

New Business

11-5-19

REFERRAL.

**NEIGHBORHOOD
AND COMMUNITY
SERVICES
STANDING
COMMITTEE**

6

**OFFICE OF CONTRACTING
AND PROCUREMENT**

November 1, 2019

HONORABLE CITY COUNCIL:

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

6002450 100% City Funding – To Provide Vehicle and Equipment Towing Services for GSD. – Contractor: Goch & Sons Towing, Inc. – Location: 750 S Deacon Street, Detroit, MI 48217 – Contract Period: Upon City Council Approval through October 31, 2021 – Total Contract Amount: \$100,000.00. **GENERAL SERVICES**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL PRESIDENT PRO TEM SHEFFIELD

RESOLVED, that Contract No. 6002450 referred to in the foregoing communication dated November 1, 2019, be hereby and is approved.



CITY OF DETROIT
LAW DEPARTMENT

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DETROIT, MICHIGAN 48226-3437
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November 1, 2019

Detroit City Council
1340 Coleman A. Young
Municipal Center
Detroit, Michigan

Re: Proposed Ordinance to Amend Chapter 33 of The 2019 Detroit City Code, *Parks and Recreation*, by adding Division 5, *Park naming procedures*.

Honorable City Council:

Pursuant to the request of President Jones, the above-referenced ordinance is being submitted to Your Honorable Body for consideration. This proposed ordinance will amend Chapter 33 of the 2019 Detroit City Code, *Parks and Recreation*, by adding Division 5, *Park naming procedures*.

We are available to answer any questions that you may have concerning this proposed ordinance. Thank you for your consideration.

Respectfully,

Tonja R. Long

Supervising Assistant Corporation Counsel

CITY CLERK 2019 NOV 1 10:51 AM

CITY CLERK 2019 NOV 1 10:51 AM

SUMMARY

This proposed ordinance amends Chapter 33 of the 2019 Detroit City Code, *Parks and Recreation*, Article I, *Regulations for parks*, by adding Division 5, *Park naming procedures*, to include Section 33-1-81, *Definitions*, Section 33-1-82, *Park naming, renaming permitted; amenities reserved to the Department*, Section 33-1-83, *Official application form required*, Section 33-1-84, *Application; information required*, Section 33-1-85, *Duties of the Department*, 33-1-86, *Fee*, Section 33-1-87, *Department review of application*, Section 33-1-88, *Report; recommended action to be taken*, Section 33-1-89, *Public hearing; notice*, Section 33-1-90, *Authority of the City Council to deny, approve, or amend*, Section 33-1-91, *Resolution by the City Council authorizing the naming or renaming of a City park*, Section 33-1-92, *Park signage; payment required*, and Section 33-1-93, *Reservation of authority*, to establish a process to name or rename City parks.

CITY CLERK 2019 NOV 1 4:44:28 PM

1 **BY COUNCILMEMBER** _____:

2 **AN ORDINANCE** to amend Chapter 33 of the 2019 Detroit City Code, *Parks and*
3 *Recreation*, Article I, *Regulations for parks*, by adding Division 5, *Park naming procedures*, to
4 include Section 33-1-81, *Definitions*, Section 33-1-82, *Park naming, renaming permitted;*
5 *amenities reserved to the Department*, Section 33-1-83, *Official application form required*, Section
6 33-1-84, *Application; information required*, Section 33-1-85, *Duties of the Department*, 33-1-86,
7 *Fee*, Section 33-1-87, *Department review of application*, Section 33-1-88, *Report; recommended*
8 *action to be taken*, Section 33-1-89, *Public hearing; notice*, Section 33-1-90, *Authority of the City*
9 *Council to deny, approve, or amend*, Section 33-1-91, *Resolution by the City Council authorizing*
10 *the naming or renaming of a City park*, Section 33-1-92, *Park signage; payment required*, and
11 Section 33-1-93, *Reservation of authority*, to establish a process to name or rename City parks.

