

City of Detroit

CITY COUNCIL



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President

Mary Sheffield
President Pro Tem

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

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City Clerk

REGULAR SESSION AGENDA

TUESDAY, MAY 18, 2021

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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APPROVAL OF JOURNAL OF LAST SESSION

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:

MISCELLANEOUS

1. **Council Member Scott Benson** submitting memorandum relative to Insurance Broker Contract #6003546.

INTERNAL OPERATIONS STANDING COMMITTEE

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

LAW DEPARTMENT

2. Submitting memorandum relative to Ballot Questions – Proposed Revised Charter. (The Law Department has submitted a memorandum dated May 4, 2021 regarding the above-referenced matter.)

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3. Submitting memorandum relative to Primary Elections for Nonpartisan Offices. **(The Law Department has submitted a memorandum dated May 11, 2021 regarding the above-referenced matter.)**
4. Submitting memorandum relative to Emergency procurement of legal services – City Ordinance 18-5-21 – Smith & Brink PC and Cummings McClorey Davis and Acho PLC. **(The Law Department has submitted a privileged and confidential memorandum, dated May 11, 2021, regarding the above-referenced matter.)**
5. Submitting reso. autho. **Settlement** in lawsuit of Alonzo Bullman, et al. v City of Detroit, et al.; Case No. 16-12581, File No. 116-00491 (GBP), A37000, in the amount of **\$120,000.00** in full payment for any and all claims which Alonzo Bullman, Nicole Motyka, and Joel Castro may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
6. Submitting reso. autho. **Settlement** in lawsuit of Burrell Pace Burton v City of Detroit; Case No. 20-003288-NF, File No. L20-00154, (EG), A20000, in the amount of **\$12,500.00** in full payment for any and all claims which Burrell Burton may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
7. Submitting reso. autho. **Settlement** in lawsuit of Complete Imaging (Edna Alexander) v City of Detroit; Case Number 20-152702-GC, File Number L20-00574 (CLR) A20000, in the amount of **\$10,000.00** in full payment for any and all claims which Complete Imaging may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
8. Submitting reso. autho. **Settlement** in lawsuit of Deontey Allen et al. v City of Detroit et al.; Case No. 2:20-cv-11489, File No. L20-00419 (GBP), A37000, in the amount of **\$80,000.00** in full payment for any and all claims which Deontey Allen, D.A.J. and X.A. (minor children), and Tangela Davis may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
9. Submitting reso. autho. **Settlement** in lawsuit of Vivian Glover v City of Detroit et al.; Case No. 19-004334-NI, File No. L19-00185 (TO) A20000, in the amount of **\$15,000.00** in full payment for any and all claims which Vivian Glover may have against the City of Detroit and any other City of Detroit employees by Reason Of Alleged Injuries Sustained.
10. Submitting reso. autho. **Settlement** in lawsuit of Isha Harris v City of Detroit; Case No. 20-000580-NI, L20-00056 (GBP), A24000, in the amount of **\$10,000.00** in full payment for any and all claims which Isha Harris may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.

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11. Submitting reso. autho. **Settlement** in lawsuit of Regins, Anquisha, n/f Ciera'Rayne Regins, Cassie Lyn Smith v City of Detroit et al.; Case No. 18-006483-NI, File No. L18-00464 (CBO), A20000, in the amount of **\$7,000.00** in full payment for any and all claims which Anquisha Regins may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
12. Submitting reso. autho. **Settlement** in lawsuit of Terry William Crosson v City of Detroit; Case No. 20-003408-NO, File No. L20-00442 (EG) A19000, in the amount of **\$40,000.00** in full payment for any and all claims which Terry William Crosson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
13. Submitting reso. autho. **Order of Dismissal to Enter into Agreement** in lawsuit of Mubarez Ahmed V. Ernest Wilson; Case No. 18-13849, File No. 1.18-00758, Upon certification by the Law Department that the arbitrators have announced a decision requiring the City to pay a designated sum to Mubarez Ahmed, that Your Honorable Body direct the Finance Director to issue a draft payable to Mubarez Ahmed and his attorney, Mueller Law Firm in the amount the City is to pay pursuant to the arbitrators' decision, but said draft shall not exceed the maximum amount described in the confidential memorandum.

