

City of Detroit

CITY COUNCIL

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President

Mary Sheffield
President Pro Tem



Janeé Ayers
Scott Benson
Raquel Castañeda-López
Gabe Leland
Roy McCalister, Jr.
André L. Spivey
James Tate

Janice M. Winfrey
City Clerk

REGULAR SESSION AGENDA

TUESDAY, JANUARY 26, 2021

REVISED

THIS MEETING WILL BE A VIRTUAL CITY COUNCIL MEETING

To attend by phone only, call one of these numbers: +1 929 436 2866, +1 312 626 6799, +1 669 900 6833, +1 253 215 8782, +1 301 715 8592, or +1 346 248 7799 Use Meeting ID: 330332554

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MOTOR CITY MATCH UPDATE

APPROVAL OF JOURNAL OF LAST SESSION

RECONSIDERATIONS:

UNFINISHED BUSINESS

PRESIDENT'S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS

BUDGET, FINANCE AND AUDIT STANDING COMMITTEE *THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE BUDGET, FINANCE AND AUDIT STANDING COMMITTEE:*

LEGISLATIVE POLICY DIVISION

1. Submitting a Privileged and Confidential Report on the Legality of Requirement of a Hiring Plan for Contractors that Do Not Have 51% Detroit Resident Workforce.

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(Continued)

INTERNAL OPERATIONS STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE:

MISCELLANEOUS

2. **Council Member Roy McCalister Jr.** submitting memorandum relative to DDOT Coach Incident questions.

NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

OFFICE OF CONTRACTING AND PROCUREMENT

Submitting the following **Office of Contracting and Procurement Contracts:**

3. Submitting reso. autho. **Contract No. 6002247** - 100% City Funding – AMEND 1 – To Provide an Increase of Funds Only for Graffiti Removal. – Contractor: PPG Architectural Finishes, Inc. – Location: 23361 Telegraph Road, Southfield, MI 48034 – Contract Period: June 25, 2019 through June 30, 2021 – Contract Increase Amount: \$175,000.00 – Total Contract Amount: \$475,000.00. **GENERAL SERVICES**

4. Submitting reso. autho. **Contract No. 6003049** - 100% City Funding – AMEND 1 – To Provide an Increase of Funds Only for As-Needed General Contracting Services Performing Capital Services such as, Mechanical System Repairs and Improvements for Various Types of Mechanical Systems. – Contractor: Gandol, Inc. – Location: 18100 Meyers Suite 2, Detroit, MI 48235 – Contract Period: September 7, 2020 through September 8, 2022 – Contract Increase Amount: \$1,000,000.00 – Total Contract Amount: \$2,200,000.00. **GENERAL SERVICES (Will Apply for Reimbursement from Federal COVID-19 Funding Source)**

5. Submitting reso. autho. **Contract No. 6003050** - 100% City Funding – AMEND 1 – To Provide an Extension of Time and an Increase of Funds for As-Needed General Contracting Services Performing Capital Services such as, Mechanical System Repairs and Improvements for Various City Buildings. – Contractor: W-3/J.J. Barney JV, LLC – Location: 7601 Second Avenue, Detroit, MI 48202 – Contract Period: September 7, 2020 through September 8, 2022 – Contract Increase Amount: \$1,000,000.00 – Total Contract Amount: \$2,200,000.00. **GENERAL SERVICES (Will Apply for Reimbursement from Federal COVID-19 Funding Source)**

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PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE:

CITY PLANNING COMMISSION

6. Submitting report and recommendation from the City Planning Commission and report and reso from the Planning and Development Department To amend the Detroit Master Plan of Policies to change future general land use designation for the area known as “Fort Wayne” and generally bounded by Detroit River, Rademacher St. (Extended), W. Jefferson Avenue., and Calvary St. (Extended) from PR to INST. **(RECOMMEND APPROVAL)**

7. Submitting report and Proposed Ordinance to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, Section 50-17-43, *District Map No. 41*, and Section 50-17-52, *District Map No. 50*, to establish a PD (Planned Development District) zoning classification where an R1 (Single-Family Residential District) zoning classification currently exists on property commonly identified as 6301 and 6315 West Jefferson Avenue, generally bounded by West Jefferson Avenue, South Cavalry Street (extended), the Detroit River, and South Rademacher Street (extended), excluding the US Army Corps of Engineers property at 6309 West Jefferson Avenue, to facilitate the development of Historic Fort Wayne as a regional park and to allow the adaptive use of historic buildings with uses compatible in a historic park setting. **RECOMMEND APPROVAL) (FOR INTRODUCTION OF AN ORDINANCE AND THE SETTING OF A PUBLIC HEARING?)**

MISCELLANEOUS

8. **Council President Pro Tem Mary Sheffield** submitting memorandum relative to Neighborhood Improvement Fund.