12 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
13 **THAT:**

14 **Section 1.** Chapter 33 of the 2019 Detroit City Code; *Parks and Recreation*; Article I,
15 *Regulations for Parks*, by adding Division 5, *Park naming procedures*, consisting of Sections 33-
16 1-81 through 33-1-95, to read as follows:

17 **CHAPTER 33. PARKS AND RECREATION**

18 **ARTICLE I. REGULATIONS FOR PARKS**

19 **DIVISION 5. PARK NAMING PROCEDURES**

20 **Sec. 33-1-81. Definitions.**

21 For the purpose of this division, the following words and phrases shall have the meanings
22 respectively ascribed to them by this section:

1 Amenities means resources, conveniences, facilities or benefits offered to the general public
2 for their use, with or without charge, such as restrooms, information displays, public telephones,
3 rain shelters, and drinking fountains.

4 Applicant means a resident of the City that is at least 18 years old or a property owner.

5 Department means the City's General Services Department.

6 Radial feet means the measurement between two properties, measured as the shortest
7 straight line connecting such properties, drawn irrespective of intervening property lines, rights-
8 of-way, or natural or built environment, and is measured from the perimeter of the park.

9 Service area means the radius around the park based on the park's size.

10 **Sec. 33-1-82. Park naming, renaming, permitted; amenities reserved to the Department.**

11 (a) Parks located within, and under the jurisdiction of, the City may be named or
12 renamed in accordance with this division.

13 (b) The naming or renaming of amenities shall be reserved to the Department and
14 approved or denied unilaterally, without submission to the City Council.

15 **Sec. 33-1-83. Official application form required.**

16 (a) Applications for the naming or renaming of City parks shall be provided by the
17 Department and shall be made available on the Department's website.

18 (b) The application shall state in bold face type the number of signatures required of
19 those who own or occupy property within the service area for the proposed park naming or
20 renaming, such number shall be determined by the Department and approved by resolution of the
21 City Council.

22 (c) No form other than that referenced in Subsection (a) of this section shall be
23 accepted as a valid application.

1 **Sec. 33-1-84. Application; information required.**

2 (a) An application to name or rename a City park shall be submitted to the Department.

3 (b) The applicant shall provide, as an attachment to the application:

4 (1) Information pertaining to the proposed naming or renaming, including the
5 historical, cultural or social significance of the naming or renaming;

6 (2) Any statements of support or endorsements received from the owners or occupants
7 of the park's service area;

8 (3) A summary of any public outreach conducted by the applicant, including outreach
9 to: neighborhood associations, Neighborhood Councils, Business District
10 Associations, and commercial property owners' groups.

11 (4) Evidence indicating the physical characteristics of the park, which may include, but
12 is not limited to, maps or photographs of the park.

13 (5) The required number of signatures, as determined by the Department, from
14 residents that reside within the service area of the park.

15 (6) Proof of payment of the application fee as described in Subsection (c) of this
16 section.

17 (c) A non-refundable application fee shall be charged for the administration,
18 processing, issuance, and enforcement of the application under this division, made payable to "City
19 Treasurer," and submitted to the Department.

20 **Sec. 33-1-85. Duties of the Department.**

21 (a) The Department, upon receiving an application to name or rename a park shall
22 proceed according to the following:

1 (1) Where the Department determines that the application is complete as set forth in
2 Section 33-1-84 of this Code, the Department shall provide a report and
3 recommendation to the City Council in accordance with Section 33-1-88 of this
4 Code.

5 (2) Where the Department determines the application is not complete as set forth in
6 Section 33-1-84 of this Code:

7 a. The Department shall provide to the applicant, in writing, within 30 days
8 of submission of the application, a description of what information is
9 needed to complete the application;

10 b. The applicant shall have 30 days after receipt of the notice of
11 incompleteness to complete the application and return it to the Department.

12 c. Failure to complete the application within the prescribed time shall result in
13 the forfeiture of the application fee.

14 (b) The Department will notify the community of receipt of a completed application
15 for a naming or renaming of a City park by publishing such information on its website and social
16 media forums.

17 **Sec. 33-1-86. Fee.**

18 (a) In accordance with Section 9-507 of the Charter, a non-refundable fee shall be
19 required to process the application to name or rename a park.

20 (b) Fees shall be established based upon the size of the service area of the park and cost
21 of processing the application.