LEGISLATIVE POLICY DIVISION

14. Submitting an opinion relative to Election Law and Primary Elections for City of Detroit. **(The Legislative Policy Division has been requested to provide a legal opinion on whether the City of Detroit can hold a general election to fill the vacant office on City Council without first having a primary election for the potential City Council office candidates.)**

NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE:

MISCELLANEOUS

15. **Council President Brenda Jones** submitting memorandum requesting the Legislative Policy Division to draft a resolution in support of Senate Resolution No. 55 recognizing June 12th as Women Veterans Recognition Day.
16. **Council Member Raquel Castañeda-López** submitting memorandum requesting the Legislative Policy Division to draft a resolution for National Caribbean Heritage Month.

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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:

MISCELLANEOUS

17. **Council President Pro Tem Mary Sheffield** submitting memorandum requesting a report on the notification requirement required by state and local laws.

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

18. Submitting reso. autho. Petition of Thoma Properties II, LLC (#1377) request for the encroachment of a private sewer line into the vacated Scott Street utility easement, located between Orleans Street and the Grand Trunk Railroad. **(All other involved City Departments, including 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.)**
19. Submitting reso. autho. Petition of General Services Department (#1416) request to vacate to utility easement part of the east-west public alley bounded by the John C. Lodge Service Drive, Philadelphia Avenue, 3rd Avenue and Euclid Avenue. **(All other involved City Departments and privately owned utility companies have reported no objections to the vacation and conversion to utility easement of the alley. Provisions protecting utility installations are part of the attached resolution.)**
20. Submitting reso. autho. Petition of City of Detroit/Public Works Department (#1419) request to vacate to utility easement Roselawn Street, east of Oakman Blvd and south of Grand River Avenue, and the north-south alley lying east of Roselawn Street and south of Grand River Avenue. **(All other involved City Departments and privately owned utility companies have reported no objections to the vacation and conversion to utility easement of the alley. Provisions protecting utility installations are part of the attached resolution.)**

MISCELLANEOUS

21. **Council Member Roy McCalister, Jr.** submitting memorandum requesting the Legislative Policy Division to draft a resolution in support of USPS and the Detroit residents they serve.

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VOTING ACTION MATTERS

OTHER MATTERS

**COMMUNICATIONS FROM MAYOR AND OTHER
GOVERNMENTAL OFFICIALS AND AGENCIES**

PUBLIC COMMENT

STANDING COMMITTEE REPORTS

INTERNAL OPERATIONS STANDING COMMITTEE

OFFICE OF CONTRACTING AND PROCUREMENT

22. **McCalister**, reso. autho. **Contract No. 6003466** - 100% City Funding – To Provide Litigation Services in the Jessica Webb v CoD (Case No. 18-01872-NF) and Any Other Mature Litigation Matters Involving Significant Exposure as Identified by Corporation Counsel. – Contractor: Cardelli Lanfear, P.C. – Location: 322 W Lincoln, Royal Oak, MI 48067 – Contract Period: Upon City Council Approval through March 28, 2023 – Total Contract Amount: \$200,000.00. **LAW**

23. **McCalister**, reso. autho. **Contract No. 6003505** - 100% City Funding – To Provide Legal Services for Police Litigation Attorneys, in the Danny Burton v CoD Litigation (Case No. 2:20-cv-11948) to Conduct Jail Telephone Call Reviews and Other Matters. – Contractor: Nathan & Kamionski, LLP – Location: 33 W Monroe Suite 1830, Chicago, IL 60603 – Contract Period: Upon City Council Approval through June 30, 2023 – Total Contract Amount: \$400,000.00. **LAW**

24. **McCalister**, reso. autho. **Contract No. 6002570** - 100% City Funding – AMEND 1 – To Provide an Increase of Funds Only for Printing of Newsletters and Sample Ballots. – Contractor: Accuform Printing & Graphics, Inc. – Location: 7231 Southfield Road, Detroit, MI 48228 – Contract Period: December 20, 2019 through December 19, 2024 – Contract Increase Amount: \$740,000.00 – Total Contract Amount: \$1,200,000.00. **ELECTIONS**

