Brenda Jones President

Mary Sheffield President Pro Tem



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

Janice M. Winfrey City Clerk

#### REGULAR SESSION AGENDA

**TUESDAY, SEPTEMBER 28, 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

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including American Sign Language, language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at (313) 224-4950, through the TTY number 711, or email crio@detroitmi.gov to schedule these services.

#### APPROVAL OF JOURNAL OF LAST SESSION

**UNFINISHED BUSINESS** 

# PRESIDENT'S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS

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

### LAW DEPARTMENT

1. Submitting reso. autho. <u>Settlement</u> in lawsuit of Pace, Kiara (Plaintiff) and One Pro Therapy, LLC, Integra Lab Management, LLC and Biomolecular Integrations (Intervening Plaintiffs) v. Detroit Department of Transportation, a Michigan Corporation and Public Transportation Authority d/b/a DDOT; Case No. 19-014007, File No. L20-00040 and L20-00041 (RG) A20000, in the amount of (1) Kiara Pace and her attorney, LATHAN LAW, PLLC in the amount of \$12,800.00; (2) One Pro Therapy, LLC and its attorney, THE INJURY LAW FIRM, PLLC in the amount of \$16,080.00; (3) Integra Lab Management, LLC and its attorney, KHURANA LAW FIRM in the amount of \$5,200.00; and (4) Biomolecular Integrations and its attorney, AT LAW GROUP in the amount of \$2,000.00 in full payment for any and all claims which

Kiara Pace, One Pro Therapy, LLC, Integra Lab Management, LLC and Biomolecular Integrations may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.

- 2. Submitting reso. autho. <u>Settlement</u> in lawsuit of Northland Radiology Inc (Alonzo Jones) v City of Detroit; Case No. 20-004489-NF, File No. L20-00288 (SVD), A20000, in the amount of \$32,500.00 in full payment for any and all claims which Northland Radiology, Inc. may have against the City of Detroit and any other City of Detroit employees by reason of treatment provided to Alonzo Jones for alleged injuries sustained.
- 3. Submitting reso. autho. <u>Settlement</u> in lawsuit of Massey, Norval v City of Detroit and Sage Thomas Wiggins; Case No. 20-008084-NF, File No. L20-00444 (CBO), A37000, in the amount of \$30,000.00 in full payment for any and all claims which Norval Massey may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 4. Submitting reso. autho. <u>Settlement</u> in lawsuit of Tox Testing, Inc. v City of Detroit, et al.; Case No. 20-011505-NF, File No. L20-00682 (PP) in the total amount of \$54,100.00, in full payment for any and all claims which the Jonathan Twiddy, Tox Testing, Inc. d/b/a Paragon Diagnostics, Oak Park Labs, LLC, Metro Toxicology Labs, Select Medical Group, US Health Pharmaceuticals d/b/a Meds Direct Pharmacy, and Spine and Health may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 5. Submitting reso. autho. <u>Settlement</u> in lawsuit of Affiliated Diagnostics of Oakland, LLC; Vital Community Care; Select Specialist LLC; United RX LLC (Alana Fails) v City of Detroit; Case No. 20-012024-NF, L20-00928 (MBC), A20000, in the amount of \$2,300.00 and a warrant in favor of Affiliated Diagnostic of Oakland and their attorney, Koussan Hammood, PLC, in the amount of \$5,000.00, United Lab RX LLC and their attorney, Makki Law, PLLC, in the amount of \$6,000.00, and Select Specialist LLC and their attorney, Cochran, Kroli, & Associates, PC, in the amount of \$8,500.00 in full payment for any and all claims which Vital Community Care; Affiliated Diagnostics of Oakland, LLC; Select Specialist LLC and United Labs RX, LLC; may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.

# NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

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

#### HISTORIC DESIGNATION ADVISORY BOARD

6. Submitting reso. autho. Extension of study period for the proposed Detroit City/Coleman A. Young International Airport Local Historic District. (The study by the Historic Designation Advisory Board for the proposed Detroit City / Coleman A. Young International Airport Local Historic District is currently underway. It would appear that to provide time for the completion of this process that it is necessary to extend the study period for this proposed historic district.)

# PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

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

#### PLANNING AND DEVELOPMENT DEPARTMENT

- 7. Submitting reso. autho. Property Sale 18721 Schoolcraft. (The City of Detroit, Planning and Development Department ("P&DD") has received an offer from John Blackburn (the "Purchaser"), to purchase certain City-owned real property at 18721 Schoolcraft (the "Property") for the purchase price of Two Thousand Four Hundred Ninety-Nine and 00/100 Dollars (\$2,499.00).)
- 8. Submitting reso. autho. Property Sale 3640 Buchanan. (The City of Detroit, Planning and Development Department ("P&DD") has received an offer from Mark McKenzie (the "Purchaser"), to purchase certain City-owned real property at 3640 Buchanan (the "Property") for the purchase price of Ten Thousand Seven Hundred Ninety and 00/100 Dollars (\$10,790.00).)

