New Business
Referrals
1-28-20

INTERNAL OPERATIONS STANDING COMMITTEE



LAW DEPARTMENT

Coleman A. Young Municipal Center 2 Woodward Avenue, Suite 500 Detroit, Michigan 48226-3437 Phone 313•224•455C Fax 313•224•5505 www.detroitmi.gov

January 16, 2020



HONORABLE CITY COUNCIL

RE: One Pro Therapy (A. Williams) v COD

Case No: 18-014127-NF File No: L19-00517

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 Seven Thousand Dollars and NO/Cents (\$7,000.00) is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Seven Thousand Dollars and NO/Cents** (\$7,000.00) and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to One Pro Therapy and its attorneys, THE KEEL LAW FIRM, P.C., to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.18-007386-NF, approved by the Law Department.

Respectfully submitted,

/s/ Cheryl L. Ronk

Cheryl Ronk Assistant Corporation Counsel

APPROVED: JAN 16 2020 LAWRENCE GARCIA Corporation Counsel

BY: /s/ Yuvonne R. Bradley

Yuvonne R. Bradley

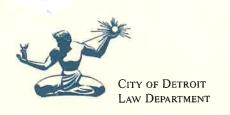
Supervising Assistant Corporation Counsel

Attachments

CITY DLERK 2520 JRN 28 #420155

BY COUNCIL MEMBER:
RESOLVED, that settlement of the above matter be and is hereby authorized in the amount
of Seven Thousand Dollars and NO/Cents (\$7,000.00); 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 One Pro Therapy (A. Williams) and his attorneys,
THE KEEL LAW FIRM, P.C. in the amount of Seven Thousand Dollars and NO/Cents
(\$7,000.00) in full payment for any and all claims which One Pro Therapy (A. 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. 18-014127-NF, that said amount
be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in
Lawsuit No. 18-014127-NF and, where deemed necessary by the Law Department a properly
executed Medicare/CMS Final Demand Letter.
APPROVED: LAWRENCE GARCIA Corporation Counsel
BY: /s/ Yuvonne R. Bradley Yuvonne R. Bradley Supervising Assistant Corporation Counsel
Approved by City Council:

Approved by the Mayor: _____





COLEMAN A. YOUNG MUNICIPAL CENTER 2 WOODWARD AVENUE, SUITE 500 DETROIT, MICHIGAN 48226-3535 (313) 224-4550 • TTY:711 (313) 224-5505 WWW.DETROITMI.GOV

January 10, 2020

HONORABLE CITY COUNCIL

RE: Kyra Janae Yancy v City of Detroit, et al. Civil Action Case No: 19-017092-NI

Representation by the Law Department of the City employee 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 requesting representation:

TEO Marvin Clark

Respectfully/submitted,

Douglas Baker, Chief of Criminal Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA CORPORATION COUNSEL

DB/sb

Attachments

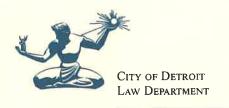
By Council Member

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 employee in the lawsuit Kyra Janae Yancy v City of Detroit et al., Civil Case No. 19-017092 -NI.

TEO Marvin Clark

APPROVED:

BY: Jaurence J. Jareia
LAWRENCE T. GARCIA CORPORATION COUNSEL



Coleman A. Young Municipal Center 2 Woodward Avenue, Suite 500 Detroit, Michigan 48226-3535 (313) 224-4550 • TTY:711 (313) 224-5505 WWW.DETROITMI.GOV

January 14, 2020

HONORABLE CITY COUNCIL

RE: Conie Green Jr. v City of Detroit, et al. Civil Action Case No: 18-013750-NI

Representation by the Law Department of the City employee 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 requesting representation:

TEO Jamesina Richardson

Respectfully submitted,

Douglas Baker, Chief of Criminal Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA CORPORATION COUNSEL

DB/sb

Attachments

:

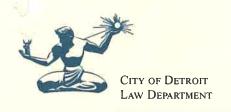
By Council Member

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 employee in the lawsuit Conie Green Jr. v City of Detroit et al., Civil Case No. 18-013750 -NI.

TEO Jamesina Richardson

APPROVED:

BY: Jausence J. Forcia LAWRENCE T. GARCIA





COLEMAN A. YOUNG MUNICIPAL CENTER 2 WOODWARD AVENUE, SUITE 500 DETROIT, MICHIGAN 48226-3535 (313) 224-4550 • TTY:711 (313) 224-5505 WWW.DETROITMI.GOV

January 10, 2020

HONORABLE CITY COUNCIL

RE: Renaldo Vaughn v City of Detroit, et al. Civil Action Case No: 19-014795-NI

Representation by the Law Department of the City employee 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 requesting representation:

TEO Andrew Glass

Respectfully submitted,

Douglas Baker, Chief of Criminal Enforcement and Quality of Life

APPROVED:

BY:

LAWRENCE T. GARCIA CORPORATION COUNSEL

DB/sb

Attachments

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 employee in the lawsuit Renaldo Vaughn v City of Detroit et al., Civil Case No. 19-014795 -NI.