25. **McCalister**, reso. autho. **Contract No. 6003545** - 100% City Funding – To Provide Legal Representation to the City of Detroit in Connection with Darwin Heard vs City of Detroit (19-CV-12303), Debra Guilbeaux vs City of Detroit (19-CV-13729) and Willie Burton vs City of Detroit (USCD 20-12182). – Contractor: Cummings McClorey Davis & Acho PLC – Location: 17436 College Parkway, Livonia, MI 48152 – Contract Period: Upon City Council Approval through December 31, 2022 – Total Contract Amount: \$100,000.00. **LAW**

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LAW DEPARTMENT

26. **McCalister**, reso. autho. **Settlement** in lawsuit of Affiliated Diagnostics of Oakland, LLC (Jeffrey Sanders) v City of Detroit; Case No: 19-176882-GC, File No: L19-00974 (CB), in the amount of of **\$6,500.00** in full payment for any and all claims which **Affiliated Diagnostics Of Oakland, LLC** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
27. **McCalister**, reso. autho. **Settlement** in lawsuit of Alonzo Jones and Dennis Weatherby v City of Detroit and Reginald Clark; Case No. 20-004357-NI, File No. L20-00300 (SVD), in the amount of **\$26,000.00** in full payment for any and all claims which **Alonzo Jones** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
28. **McCalister**, reso. autho. **Settlement** in lawsuit of Amber Chaplin et al. v City of Detroit; Case No. 17-007392-NI, File No. L17-00417 (RJB), in the amount of **\$134,400.00** in full payment for any and all claims which **Amber Chaplin, American Anesthesia Associates, Central Home Health Care Services, Anesthesia Services Affiliates, Michigan Ambulatory Surgical Center** and **Spine Specialists of Michigan** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
29. **McCalister**, reso. autho. **Settlement** in lawsuit of Applied Rehab & Phys. Therapy (R. Craft/T. Wilson) v City of Detroit; Case No. 19-014846-NF, File No. L19-00857 (PH), A20000, in the amount of **\$26,000.00** in full payment for any and all claims which Applied Rehab & Physical Therapy, LLC, may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
30. **McCalister**, reso. autho. **Settlement** in lawsuit of John James vs City of Detroit; Case No. 19-015511-NI, L19-00881 (PMC), A19000, in the amount of **\$44,500.00** in full payment for any and all claims which John James may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained. **(REPORTED OUT OF THE INTERNAL OPERATIONS STANDING COMMITTEE ON 5-12-21 WITHOUT RECOMMENDATION TO APPROVE)**
31. **McCalister**, reso. autho. **Settlement** in lawsuit of Maurice White v City of Detroit; Case No: 19-011939-NF, File No: L19-00664 (PH), A20000, in the amount of **\$5,809.00** in full payment for any and all claims which **Maurice White** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
32. **McCalister**, reso. autho. **revised Settlement** in lawsuit of Karen Brownlee, et al. v City of Detroit; Case No. 19-004875-NI, File No. L19-00211 (YRB) A20000, in the total amount of **\$485,000.00** in full payment for any and all

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claims which **Karen Brownlee, Med Care Wellness, Inc., Priority Physical Therapy & Rehab, Ispine, Pllc, And Surgical Center Of Southfield D/B/A Fountain View Surgery Center** may have against the City of Detroit by reason of alleged injuries sustained. **(On April 27, 2021, Your Honorable Body approved authority to settle the above identified civil matter in the total amount of \$485,000.00. The information regarding to whom two of the five settlement checks should be paid was incorrect.)**

RESOLUTIONS

33. **Jones**, reso. autho. Opposing the Portions of the Proposed Senate Election Bills Package (Michigan Senate Bills 273 through 311) that, if adopted, would restrict access to voting for all Michigan voters.

