

Lois Yvonne Jackson

Nate B. Jones

Britta Yvonne Orr

Clarice L. Sylvia Rose

Carol A. Ayers Puryear

\_\_\_\_\_



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)

2019-08-23

**1050**

**1050** *Petition of Delta Service Through  
Detroit Foundation, Inc., request from  
your Honorable Body, a resolution  
granting a Charitable Gaming License.*

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REFERRED TO THE FOLLOWING DEPARTMENT(S)

CITY CLERK

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# CITY OF DETROIT OFFICE OF INSPECTOR GENERAL

Ellen Ha, Esq.  
Inspector General

VIA Certified, Return Receipt Mail and E-Mail

August 5, 2019

Rebecca A. Camargo, Esq.  
Beir Howlett  
3001 W Big Beaver Road, Suite 200  
Troy, Michigan 48084-3013

**RE: City of Detroit Office of the Inspector General Notice of Interim Suspension of BBEK  
OIG Investigative File No. 19-0028-INV**

Dear Ms. Camargo:

Pursuant to Section 18-11-10(a) of the City of Detroit Debarment Ordinance, the Office of Inspector General (OIG) is issuing an interim-suspension of BBEK Environmental (BBEK) for the reasons stated below.

On July 23, 2019, the City of Detroit and the Detroit Land Bank Authority referred to our Office to investigate violation of MCL 338.3221 by BBEK. Specifically they alleged that BBEK, Green Way Environmental (Green Way) and HC Consultants are not independent companies as required by the Michigan Asbestos Abatement Contractors Licensing Act.

Based on our initial review of the records and information you sent to us, we believe there are too many overlap of personnel and financial transactions which strongly suggest that BBEK, Green Way and HC Consultants are not independent. As you and your client well know, asbestos abatement process, including air monitoring tests, involves the health and safety our residents. Therefore, we are issuing an Interim Suspension of your client, BBEK from further conducting business in the City pending the conclusion of our investigation.

For your information and convenience, attached please find a copy of the City of Detroit Debarment Ordinance.

Very truly yours,

Ellen Ha  
Inspector General  
City of Detroit  
Office: 313-628-2517  
[HaE@detoig.org](mailto:HaE@detoig.org)



## CITY OF DETROIT OFFICE OF INSPECTOR GENERAL

96

Ellen Ha, Esq.  
Inspector General

VIA Certified, Return Receipt Mail and E-Mail

August 5, 2019

Michael Gibbons, Esq.  
Beir Howlett  
3001 W Big Beaver Road, Suite 200  
Troy, Michigan 48084-3013

**RE: City of Detroit Office of the Inspector General Notice of Interim Suspension of Green Way  
OIG Investigative File No. 19-0028-INV**

Dear Mr. Gibbons:

Pursuant to Section 18-11-10(a) of the City of Detroit Debarment Ordinance, the Office of Inspector General (OIG) is issuing an interim-suspension of Green Way Environmental (Green Way) for the reasons stated below.

On July 23, 2019, the City of Detroit and the Detroit Land Bank Authority referred to our Office to investigate violation of MCL 338.3221 by Green Way. Specifically, they alleged that BBEK Environmental (BBEK), Green Way, and HC Consultants are not independent companies as required by the Michigan Asbestos Abatement Contractors Licensing Act.

Based on our initial review of the records and information we've collected, we believe there are too many overlap of personnel and financial transactions which strongly suggest that BBEK, Green Way, and HC Consultants are not independent. As you and your client well know, asbestos abatement process, including air monitoring tests, involves the health and safety our residents. Therefore, we are issuing an Interim Suspension of your client, Green Way from further conducting business in the City pending the conclusion of our investigation.

For your information and convenience, attached please find a copy of the City of Detroit Debarment Ordinance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ellen Ha".

Ellen Ha  
Inspector General  
City of Detroit  
Office: 313-628-2517  
[HaE@detoig.org](mailto:HaE@detoig.org)

CITY OF DETROIT AUG 2019 #1219



**CITY OF DETROIT  
OFFICE OF INSPECTOR GENERAL**

97.

Ellen Ha, Esq.  
Inspector General

VIA Certified, Return Receipt Mail and E-Mail

August 5, 2019

James Harvey  
HC Consulting  
38014 Lakeshore Drive  
Harrison Twp., Michigan 48045

**RE: City of Detroit Office of the Inspector General Notice of Interim Suspension of HC Consultants  
OIG Investigative File No. 19-0028-INV**

Dear Mr. Harvey:

Pursuant to Section 18-11-10(a) of the City of Detroit Debarment Ordinance, the Office of Inspector General (OIG) is issuing an interim-suspension of HC Consultants for the reasons stated below.

On July 23, 2019, the City of Detroit and the Detroit Land Bank Authority referred to our Office to investigate violation of MCL 338.3221 by HC Consultants. Specifically they alleged that BBEK Environmental (BBEK), Green Way Environmental (Green Way) and HC Consultants are not independent companies as required by the Michigan Asbestos Abatement Contractors Licensing Act.

Based on our initial review of the records and information you sent to us, we believe there are too many overlap of personnel and financial transactions which strongly suggest that BBEK, Green Way and HC Consultants are not independent. As you and your client well know, asbestos abatement process, including air monitoring tests, involves the health and safety our residents. Therefore, we are issuing an Interim Suspension of your company, HC Consulting from further conducting business in the City pending the conclusion of our investigation.

For your information and convenience, attached please find a copy of the City of Detroit Debarment Ordinance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ellen Ha".

Ellen Ha  
Inspector General  
City of Detroit  
Office: 313-628-2517  
[HaE@detoig.org](mailto:HaE@detoig.org)