TEO Andrew Glass

APPROVED:

BY:

LAWRENCE T. GARCIA CORPORATION COUNSEL

January J. Haria

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk



Andre P. Gilbert II Deputy City Clerk

January 24, 2020

Honorable City Council

RE: Petition No.: 1197 – Detroit Public Safety Foundation, 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

Whereas, Detroit Public Safety Foundation (1301 Third St., Ste. 547, Detroit, MI 48226) 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 Detroit Public Safety Foundation (1301 Third St., Ste. 547, Detroit, MI 48226) 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

Janice M. Winfrey City Clerk

OFFICE OF THE CITY CLERK

Andre P. Gilbert II Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, January 24, 2020

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.

OFFICE OF THE CITY CLERK

1197 Detroit Public Safety Foundation, request from your Honorable Body a resolution in support of a charitable gaming license.



Detroit Public Safety Foundation

December 11, 2019

President Brenda Jones, Detroit City Council 13th floor 2 Woodward Detroit, MI 48226

Dear Council President Jones:

I am requesting your honorable body put forth a resolution to recognize DPSF for a State of Michigan Charitable Gaming License.

The Detroit Public Safety Foundation would like to sell 50/50 raffle tickets at an upcoming event January 16, 2020 and through the year. It has come to our attention that a formal City of Detroit Resolution needs to be passed with a councilmember officially moving and supporting this request to:

Allow the Detroit Public Safety Foundation be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses be considered for approval.

I would need the actual recording of the members approvals, disapprovals or any councilmembers absence. May I request a resolution be put forth at the earliest meeting when you return from recess or if you take up any other issues prior to the new year, that this resolution be placed on the full city council agenda?

With gratitude.

Patti Kukula Executive Director

ttelitula



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
alled to order by	on *
a.m./p.m. the fol	lowing resolution was offered:
floved by	and supported by
hat the request from	E OF ORGANIZATION OITY
county of	asking that they be recognized as a
nonprofit organization operating in the	e community for the purpose of obtaining charitable
APPROVAL	DISAPPROVAL
Yeas:	Yeas:
Nays:	Nays:
Absent:	Absent:
	a true and complete copy of a resolution offered and at a REGULAR OR SPECIAL
meeting held on	
SIGNED:	
	PRINTED NAME AND TITLE
	ADDRESS

COMPLETION: Required, PENALTY: Possible dordsl of application.

BSL-CG-1153(R8/09)

Michigan Department of Licensing and Regulatory Affairs

Corrected Filing Endorsement

This is to Certify that the

RESTATED ARTICLES OF INCORPORATION - NONPROFIT

for

DETROIT PUBLIC SAFETY FOUNDATION

ID Number: 775555

received by facsimile transmission on September 14, 2011, is hereby endorsed filed on September 15, 2011, by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 14th day of October, 2011.

, Director Bureau of Commercial Services

Date Reseived:	OVERU OF C	OMMERCIAL SERVI	
	This document is effective document	ective on the date filed unless a date with 50 days after seceived	With the St.
Name W. Alen Wilk			
Address 201 Townsend S	tract, Suite 900		
City Lansing	State	Zip Code 46933	

Document will be returned to the name and address you enter above of if left blank document will be mailed to the registered office.

RESTATED ARTICLES OF INCORPORATION For Use by Domestic Nonprofit Corporations

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Restated Articles:

- 1. The present name of the corporation is:
 Detroit Police Foundation, Inc.
- 2. The identification number is: 775555
- All former names of the corporation are: Not applicable
- 4. The date of filing the original Articles of Incorporation was: March 26, 2002

The following Restated Articles of Incorporation supersede the Articles of Incorporation as amended and shall be the Articles of Incorporation for the corporation:

ARTICLE I NAME OF THE CORPORATION

The name of the corporation is: Detroit Public Safety Foundation

ARTICLE II PURPOSES OF THE CORPORATION

The Corporation is organized exclusively for the purposes set forth in Section 501(c)(3)
of the Internal Revenue Code of 1986, or the corresponding provision of any future
federal internal revenue law (the "Code"). The purposes for which the Corporation is

organized are to receive and administer funds for educational, charitable, and public welfare purposes, including:

