

REFERRAL.

9-24-19.

**INTERNAL
OPERATIONS
STANDING
COMMITTEE**



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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WWW.DETROITMI.GOV

September 17, 2019

HONORABLE CITY COUNCIL

RE: Gail Redmond v City of Detroit, et al
CASE NO.: 18-014369-NI
FILE NO.: L18-00723 (PMC)

On September 9, 2019, a case evaluation panel evaluated the above-captioned lawsuit and awarded **TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00)** in favor of the plaintiff. The parties have until October 7, 2019, to either accept or reject the case evaluation award. Failure to file a written acceptance or rejection within this period constitutes a rejection.

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

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event that the plaintiff accepts the award, to deem such acceptance as a settlement and to direct the Finance Director to issue a draft to **Gail Redmond and her attorneys Romano Law, PLLC**, in the amount of **TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00)**, to be delivered upon receipt of a properly executed Release, and Stipulation and Order of Dismissal entered in Lawsuit No. 18-014369-NI, approved by the Law Department.

Respectfully submitted,

Patrick M. Cunningham
Senior Assistant Corporation Counsel

APPROVED: SEP 17 2019

LAWRENCE T. GARCIA
Corporation Counsel

BY:
James D. Nosedo
Supervising Assistant Corporation Counsel

CITY CLERK 2019 SEP 19 PM 2:52

RESOLUTION

BY COUNCIL MEMBER _____:

RESOLVED, that the Law Department is hereby authorized to accept the case evaluation award in the amount of **TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00)** in the case of **GAIL REDMOND v CITY OF DETROIT**, Wayne County Circuit Court Case No. 18-014369-NI; and be it further

RESOLVED, that in the event the plaintiff accepts the case evaluation, that such acceptance is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **Gail Redmond and her attorneys Romano Law, PLLC.**, in the amount of **TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00)** in full payment of any and all claims which these parties may have against the City of Detroit by reason of alleged injuries sustained by Gail Redmond on or about November 6, 2017, as otherwise set forth in Case No. 18-014369-NI in the Wayne County Circuit Court and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-014369-NI, approved by the Law Department.

APPROVED:

LAWRENCE T. GARCIA
Corporation Counsel

BY: _____


James D. Nosedo
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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September 12, 2019

HONORABLE CITY COUNCIL

RE: We Care Physical Therapy LLC (Robert Solt) v COD
Case No: 18-009813-NF
File No: L18-00522(SVD)

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 **Twelve Thousand Five Hundred Dollars and ^{NO}/Cents (\$12,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Twelve Thousand Five Hundred Dollars and ^{NO}/Cents (\$12,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to We Care Physical Therapy LLC and their attorney, Andrew S. Khurana, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-009813-NF, approved by the Law Department.

Respectfully submitted,

Sarah V. Domin
Assistant Corporation Counsel

SEP 12 2019

APPROVED: ~~SEP 11 2019 MB~~
LAWRENCE GARCIA
Corporation Counsel

BY:
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2019 SEP 18 04:52

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 **Twelve Thousand Five Hundred Dollars and ^{NO}/Cents (\$12,500.00)**; 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 We Care Physical Therapy LLC and their attorney, Andrew S. Khurana, in the amount of **Twelve Thousand Five Hundred Dollars and ^{NO}/Cents (\$12,500.00)** in full payment for any and all claims which We Care Physical Therapy LLC may have against the City of Detroit and any other City of Detroit employees for treatment provided to Robert Solt, and otherwise set forth in Case No.18-009813-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.18-009813-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

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September 4, 2019

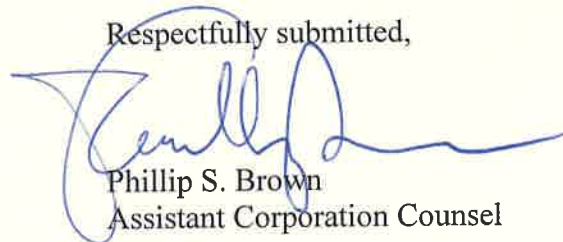
HONORABLE CITY COUNCIL

**RE: MICHAEL JAMES vs CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
FILE #: 11584 (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 **SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Michael James and his attorney, Andrea Hamm**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #11584, approved by the Law Department.