NEIGHBORHOOD AND COMMUNITY SERVICE STANDING COMMITTEE

OFFICE OF CONTRACTING AND PROCUREMENT

34. **Sheffield**, reso. autho. **Contract No. 3049878** - 100% City Funding – To Provide Twelve (12) APX 4000 Motorola Radios, Twenty Eight (28) Batteries and Additional Accessories for the Animal Control Program via MiDeal State Agreement No. 190000001544. – Contractor: Motorola Solutions, Inc. – Location: 500 W Monroe Street, Chicago, IL 60661 – Contract Period: Upon City Council Approval through August 31, 2021 – Total Contract Amount: \$42,106.50. **GENERAL SERVICES**
35. **Sheffield**, reso. autho. **Contract No. 6003542** - 100% Solid Waste Funding – To Provide Parking Lot, CCTV and Alley Improvements for Huber Garage Facility, including Asphalt, Concrete, Electrical and Fencing Services. – Contractor: DMC Consultants, Inc. – Location: 13500 Foley, Detroit, MI 48227 – Contract Period: Upon City Council Approval through May 11, 2022 – Total Contract Amount: \$563,188.00. **GENERAL SERVICES**
36. **Sheffield**, reso. autho. **Contract No. 6003390** - 100% City Funding – To Provide Management of Three (3) Cemeteries (Gethsemane Cemetery, Mausoleum and Crematory, Forest Hill Cemetery and Mt. Hazel Cemetery). – Contractor: Premier Group Associates, LC – Location: 535 Griswold #1420, Detroit, MI 48226 – Contract Period: May 31, 2021 through May 30, 2024 – Total Contract Amount: \$1,050,000.00. **GENERAL SERVICES (REPORTED OUT OF THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE ON 5-13-21 WITHOUT RECOMMENDATION)**
37. **Sheffield**, reso. autho. **Contract No. 6003535** - 100% City Funding – To Provide As Needed Citywide Printing Services for Covid-19 Vaccine and Testing Sites. – Contractor: Accuform Printing & Graphics, Inc. – Location: 7231 Southfield Road, Detroit, MI 48228 – Contract Period: Upon City Council

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Approval through May 17, 2022 – Total Contract Amount: \$300,000.00.

GENERAL SERVICES**GENERAL SERVICES DEPARTMENT**

38. **Sheffield**, reso. autho. To Purchase 821 Philadelphia, Detroit, Michigan 48202 (Jennifer Kindseth Parcel). **(The General Services Department (“GSD”) is hereby requesting the approval and authorization from your Honorable Body to acquire 821 Philadelphia, Detroit, Michigan 48202 (the “Property”). Jennifer Kindseth, the owner, has offered to sell the Property for Nine Thousand and 00/100 Dollars (\$9,000.00); the Property consist of a vacant parcel measuring approximately 4,082 square feet.)**
39. **Sheffield**, reso. autho. To Purchase 847 Philadelphia, Detroit, Michigan 48202 – (IM Webb Design, LLC Parcel). **(The General Services Department (“GSD”) is hereby requesting the approval and authorization from your Honorable Body to acquire 847 Philadelphia, Detroit, Michigan 48202 (the “Property”). IM Webb Design, LLC, the owner, has offered to sell the Property for Nine Thousand and 00/100 Dollars (\$9,000.00); the Property consist of a vacant parcel measuring approximately 3,056 square feet.)**
40. **Sheffield**, reso. autho. To Accept the Donation of 840 and 848 W. Euclid – (Recraft, LLC Parcels) **(The General Services Department (“GSD”) is hereby requesting the approval and authorization from your Honorable Body to acquire, 840 and 848 W. Euclid, Detroit, Michigan 48202 (the “Properties”). Recraft, LLC, the owner, has offered to donate the Properties by quit claim deed.)**
41. **Sheffield**, reso. autho. To Accept the Donation of 803, 813, 827, 833, 841 and 857 Philadelphia, Detroit, Michigan 48202-(CDCCDC-Parcels) **(The General Services Department (“GSD”) is hereby requesting the approval and authorization from your Honorable Body to acquire 803, 813, 827, 833, 841 and 857 Philadelphia, Detroit, Michigan 48202 (the “Properties”). Central Detroit Christian Community Development Corporation (“CDCCDC”), the owner, has offered to donate the Properties by quit claim deed.)**
42. **Sheffield**, reso. autho. To Acquire 816 W Euclid, 830 W Euclid, 849 W Philadelphia and 857 W Philadelphia, Detroit, Michigan 48202 – (from the Detroit Land Bank Authority) **(The General Services Department (“GSD”) is hereby requesting the approval and authorization from your Honorable Body to acquire 816 W Euclid, 830 W Euclid, 849 W Philadelphia and 857 W Philadelphia, Detroit, Michigan 48202 (the “Properties”). In accordance with the requirements of Detroit City Code, Section 2-1-12, City Council is required to approve any gift, grant, devise or bequest of real or personal property to be used for any public purpose. Pursuant to the Memorandum of Understanding (“MOU”) between the City of Detroit and the Detroit Land Bank Authority, approved by the Detroit City Council in May 2020.)**