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

### LAW DEPARTMENT

9. Submitting Response to Colleagues Questions and Concerns Regarding Tow Ordinance. (The Law Department has submitted a memorandum dated September 21, 2021, regarding the above-referenced matter.)

### **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

- McCalister, reso. autho. Contract No. 6000615 100% City Funding AMEND 3 To Provide an Extension of Time and an Increase of Funds for Annual Software License, Hosting and Support Fees for Case Management Tracking Software. Contractor: WingSwept, LLC Location: 800 Benson Road, Garner, NC 27529 Contract Period: July 17, 2022 through July 16, 2024 Contract Increase Amount: \$137,158.22 Total Contract Amount: \$328,767.84. INSPECTOR GENERAL & OMBUDSMAN (Previous Contract Period: July 17, 2018 through July 16, 2022)
- McCalister, reso. autho. Contract No. 6001126 100% City Funding AMEND 7 To Provide an Extension of Time and an Increase of Funds for Legal Services in Connection with the Audit by Oracle. Contractor: Floyd E. Allen & Associates, P.C. Location: 3011 West Grand Boulevard, Detroit, MI 48202 Contract Period: January 1, 2023 through December 31, 2023 Contract Increase Amount: \$200,000.00 Total Contract Amount: \$1,175,000.00. LAW (Previous Contract Period: September 1, 2017 through December 31, 2022)
- 12. **McCalister,** reso. autho. **Contract No. 6003030** 100% City Funding To Provide an Applicant Tracking System via State MiDeal Agreement. Contractor: Government Jobs.com dba NeoGov Location: 300 Continental Boulevard Room 565, El Segundo, CA 90245 Contract Period: Upon City Council Approval through June 30, 2023 Total Contract Amount: \$450,887.86. **HUMAN RESOURCES**

#### LAW DEPARTMENT

- 13. **McCalister,** reso. autho. <u>Settlement</u> in lawsuit of Durham, Barbara v Nathaniel Womack, City of Detroit, Allstate Ins.; Case No. 20-012702-NI, File No. L20-00734 (CLR) A37000, in the amount of \$7,500.00 in full payment for any and all claims which Barbara Durham may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 14. **McCalister,** reso. autho. **Settlement** in lawsuit of Affiliated Diagnostics (as an assignee of Bell Merlene) v City of Detroit; Case No. 20-148900-NF, File No. L20-00150 (CBO), A20000, in the amount of \$9,000.00 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.

- 15. **McCalister,** reso. autho. <u>Settlement</u> in lawsuit of Dynamic Medical Supply, LLC (as an assignee of Bell Merlene) v City of Detroit; Case No. 20-160934-NF, File No. L20-00648 (CBO), A20000, in the amount of **\$2,615.00** in full payment for any and all claims which Dynamic Medical Supply, LLC, PLLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 16. **McCalister,** reso. autho. **Settlement** in lawsuit of Jimmie Johnson v City of Detroit; Case No. 20-015156-NI, File No. L21-00043 (PMC), A20000, in the amount \$4,250.00 in full payment for any and all claims which Jimmie Johnson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 17. **McCalister,** reso. autho. **Settlement** in lawsuit of Affiliated Diagnostics of Oakland (Steven Wilder) v. City of Detroit; Case No. 21-149436-NI, Citylaw File No. L21-00237, RG, Dept. Code A20000 (Transportation), and in the amount of **\$8,000.00** 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.
- 18. **McCalister,** reso. autho. **Settlement** in lawsuit of Michigan Head & Spine Institute (Ronald Cross) v City of Detroit; Case No. 20-004973-NF, File No. L20-00420 (SVD), A20000, in the amount of \$33,000.00 in full payment for any and all claims which Michigan Head & Spine Institute, P.C. may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 19. **McCalister,** reso. autho. <u>Settlement</u> in lawsuit of New Clear Images (Jerry Cromer) v City of Detroit; Case No. 21-143400-GC, Citylaw File No. L21-00150, RG, Dept. Code A20000 (Transportation), and in the amount of \$4,500.00, in full payment for any and all claims which New Clear Images may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 20. McCalister, reso. autho. <u>Settlement</u> in lawsuit of Renaldo Vaughn v City of Detroit and Andrew Glass; Case No. 19-014795-NI, City law File No. L19-00940, RG, Dept. Code A20000 (Transportation), and in the amount of \$150,000.00, in full payment for any and all claims which Renaldo Vaughn may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 21. **McCalister,** reso. autho. <u>Acceptance of Case Evaluation Award</u> in lawsuit of Revival Physical Therapy, LLC (as an assignee of Bell Merlene) v City of Detroit; Case No. 20-015763, File No. L20-00008 (CBO) in the amount of \$7,500.00 in full payment for any and all claims which Revival Physical

- Therapy, LLC, PLLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
- 22. **McCalister,** reso. autho. <u>Order of Dismissal and Enter into an Agreement to Arbitrate</u> in lawsuit of Presley, Cathy v City of Detroit; Case No. 19-009467-NF, File No. L19-00527 (PH) A20000, in an amount not to exceed **\$40,000.00**.
- 23. **McCalister,** reso. autho. <u>Legal Representation and Indemnification</u> in lawsuit of Isha Days v Derry Fletcher and Detroit Department of Transportation; Case No. 20-007013-NI for TEO Derry Fletcher.