22 (c) After adoption of a resolution by the City Council and approval of the resolution
23 by the Mayor, the fees that are provided for in Subsection (a) of this section shall be:

1 (1) Published in a daily newspaper of general circulation and in the Journal of the City
2 Council;

3 (2) Made available at the Department and at the Office of the City Clerk; and

4 (3) Reviewed by the Director of the Department at least once every two years.

5 **Sec. 33-1-87. Department review of the application.**

6 (a) The Department shall use the following criteria when reviewing applications for
7 the naming or renaming of a park:

8 (1) A park may be given a name based on historical significance if it meets one of the
9 following:

10 a. The name is associated with a historically significant event or events
11 reflecting broad patterns of Detroit's history;

12 b. The name is associated with the lives of persons of citywide significance in
13 the history of the City. Names requested for individuals may only be made
14 after the individual has been deceased for at least five years, unless the
15 individual meets the requirements of Subsections (a)(3) and (4) of this
16 section, or at the discretion of the City Council or the Director of the
17 Department.

18 c. The name reflects a distinctive architectural or engineering achievement; or

19 d. The name is related to an existing or proposed registered historic property
20 or district.

21 (2) A park may be named for a person or non-profit entity that has been active for at
22 least 50 years, when the entity's contribution to the City has been substantial and
23 has had a positive impact on the community.

1 (3) A park may be named for an individual or organization if that individual or
2 organization has made a significant direct property or monetary contribution to the
3 City, consistent with the City's relevant acceptance policies, for purposes of
4 developing the park and the naming is a stipulation of the donation.

5 (4) Proposed names may be based on distinctive, predominant and defining, natural or
6 geological features of an area.

7 (b) Upon receipt of a proposal requesting a park be renamed, the Department shall
8 investigate and consider the potential impact of the renaming, including the impact on current
9 names for the park, buildings, and amenities.

10 **Sec. 33-1-88. Report; recommended action to be taken.**

11 Following the review of the application, the Department shall submit a report of the
12 application for naming or renaming to the City Council which shall include:

- 13 (1) A copy of the application;
14 (2) A summary of the Department findings regarding the name request;
15 (3) A map of the park; and,
16 (4) A recommendation to the City Council for action to be taken.

17 **Sec. 33-1-89. Public hearing; notice.**

18 (a) Upon receipt of the report from the Department, the City Council shall adopt a
19 resolution fixing the time and date for a public hearing.

20 (b) Notice of the public hearing shall be:

- 21 (1) Given to the City Clerk's Office and sent to all individuals within 300 radial feet
22 of the perimeter of the park; and

1 (2) Published in a newspaper of general circulation at least five days prior to the date
2 fixed for the hearing.

3 **Sec. 33-1-90. Authority of the City Council to deny, approve, or amend.**

4 City Council may at its discretion, approve, deny, or amend the naming or renaming
5 recommended by the Department.

6 **Sec. 33-1-91. Resolution by the City Council authorizing the naming or renaming of a City**
7 **park.**

8 Where an application for a park naming or renaming is approved by the City Council, a
9 certified copy of the resolution adopting the request shall be transmitted by the Office of the City
10 Clerk to the Department.

11 **Sec. 33-1-92. Park Signage; payment required.**

12 (a) After adoption of the resolution by the City Council, the Department shall collect
13 payment from the applicant for the cost of designing, producing, and installing the park sign.

14 (b) The Department shall erect the park sign within 45 days from the receipt of payment
15 of the installation fee.

16 **Sec. 33-1-93. Reservation of authority.**

17 (a) City Council reserves the authority to name or rename any park in accordance with
18 the requirements set forth in Section 33-1-87 of this Code, without Department action, by adoption
19 of a resolution.

20 (b) City Council reserves the authority to rename any park without Department action,
21 when the individual or entity a park was named for is deemed disreputable or is found to have
22 acted in a disreputable way.

23 **Secs. 33-1-94--33-1-100. Reserved.**

1 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace,
2 health, safety, and welfare of the People of the City of Detroit.

3 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are
4 repealed.

5 **Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City Council
6 Members serving, it shall be given immediate effect and become effective upon publication in
7 accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed
8 by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective
9 on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with
10 Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:



Lawrence T. García
Corporation Counsel