- a. To promote, support, and lessen the burdens of the Detroit Police and Pire Departments;
- b. To work with the City of Detroit, the Detroit Police Department, and the Detroit Fire Department to ensure that each police officer and firefighter is qualified, trained, equipped, and educated to perform at the highest levels of professional standards;
- To enhance the capabilities of the Detroit Police Department and the Detroit Fire Department by facilitating access to world-class processes and operational tools;
- To promote and support community outreach on the part of the Detroit Police
 Department and the Detroit Fire Department;
- To provide the Detroit Police Department with management and operational tools to coordinate law enforcement efforts for both crime prevention and intervention;
- f. To provide the Detroit Fire Department with management and operational tools to coordinate fire and emergency response efforts;
- g. To serve as a liaison between the public and private sectors of the City of Detroit and to engage the City of Detroit on the core issues of public safety;
- To enlist broad participation in the quest for an even better quality of life for those who live, work or visit in the City of Detroit;
- i. To encourage private sector organizations to advocate for the police, fire, and public safety departments by ensuring that current and prospective businesses are aware of the effectiveness and responsiveness of the public safety services provided by the fire and police departments of the City of Detroit;
- To communicate with community and business leaders to identify public safety programs desired by the community;
- To assist the Detroit Police Department in reducing crime related to employees, customers, and tenants of businesses located within the City of Detroit;
- To increase the confidence in and appreciation of the Detroit Fire Department and the Detroit Police Department throughout the business community;
- m. To assist the Detroit Fire Department and the Detroit Police Department in providing highly effective and responsive services to those who live and work in the City of Detroit;
- To communicate to individuals and businesses contemplating relocation to the City of Defroit the highly effective and responsive services provided by the Detroit Fire Department and the Detroit Police Department; and

- o. : To make distributions and accept donations to further these goals.
- p. To conduct any and all activities and exercise any and all powers as may be necessary or helpful to the achievement of the foregoing purposes for which the Corporation is organized.
- 2. The Corporation, including all activities incident to its operation, shall at all times be conducted so as to be an organization described in Section 501(c)(3) of the Code. Notwithstanding any other provision of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a nonprofit corporation organized under the laws of the State of Michigan pursuant to the Act; (b) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, or comparable provisions of subsequent legislation, or (c) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, or comparable provisions of subsequent legislation.
- 3. 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 ORGANIZATION AND FINANCE

The Corporation is organized on a non-stock, directorship basis.

The value of assets which the Corporation possesses is:

Real Property: None (9/09/2011).

Personal Property: \$10,909.52 (cash) (9/09/2011).

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

Donations.
Investments.
Gifte and grants.
Other funds lawfully received.

ARTICLE IV REGISTERED OFFICE/RESIDENT AGENT

The address of the registered office is: 29908 Westbrook Parkway, Southfield, Michigan 48076.

The mailing address of the registered office is the same.

The name of the resident agent at the registered office is: Max R. Chiddister.

ARTICLE V BOARD OF DIRECTORS

Any action required or permitted to be taken at a meeting of the directors may be taken without a meeting, without prior notice, and without a vote, if a consent in writing, setting forth the action so taken, is signed by all of the directors necessary to authorize or take the action at a meeting at which all eligible directors were present and voted. Such consent shall have the same effect as a vote of the directors and may be stated as such in any Articles or document filed with the State of Michigan.

ARTICLE VI PRIVATE INUREMENT RESTRICTIONS

Notwithstanding any other provision of these Articles, all the income and earnings of the Corporation shall be used exclusively for corporate purposes, and no part of the net income or net earnings of the Corporation shall inure to the benefit of or be distributed or distribute to any director, officer, member, trustee, individual, firm, corporation, partnership association or other private person 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 Article II.

Notwithstanding any other provision of these Articles, the Corporation shall in no manner be controlled by or under the direction of or acting in the substantial interest of any private individual, firm, corporation, partnership or association seeking to derive profit or gain therefrom or seeking to eliminate or minimize losses in any dealing or transaction with the Corporation.

Notwithstanding any other provision of these Articles, no individual member or director of the Corporation or other private person shall have any title to or interest in the corporate property or earnings in his or her individual or private capacity.

ARTICLE VII DIRECTOR/OFFICER LIABILITY

No member of the Board of Directors of the Corporation who is a volunteer director, as that term is defined in the Michigan Nonprofit Corporation Act, or a volunteer officer of the Corporation, shall be personally liable to this Corporation or its members for monetary damages for a breach of the director's or the volunteer officer's flduciary duty arising under the Act or other applicable law. This provision does not eliminate or limit the liability of a volunteer director or volunteer officer for any of the following:

- A breach of the director's or officer's duty of loyalty to the Corporation or its members;
- Acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law;
- 3. A violation of section 551(1) of the Act

- A transaction from which the director or officer derived an improper personal benefit;
- An act or omission occurring before the filing of these Articles of Incorporation;
- An act or omission that is grossly negligent.

