

City of Detroit

CITY COUNCIL



Mary Sheffield
President

James Tate
President Pro Tem

Scott Benson
Fred Durhal, III
Latisha Johnson
Gabriela Santiago-Romero
Mary Waters
Angela Whitfield Calloway
Coleman A. Young, II

Janice Winfrey
City Clerk

Committee of the Whole Room • 1340 Coleman A. Young Municipal Center • (313) 224-3443 • Detroit, MI 48226

INTERNAL OPERATIONS STANDING COMMITTEE

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, +1 346 248 7799 - Enter Meeting ID: 85846903626

COUNCIL MEMBER LATISHA JOHNSON, CHAIRPERSON
COUNCIL MEMBER MARY WATERS, VICE CHAIRPERSON
COUNCIL MEMBER ANGELA WHITFIELD-CALLOWAY, MEMBER
COUNCIL PRESIDENT MARY SHEFFIELD, EX-OFFICIO

Wednesday, March 29, 2023, 10:00 A.M.

Ms. Christian Hicks
Assistant City Council Committee Clerk

1. ROLL CALL
2. APPROVAL OF MINUTES
3. CHAIR REMARKS
4. PUBLIC COMMENT
5. 9:15 AM - INTERVIEW - RE:
Appointment of Erika Murria to Entertainment Commission
6. UNFINISHED BUSINESS
 - 6.1. Status of the Legislative Policy Division
Submitting a resolution appointing Chanel Dominique Carter to the Detroit Entertainment Commission (**BROUGHT BACK AS DIRECTED ON 3/22/2023**).
 - 6.2. Status of the Legislative Policy Division

Submitting Resolution Reappointing Asia Hamilton to the Detroit Entertainment Commission
(BROUGHT BACK AS DIRECTED ON 3/22/2023).

6.3. Status of the Legislative Policy Division

Submitting resolution appointing Rachel Udabe to the City Planning Commission
(BROUGHT BACK AS DIRECTED ON 3/22/2023)

6.4. Status of the Legislative Policy Division

Submitting resolution appointing David Esparza to the City Planning Commission
(BROUGHT BACK AS DIRECTED ON 3/22/2023)

6.5. Status of Council President Mary Sheffield

Submitting memorandum relative to Reappointments for the Detroit Civil Service
Commission. (BROUGHT BACK AS DIRECTED ON 3/22/2023)

6.6. Status of Council President Mary Sheffield

Submitting memorandum relative to District 5 Community Advisory Council Appointments.
(BROUGHT BACK AS DIRECTED ON 3/15/2023)

6.7. Status of Council Member Gabriela Santiago-Romero

Submitting memorandum relative to Reappointment of David Esparza to City Planning
Commission. (BROUGHT BACK AS DIRECTED ON 3/15/2023).

6.8. Status of Council President Pro Tem James Tate

Submitting memorandum relative to Nomination of Asia Hamilton to the Detroit
Entertainment Commission. (BROUGHT BACK AS DIRECTED ON 3/15/2023).

6.9. Status of the Law Department

Submitting reso. autho. Approval of Payment of Contingency Fee to Hidden Assets, LLC.
(We respectfully submit the attached resolution, which is supported by a privileged and
confidential memorandum provided under separate cover.) (BROUGHT BACK AS
DIRECTED ON 2/1/2023).

6.10. Status of the Legislative Policy Division

Submitting Proposed Ordinance To amend Chapter 35 Personnel, Article II Employment,
Division 2 Hours of Work and Methods of Payment to add Juneteenth to the City's observed
holidays. (FOR INTRODUCTION AND SETTING OF A PUBLIC HEARING?)
(BROUGHT BACK AS DIRECTED ON 10/5/2022)

7. NEW BUSINESS

OFFICE OF CONTRACTING AND PROCUREMENT

7.1. Submitting reso. autho.

Contract No. 3063866 - 100% City Funding – To Provide a Case Management System for Government Investigative Services for the Board of Ethics. – Contractor: WingSwept – Location: 800 Benson Road, Garner, NC 27529 – Contract Period: Upon City Council Approval through March 31, 2024 – Total Contract Amount: \$55,000.00 **BOARD OF ETHICS (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.2. Submitting reso. autho.

Contract No. 3064871 - 100% City Funding – To Provide Various Online Specialized Trainings by way of LinkedIn Learning. – Contractor: Carahsoft Technology Corp – Location: 11493 Sunset Hills Road, Suite 100, Reston, VA 20190 – Contract Period: Upon City Council Approval through March 31, 2024 – Total Contract Amount: \$66,000.00 **HUMAN RESOURCES (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.3. Submitting reso. autho.

Contract No. 6005144 - 100% Compliance Fees – To Provide Workforce Training to Increase the Pool of Qualified Detroit Applicant for Jobs in the Skilled Construction Trades and Other High Growth Jobs. – Contractor: Detroit Employment Solutions Corp – Location: 440 E Congress Street, 4th Floor, Suite 400, Detroit, MI 48226 – Contract Period: Upon City Council Approval through June 30, 2025 – Total Contract Amount: \$4,000,000.00 **HUMAN RIGHTS (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

LAW DEPARTMENT

7.4. Submitting reso. autho.

Settlement in lawsuit of Inova Diagnostics, LLC (Calvin Thornton) v City of Detroit Case No. 22-201135-GC, File No. L23-00019 (YRB) A20000 (Department of Transportation) in the amount of **(\$3,250.00)** in full payment for any and all claims which Inova Diagnostics, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 9, 2019. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.5. Submitting reso. autho.