Respectfully submitted,



Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: **SEP 17, 2019**



CHARLES RAIMI
Deputy Corporation Counsel

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00)**; 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 **Michael James and his attorney, Andrea Hamm**, in the sum of **SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00)** 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: **SEP 17, 2019**



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

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September 17, 2019

HONORABLE CITY COUNCIL

**RE: DAVID HAMIEL vs CITY OF DETROIT
POLICE DEPARTMENT
FILE #: 14926 (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 **ONE HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$136,000.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **ONE HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$136,000.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **David Hamiel and his attorney, Charles W. Palmer**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14926, approved by the Law Department.

Respectfully submitted,


Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: SEP 17 2019


CHARLES RAIMI
Deputy Corporation Counsel

CITY CLERK 2019 SEP 18 PM 2:52

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **ONE HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$136,000.00)**; 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 of **David Hamiel and his attorney, Charles W. Palmer**, in the sum of **ONE HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$136,000.00)** in full payment of any and all wage loss 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: **SEP 17 2019**



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
HUMAN RESOURCES DEPARTMENT
LABOR RELATIONS DIVISION

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September 16, 2019

HONORABLE CITY COUNCIL:

Re: Implementation of the 2019 – 2023 Labor Agreement between the City of Detroit and the employees Represented by Association of Municipal Engineers

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 Association of Municipal Engineers.

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

CITY CLERK 2019 SEP 16 PM 2:10



By Council Member _____:

WHEREAS, the City of Detroit and the Association of Municipal Engineers 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 Association of Municipal Engineers 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 Association of Municipal Engineers be and is hereby approved and confirmed in accordance with the foregoing communication.

2019 - 2023 LABOR AGREEMENT
BETWEEN THE
CITY OF DETROIT
AND
ASSOCIATION OF MUNICIPAL ENGINEERS
SUMMARY OF CHANGES

Article 8 Grievance and Arbitration Procedures

- ◆ Added language to introduce an expedited arbitration process.

Article 12 Seniority

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

Article 19 Leaves of Absence

- ◆ Removed statement indicating a full statement of employee's FMLA rights as being contained in an Appendix C.

Article 33 Overtime

- ◆ Removed daily overtime provision from contract; as it is no longer applicable.

Article 34 Holidays and Excused Time Off

- ◆ Removed the reference to November 1 as the notification date, to the unions, of a holiday season shutdown for City employees.

Article 36 Vacations

- ◆ Removed language referencing a two tier vacation schedule and added language specifying vacation accrual schedule is the same for all current City employees.

Article 39 Hospitalization

- ◆ Removed language specifying number of days an employee must work to be eligible for health care.
- ◆ Added language specifying the City has the right to change or add insurance carriers.

Article 41 Wages

- ◆ All bargaining unit members will transition to Step code "R" upon approval of the agreement by City Council.
- ◆ Each classification shall receive a salary range adjustment which shall remain steady throughout the life of the agreement
- ◆ Bargaining unit members shall receive a 2% increase, effective July 1, 2019, within the new salary range
- ◆ Bargaining unit employees shall receive step progressions annually on July 1st.

**2019 - 2023 LABOR AGREEMENT
BETWEEN THE
CITY OF DETROIT
AND
ASSOCIATION OF MUNICIPAL ENGINEERS
*SUMMARY OF CHANGES***

◆ **NEW SALARY RANGE ADJUSTMENTS**

Class Title	CURRENT SALARY RANGE	PROPOSED SALARY RANGE
Senior Associate Architect	\$55,894 - \$67,240	\$68,000 - \$90,000
Senior Associate Civil Engineer - Design	\$54,528 - \$77,321	\$68,000 - \$90,000
Senior Associate Civil Engineer - Field	\$54,528 - \$77,321	\$68,000 - \$90,000
Senior Associate Electrical Engineer - Design	\$55,894 - \$67,240	\$68,000 - \$90,000
Senior Associate Structural Engineer - Design	\$51,901 - \$77,321	\$68,000 - \$90,000
Senior Associate Surveyor	\$54,528 - \$77,321	\$68,000 - \$90,000
Senior Associate Traffic Engineer	\$51,901 - \$73,660	\$68,000 - \$90,000
Associate Civil Engineer - Design	\$48,435 - \$69,568	\$60,000 - \$80,000
Associate Civil Engineer - Field	\$48,435 - \$69,568	\$60,000 - \$80,000
Associate Traffic Engineer	\$48,435 - \$69,568	\$60,000 - \$80,000
Senior Assistant Civil Engineer - Design	\$42,761 - \$57,575	\$50,000 - \$70,000
Senior Assistant Civil Engineer - Field	\$42,761 - \$57,575	\$50,000 - \$70,000
Senior Assistant Electrical Engineer - Design	\$42,761 - \$57,575	\$50,000 - \$70,000
Senior Assistant Mechanical Engineer - Design	\$42,761 - \$57,575	\$50,000 - \$70,000
Senior Assistant Traffic Engineer	\$48,015 - \$66,230	\$50,000 - \$70,000
Assistant Traffic Engineer	\$43,811 - \$53,631	\$43,811 - \$62,500

Article 43 Clothing and Uniform Allowances

- ◆ Updated language to provide that employees required to wear specific clothing or furnish a specific uniform will receive an allowance each year; a change from previously receiving it every two (2) years.