The Corporation hereby assumes all liability to any person other than the Corporation or its members for all acts or omissions of a director who is a volunteer director as defined in the Act, or a volunteer officer, incurred in the good faith performance of the director's or officer's duties.

If the Act is bereafter amended to authorize the further elimination or limitation of the liability of volunteer directors or volunteer officers of non-profit corporations, then the liability of members of the Board of Directors or officers, in addition to the limitation on personal liability contained herein, shall be eliminated or limited to the fullest extent permitted by the Act as so amended. No amendment or repeal of this Article shall apply to or have any effect on the liability or alleged liability of any member of the Board of Directors or officers of this Corporation for or with respect to any acts or omissions of such director or officer occurring prior to the effective date of any such amendment or repeal.

ARTICLE VIII NONDIRECTOR VOLUNTEER LIABILITY

The Corporation hereby assumes the liability for all acts or omissions of a volunteer director as defined by the Act, volunteer officer, or other volunteer occurring on or after the effective date of this Article if all the following conditions are met:

- 1. The volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority;
- The volunteer was acting in good faith;
- The volunteer's conduct did not amount to gross negligence or willful and wanton misconduct;
- The volunteer's conduct was not an intentional tort;
- The volunteer's conduct was not an intentional tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided in Section 3135 of the Insurance Code of 1956, Act No. 218 of the Public Acts of 1956, being section 500.3135 of the Michigan Compiled Laws.

ARTICLE IX LIABILITY UNDER SECTION 501(C)(5)

The Corporation shall not be considered to have assumed any liability under these Articles of Incorporation to the extent such assumption is inconsistent with the states of the Corporation as no organization described in Seculen 301(c)(3) of the Code.

ARTICLE X BISSOLUTION

Upon dissolution of the Corporation, issues remaining other providing for debts and colligations of the Corporation shall be distributed for one or more exempt purposes within the meeting of Sention 501(c)(I) of the Internal Revenue Code of 1926, or corresponding section of any figure federal mx code, as may be designated by the Board of Directors or to the federal government, for public purposes. Any such assets not disposed of table be disposed of by the circuit court of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization, as said court shall determine, which are organized and operated exclusively for such purposes.

ABOPTION OF RESTATED ARTICLES

These Restated Articles of Incorporation were duly adopted on the 9th day of September, 2011 in accordance with the previsions of Section 542 of the Act. These Restated Authors of Incorporation rustate, integrate, and do Parther amend the provisions of the Articles of Incorporation and were duly adopted by the shurchoiders, the members, or the directors. The nocessary numbers of yores were cast in favor of these Restated Articles of Incorporation.

Signed Gir Ath day of September 2011

By

(Type or Phine Name)

(Type or Phine Name)

(Type or Phine Name)

ELAGIGNATORI WRASI-NGSZETORI

09/14/2011 4:44PM (GMT-04:00)**



In reply refer to: 0248359979 Feb. 24, 2017 LTR 4168C 0 30-0056848 000000 00

BODC: TE

DETROIT PUBLIC SAFETY FOUNDATION % CATHERINE GOVAN 1301 THIRD STREET STE 547 DETROIT MI 48226

027232

Employer ID Number: 30-0056848 Form 990 required: Yes

Dear Taxpayer:

This is in response to your request dated Feb. 14, 2017, regarding your tax-exempt status.

We issued you a determination letter in November 2003, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)

Our records also indicate you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections . 509(a)(1) and 170(b)(1)(A)(vi).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If a return is required, you must file Form 990, 990-EZ, 990-N, or 990-PF by the 15th day of the fifth month after the end of your annual accounting period. IRC Section 6033(j) provides that, if you don't file a required annual information return or notice for three consecutive years, your exempt status will be automatically revoked on the filing due date of the third required return or notice.

For tax forms, instructions, and publications, visit www.irs.gov or call 1-800-TAX-FORM (1-800-829-3676).

If you have questions, call 1-877-829-5500 between 8 a.m. and 5 p.m.s. local time, Monday through Friday (Alaska and Hawaii follow Pacific

2020-01-24

1197

1197 Petition of Detroit Public Safety
Foundation, request from your
Honorable Body a resolution in
support of a charitable gaming license.

REFERRED TO THE FOLLOWING DEPARTMENT(S)

OFFICE OF THE CITY CLERK