PUBLIC HEALTH AND SAFETY STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE:

DEPARTMENT OF PUBLIC WORKS/CITY ENGINEERING DIVISION

9. Submitting reso. autho. Petition of ExteNet Systems Inc. (#1308) request to encroach into various streets for the purpose of installing electrical cabinets used related to Small Cell Telecommunications Network. **(All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all utility installations are part of the attached resolution.)**

MISCELLANEOUS

10. **Council Member Raquel Castañeda-López** submitting memorandum relative to Hercules Concrete Permitting Inquiry.
11. **Council Member Gabe Leland** submitting memorandum relative to Speed Bumps.
12. **Council Member Roy McCalister Jr.** submitting memorandum relative to Security at the Coleman A. Young Municipal Center.
13. **Council Member Roy McCalister Jr.** submitting memorandum relative to Questions regarding Proposal N bond sales.

VOTING ACTION MATTERS

OTHER MATTERS

COMMUNICATIONS FROM MAYOR AND OTHER GOVERNMENTAL OFFICIALS AND AGENCIES

PUBLIC COMMENT

STANDING COMMITTEE REPORTS

BUDGET, FINANCE AND AUDIT STANDING COMMITTEE

OFFICE OF THE CHIEF FINANCIAL OFFICER/OFFICE OF BUDGET

14. **Ayers**, reso. autho. To Amend the FY 2021 Budget to Make Technical Adjustments to the 36th District Court Budget. **(During the development of the FY2021-FY2024 Four Year Financial Plan, adjustments were needed as a result of the Coronavirus Disease (COVID-19) public health emergency. These adjustments, approved via the Errata Letter, included revenue and expenditure changes to maintain a balanced budget. Expenditure adjustments included estimates of personnel savings.)**

INTERNAL OPERATIONS STANDING COMMITTEE

OFFICE OF CONTRACTING AND PROCUREMENT

15. **McCalister**, reso. autho. **Contract No. 6002958** - 100% City Funding – AMEND 1 – To Provide an Increase of Funds and an Extension of Time for Assistance with Legal Matters that include Governmental Affairs and Litigation including; The New Energy to Reinvent and Diversify (NERD) Fund Litigation and Related Matters as Determined by Corporation Counsel. – Contractor: Clark Hill – Location: 500 Woodward Avenue Suite 3500, Detroit, MI 48226 – Contract Period: January 1, 2022 through December 31, 2022 – Contract Increase Amount: \$200,000.00 – Total Contract Amount: \$350,000.00. **LAW**

(REPORTED OUT OF THE INTERNAL OPERATIONS STANDING COMMITTEE ON 01-20-21 WITH RECOMMENDATION TO DENY)

16. **McCalister**, reso. autho. **Contract No. 6000423** - 100% City Funding – AMEND 4 – To Provide an Extension of Time and an Increase of Funds for Additional City Wide User Licenses. – Contractor: Smartsheet, Inc. – Location: 10500 NE 8th Street Suite 1300, Bellevue, WA, 98004 – Contract Period: July 1, 2021 through August 31, 2023 – Contract Increase Amount: \$691,645.48 – Total Contract Amount: \$1,120,437.67. **DoIT**
17. **McCalister**, reso. autho. **Contract No. 6001671** - 100% City Funding – AMEND 2 – To Provide an Extension of Time Only for Lean Six Sigma Transactional Green Belt Training Software. – Contractor: Moresteam.com LLC – Location: 9976 Brewster Lane, Powell, OH 43065 – Contract Period: February 1, 2021 through June 30, 2021 – Total Contract Amount: \$0.00. **MAYOR’S OFFICE**

LAW DEPARTMENT

18. **McCalister**, reso. autho. Approving Memorandum of Agreement between the City of Detroit and the Detroit Building Authority regarding Indemnification. **(In May 2019, the City of Detroit (the "City") proposed, and the Detroit Building Authority (the "DBA") agreed, to enter into the above-captioned Memorandum of Agreement (the "MOA"). As of the effective date of this MOA, all contracts between the City and the DBA will no longer include separate indemnity provisions, and instead the terms of the MOA will govern indemnification between the City, the DBA, and related parties providing services to either entity.) (PULLED FROM THE FORMAL SESSION AGENDA ON 01-19-21 AND POSTPONED AS DIRECTED UNTIL 01-26-21)**
19. **McCalister**, reso. autho. **Settlement** in lawsuit of Larry Haislip v. COD and John Doe; Case No. 19-011245-NI; File No. L19-00591, Alfred Ashu (P82536) in the amount of \$30,000.00 in full payment for any and all claims which Larry Haislip may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 2, 2018. **(REPORTED OUT OF THE INTERNAL OPERATIONS STANDING COMMITTEE ON 01-20-21 WITHOUT RECOMMENDATION)**
20. **McCalister**, reso. autho. **Settlement** in lawsuit of Matthew Scofield v City of Detroit, Deandre Williams and Reuben Yesrael; Case No. 2:19-cv-10039-AC-RSW; File No. L18-00760 CBO in the amount of \$90,000.00 in full payment for any and all claims which Matthew Scofield may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
21. **McCalister**, reso. autho. **Settlement** in lawsuit of Michigan Ambulatory Surgical Center (Theresa Smith) v. COD; Case No 19-011424-NF; File No. L19-