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43. **Sheffield**, reso. autho. To enter into an Adopt-A-Landscape Partnership Agreement with Downriver Delta Community Development for Fort Street Bridge Park. **(The General Services Department is requesting authorization from your Honorable Body to enter into a Partnership Agreement with Downriver Delta Community Development for Fort Street Bridge Park; through the Michigan Department of Transportation’s Adopt-A-Landscape program.)**

OFFICE OF THE CHIEF FINANCIAL OFFICER/OFFICE OF DEVELOPMENT AND GRANTS

44. **Sheffield**, reso. autho. To submit a grant application to the National Recreation and Parks Association for the Resilient Parks Access Grant. **(The General Services Department is hereby requesting authorization from Detroit City Council to submit a grant application to the National Recreation and Parks Association for the Resilient Parks Access Grant. The amount being sought is \$500,000.00. There is no City match requirement. The total project cost is \$500,000.00.)**

PUBLIC HEALTH AND SAFETY STANDING COMMITTEE

OFFICE OF CONTRACTING AND PROCUREMENT

45. **Benson, amended** reso. autho. **Contract No. 6000795** - 100% City Funding – AMEND 1 – To Provide an Extension of Time and an Increase of Funds for Bentley Systems Licensing and Training. – Contractor: Bentley Systems, Inc. – Location: 685 Stockton Drive, Exton, PA 19341 – Contract Period: April 1, 2021 through March 31, 2022 – Contract Increase Amount: \$16,473.60 – Total Contract Amount: **\$233,604.88. PUBLIC WORKS (Original Contract Period: April 1, 2018 through March 31, 2021)**
46. **Benson, amended** reso. autho. **Contract No. 6001127** - 53% Capital Projects 19% Drug Law Enforcement 13% Solid Waste 12% Major Street Funding – AMEND 1 – To Provide an Increase of Funds Only for Vehicle Leases. – Contractor: Enterprise FM Trust – Location: 29301 Grand River Avenue, Farmington Hills, MI 48336 – Contract Period: September 16, 2017 through September 15, 2021 – Contract Increase Amount: \$2,062,127.00 – Total Contract Amount: \$7,829,607.00. **GENERAL SERVICES**
47. **Benson**, reso. autho. **Contract No. 6003473** - 100% City Funding – To Provide Vehicle Maintenance for Non-Revenue Coupe Vehicles. – Contractor: Ray Laethem, Inc. dba Ray Laethem – Location: 18001 Mack Avenue, Detroit, MI 48224 – Contract Period: Upon City Council Approval through May 17, 2023 – Total Contract Amount: \$150,000.00. **TRANSPORTATION**
48. **Benson**, reso. autho. **Contract No. 6003479** - 100% Grant Funding – To Provide Emergency Covid-19 Cleaning/Sanitizing Services for DDOT Administration, Shoemaker and Gilbert Buildings. – Contractor: Kristel Group, Inc. – Location:

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136 S Rochester Road, Clawson, MI 48017 – Contract Period: Upon City Council Approval through June 30, 2022 – Total Contract Amount: \$178,320.00. **TRANSPORTATION** (*Will Apply for Reimbursement from Federal COVID-19 Funding Source*) **(REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY COMMITTEE ON 5-10-21 WITH RECOMMENDATION TO DENY)**

DEPARTMENT OF PUBLIC WORKS/CITY ENGINEERING DIVISION

49. **Benson**, reso. autho. Petition of Michael E. Williams (#1382) request to renew the temporary closure of Burgess Street between Lyndon and Acacia. **(The request was approved by all other involved City Departments and utility companies provided that easement access the full width of the street is reserved.)**

NEW BUSINESS

CONSENT AGENDA

MEMBER REPORTS

ADOPTION WITHOUT COMMITTEE REFERENCE

COMMUNICATIONS FROM THE CLERK

50. Report on approval of proceedings by the Mayor.

TESTIMONIAL RESOLUTIONS AND SPECIAL PRIVILEGE