Article 47 Labor Management Restructuring Committee

- ◆ Deleted this article in its entirety. Article no longer necessary post-bankruptcy.

Article 48 Modification and Duration

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

2019 - 2023 LABOR AGREEMENT
BETWEEN THE
CITY OF DETROIT
AND
ASSOCIATION OF MUNICIPAL ENGINEERS
SUMMARY OF CHANGES

Letter of Understanding

- ◆ 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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E-Mail: OCFO@detroitmi.gov

**CFO MEMORANDUM
NO. 2019-101-017**

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 Association of Municipal Engineers (AME)
DATE: September 13, 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 Association of Municipal Engineers (the "AME").

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 further 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 BSEED and Public Works providing annual wage increases of 2% for all bargaining unit

members from FY 2020 through FY 2023. In addition to the 2% increase, there is a revised salary scale that will result in a market rate adjustment for certain members. The revised scale results in an 11% average market rate adjustment for impacted members, and a 3% overall market rate adjustment across the entire bargaining unit.

5.3. Fiscal Impact: The proposed wage increases are budgeted, so there is no incremental cost. The incremental cost created by the market rate adjustment can be offset with a combination of historical underspending and operational efficiencies spread across the departments. Thus, the proposed contract changes would not require the identification of offsetting budget resources, and there is no net negative impact on the City budget.

City of Detroit
Association of Municipal Engineers (AME)

<i>\$ in thousands</i>	2020	2021	2022	2023
Budgeted wages				
Budgeted annual wages	\$ 1,261	\$ 1,286	\$ 1,312	\$ 1,338
<i>Budgeted annual wage increase</i>	2.0%	2.0%	2.0%	2.0%
<i>Budgeted FTE</i>	18	18	18	18
Proposed wages				
Proposed annual wages	\$ 1,299	\$ 1,325	\$ 1,351	\$ 1,379
<i>Proposed annual wage increase</i>	2.0%	2.0%	2.0%	2.0%
<i>Market rate adjustment</i>	3.0%	0.0%	0.0%	0.0%
Incremental wages	\$ 38	\$ 39	\$ 40	\$ 40
Incremental overtime ¹	1	1	1	1
Incremental other fringes ²	7	7	7	7
Total incremental cost of wage increase	\$ 46	\$ 47	\$ 48	\$ 48
<i>Construction Code Fund</i>	3	3	3	3
<i>Major Street Fund</i>	43	44	45	45
Cost savings	\$ 46	\$ 47	\$ 48	\$ 48
Total savings utilized	\$ 46	\$ 47	\$ 48	\$ 48
Net impact on Four-Year Financial Plan	\$ -	\$ -	\$ -	\$ -

Notes:

- Overtime calculated utilizing historical actual data
- Comprised of 5% for hybrid pension and 13% for other fringes

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City of Detroit
CITY COUNCIL
COUNCIL PRESIDENT BRENDA JONES

MEMORANDUM

TO: Alexis Wiley, Chief of Staff
Mayor's Office

FROM: Council President Brenda Jones

DATE: September 24, 2019 *BQ*

RE: **Wireless Telecommunications Site Review
Committee**

My office has received several complaints from residents regarding the installation of a new cell phone tower on or near their property. As a result of the installation, there was a gas leak in the area that resulted in a 4 hour gas disconnection. Per the City of Detroit Zoning Ordinance, the Detroit City Council City Planning Commission should have a representative on the Wireless Telecommunications Site Review Committee.

Please provide a report detailing the following:

1. Dates, times and locations of all Wireless Telecommunications Site Review Committee meetings.
2. Details on the lack of notice given to the City Planning Committee relative to the meetings.
3. List of all cell phone towers that have been approved for installation including date of installation, company responsible for the installation, installation location, and proof of approval by the Wireless Telecommunications Site Review Committee or another entity.