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00622 (YRB) in the amount of \$33,000.00 in full payment for any and all claims which Michigan Ambulatory Surgical Center (Theresa Smith) may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about January 11, 2016.

22. **McCalister**, reso. autho. **Settlement** in lawsuit of C-Spine (Dejuan Gardner) v. COD; Case No 19-011079-NF; File No. L19-00585 in the amount of \$137,500.00 in full payment for any and all claims which C-Spine (Dejuan Gardner) may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 6, 2017.

23. **McCalister**, reso. autho. **Settlement** in lawsuit of Jonathan Twiddy v. COD; Case No 19-010133-NF; File No. L19-00539 PP in the amount of \$9,000.00 in full payment for any and all claims which Jonathan Twiddy may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 7, 2018.

24. **McCalister**, reso. autho. **Settlement** in lawsuit of **Monica Davis, et al** v. COD; Case No 20-001268-NF; File No. L20-00072 (MBC), A20000 in the amount of \$21,700.00 in full payment for any and all claims which **Monica Davis, et al** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about January 17, 2019.

25. **McCalister**, reso. autho. **Settlement** in lawsuit of Prime Rehabilitation Services, LLC. v. COD; Case No 18-000028-NF; File No. L20-00008 (YRB) in the amount of \$21,000.00 in full payment for any and all claims which Prime Rehabilitation Services, LLC. may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries.

HUMAN RESOURCES DEPARTMENT/CLASSIFICATION AND COMPENSATION DIVISION

26. **McCalister**, reso. autho. Request to Amend the 2020-2021 Official Compensation Schedule on behalf of the Human Resources Department, Classification & Compensation Division to include the pay range of \$56,155 - \$78,659 for the classification of Recreation Center Supervisor Grade III.

RESOLUTIONS

27. **Benson**, reso. autho. Continuation of the Detroit City Council Senior Task Force. **(REPORTED OUT OF THE INTERNAL OPERATIONS STANDING COMMITTEE ON 01-20-21 PENDING ADDITIONAL AMENDMENTS)**

28. **Benson**, reso. autho. Continuation of the Detroit City Council Green Task Force.

29. **Benson**, reso. autho. Continuation of the Detroit City Council Airport Task Force.

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(Continued)

30. **McCalister**, reso. autho. Detroit City Council hereby waives its attorney-client privilege with respect to the Legislative Policy Division's privileged and confidential memorandum to City Council dated January 4, 2021, entitled DPD Contract Review. **(Council Member Scott Benson requested a report from the City of Detroit Law Department to provide a review of Detroit Police Department contracts in order to identify language and clauses that prevent police officers, at all pay grades, from being held accountable for actions that cause mistrust between law enforcement and the public, are counter to standard operating procedures, and rules and regulations.)**

NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

OFFICE OF CONTRACTING AND PROCUREMENT

31. **Sheffield**, reso. autho. **Contract No. 6003216** - 100% City Funding – To Provide Covid-19 Emergency End of Line Interior Bus Cleaning and Sanitizing Services. – Contractor: Detroit Grounds Crew, LLC – Location: 17217 Wyoming, Detroit, MI 48221 – Contract Period: October 1, 2020 through June 30, 2021 – Total Contract Amount: \$1,218,776.24. **GENERAL SERVICES (Will Apply for Reimbursement from Federal COVID-19 Funding Source)**
32. **Sheffield**, reso. autho. **Contract No. 6002931** - 100% City Funding – To Provide Power Washer Maintenance, Repair and Parts. – Contractor: Hotsy Midwest Cleaning Systems – Location: 34525 Industrial Road, Livonia, MI 48150 – Contract Period: Upon City Council Approval through July 14, 2022 – Total Contract Amount: \$134,500.00. **GENERAL SERVICES (PULLED FROM THE FORMAL SESSION AGENDA ON 01-19-21 AND POSTPONED AS DIRECTED UNTIL 01-26-21)**

NEW BUSINESS

CONSENT AGENDA

MEMBER REPORTS

ADOPTION WITHOUT COMMITTEE REFERENCE

COMMUNICATIONS FROM THE CLERK

33. Report on approval of proceedings by the Mayor.

TESTIMONIAL RESOLUTIONS AND SPECIAL PRIVILEGE