#### LEGISLATIVE POLICY DIVISION

24. Jones, reso. autho. Detroit City Council to waive its attorney client privilege with respect to the Law Department's privileged and confidential memorandum to City Council dated September 14, 2021, regarding, Proposed Amendment to Towing Ordinance. (REPORTED OUT OF THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-22-21 WITHOUT RECOMMENDATION PENDING DOCUMENTATION FROM THE LAW DEPARTMENT)

#### **RESOLUTIONS**

25. McCalister, reso. autho. To establish Community Advisory Council District 5. (In accordance with Article 9, Section 102 of the Detroit City Charter, the petitions you submitted to establish Community Advisory Council District 5 were reviewed by the Department of Elections. With the addition of the supplemental petitions, it has been determined that you have submitted sufficient signatures to establish Community Advisory Council District 5. The petition sheets submitted are now in the Department of Elections office and will be returned after January 1, 2022 in accordance with Section 168.556 of Michigan Election Law.)

# NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

### OFFICE OF CONTRACTING AND PROCUREMENT

- 26. **Sheffield,** reso. autho. **Contract No. 6003736** 100% City Funding To Provide Various Uniforms for the General Services and Public Works Departments. Contractor: Cintas Corporation Location: 46420 Continental Drive, New Baltimore, MI 48047 Contract Period: Upon City Council Approval through June 30, 2024 Total Contract Amount: \$1,649,790.00. **GENERAL SERVICES**
- 27. **Sheffield,** reso. autho. **Contract No. 6002653** 100% Grant Funding AMEND 4 To Provide an Increase of Funds Only for the Continuation and Expansion of Services for the Child and Adult Food Program as well as Summer Food

Program for the Parks and Recreation Department. – Contractor: Edibles Rex, Inc. – Location: 5555 Conner Suite 1058, Detroit, MI 48213 – Contract Period: March 2, 2020 through December 31, 2021 – Contract Increase Amount: \$386,484.00 – Total Contract Amount: \$2,808,549.55. **GENERAL SERVICES** 

28. **Sheffield,** reso. autho. **Contract No. 6003838** - 96% 2018 UTGO Bond - 4% Strategic Neighborhood Funding — To Provide Park Construction for Old Redford Link Project to include Lahser Clarita Park. — Contractor: Michigan Recreational Construction, Inc. — Location: 18631 Conant, Detroit, MI 48234 — Contract Period: Upon City Council Approval through July 1, 2023 — Total Contract Amount: \$418,500.00. **GENERAL SERVICES** 

## PUBLIC HEALTH AND SAFETY STANDING COMMITTEE

#### LAW DEPARTMENT

- 29. Spivey, Proposed Ordinance to amend Chapter 8 of the 2019 Detroit City Code, Building Construction and Property Maintenance, Article XV, Property Maintenance Code, Division 3, Requirements for Rental Property, Subdivision A, In General, by amending Section 8-15-5, Definitions: D-F; Section 8-15-6, Definitions: G-K, Section 8-15-11, Civil fines for violations of article, Section 8-15-81, Registration of rental property, Section 8-15-82, Inspection of registered rental property; Certificate of Compliance required, registry of Certificates of Compliance for rental properties, violations, occupancy, by amending and renaming Section 8-15-83, Rental inspections, lead inspection; risk assessment, lead clearance; visual inspection, by amending Section 8-15-84, Federal and other governmental agency inspections accepted, and to add Section 8-15-99, Required distribution of information, to provide for definitions for EPA and HUD assessments, to provide a fine for failure to obtain a lead clearance of a dwelling in which a tenant under six has an elevated lead blood level, to provide for increased information on the registration of rental property, to alter the frequency of submission for the Certificate of Registration of Rental Property, to alter the manner and frequency for which the Buildings, Safety Engineering, and Environmental Department requires inspection on rental properties, to allow EPA and HUD self-inspections in certain circumstances, to expand the acceptance of federal and other governmental agency inspections, and to require distribution, and maintain proof thereof, for federal lead disclosure pamphlets. INTRODUCE (REPORTED OUT OF THE PUBLIC HEALTH **AND SAFETY STANDING COMMITTEE ON 9-20-21)**
- 30. **Spivey,** reso. autho. Setting a Public Hearing on the foregoing ordinance amendment. (**REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-20-21**)

# **NEW BUSINESS**

# CONSENT AGENDA

# **MEMBER REPORTS**

# **ADOPTION WITHOUT COMMITTEE REFERENCE**

# **COMMUNICATIONS FROM THE CLERK**

31. Report on approval of proceedings by the Mayor.

# TESTIMONIAL RESOLUTIONS AND SPECIAL PRIVILEGE