Settlement in lawsuit of Richelle Yvette Watson and True Scan, LLC v. City of Detroit; Case

No. 21-000944-NI, File No.L21-00139 (YRB) A20000 (Department of Transportation) in the total amount of **(\$59,000.00)** in full payment for any and all claims which Richelle Yvette Watson and True Scan, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about January 29, 2020. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.6. Submitting reso. autho.

Settlement in lawsuit of Vital Community Care (Cecelia Anderson) v City of Detroit; Case No. 22-181557-GC, File No. L22-00679 (YRB) A20000 (Department of Transportation) in the amount of **(\$4,000.00)** in full payment for any and all claims which Vital Community Care may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.7. Submitting reso. autho.

Settlement in Lawsuit of Velicia Brandom v City of Detroit and Michael Greene; Case Number: 21-003006-NI File Number: L21-00227 (AA) (DDOT) in the amount of **(\$9,500.00)** in full payment for any and all claims which Valencia Brandom may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **March 7, 2020.** **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.8. Submitting reso. autho

Settlement in lawsuit of Affiliated Diagnostic of Oakland, LLC (Cecelia Anderson) v City of Detroit Case No. 22-181149-GC, File No. L22-00608 (YRB) A20000 (Department of Transportation) in the amount of **(\$10,000.00)**, in full payment for any and all claims which Affiliated Diagnostic of Oakland, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.9. Submitting reso. autho.

Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation and Entry of State Local Government Intrastate Agreement Concerning Allocation of Settlement Proceeds. **(The facts and particulars of the above-captioned lawsuit were set forth in a confidential memorandum that was electronically circulated to City Council on March 21, 2023. From this review, it is our considered opinion that settlement of this matter is in the best interests of the City of Detroit.)** **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

7.10. Submitting reso. autho.

Settlement in lawsuit of Mary Kennedy v. City of Detroit; Case No. 21-009467 NF, File No. L21-00701 (YRB) A20000 (Department of Transportation) The award of the arbitrators shall represent a full and final settlement of any amounts due and owing to Plaintiff for any and all claims arising out of the incident which occurred on or about August 3, 2020. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

LEGISLATIVE POLICY DIVISION

7.11. Submitting report relative to

Board of Zoning Appeals Membership. **(Council Member Mary Waters has made an inquiry about the feasibility of adding two additional members to the Board of Zoning Appeals. Based on our research, the Legislative Policy Division has determined that can be done.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 3/29/2023).**

8. MEMBER REPORTS

BY COUNCIL MEMBER _____ :

**RESOLUTION APPOINTING A MEMBER TO THE
DETROIT ENTERTAINMENT COMMISSION**

RESOLVED That the Detroit City Council hereby appoints Chanel Dominique Carter to the Detroit Entertainment Commission representing City Council District 5 for the three year term beginning February 15, 2023 and ending on February 14, 2026, effective upon swearing-in.

BY COUNCIL MEMBER _____ :

**RESOLUTION REAPPOINTING A MEMBER TO THE
DETROIT ENTERTAINMENT COMMISSION**

RESOLVED That the Detroit City Council hereby reappoints Asia Hamilton to the Detroit Entertainment Commission representing City Council District 1 for a three year term, beginning on February 15, 2023 and ending on February 14, 2026, effective upon swearing-in.

BY COUNCIL MEMBER _____ :

**RESOLUTION APPOINTING A MEMBER TO THE
CITY PLANNING COMMISSION**

RESOLVED That the Detroit City Council hereby appoints Rachel Udabe to the City Planning Commission representing the City at-large as nominated by Council Member Mary Waters for the remainder of the three year term, which began on February 15, 2022 and will end on February 14, 2025, effective upon swearing-in.

BY COUNCIL MEMBER _____ :

**RESOLUTION REAPPOINTING A MEMBER TO THE
CITY PLANNING COMMISSION**

RESOLVED That the Detroit City Council hereby reappoints David Espaza to the City Planning Commission representing City Council District 6 for a three year term beginning on February 15, 2023 and ending on February 14, 2026, effective upon swearing-in.



City of Detroit

CITY COUNCIL

MARY SHEFFIELD
CITY COUNCIL PRESIDENT
DISTRICT 5

MEMORANDUM

TO: Director of Civil Service Commission
FROM: Mary Sheffield, President, Detroit City Council
DATE: March 28, 2023
RE: Reappointments for the Detroit Civil Service Commission

Council President Mary Sheffield is requesting to reappoint her Civil Service Commission appointees, Edna Bell and Brenda Braceful for the next term.

If you have any questions or need additional information, please contact Yvonne Ragland from my office at yvonne.ragland@detroitmi.gov.

Cc: Honorable Colleagues
City Clerk



City of Detroit

CITY COUNCIL

MARY SHEFFIELD
CITY COUNCIL PRESIDENT
DISTRICT 5

MEMORANDUM

TO: Janice Winfrey, City Clerk
FROM: Mary Sheffield, President, Detroit City Council
DATE: March 21, 2023
RE: District 5 Community Advisory Council Appointments

Council President Sheffield would like a resolution to be drafted appointing Denise Lyles as the senior appointment and Nala White as the youth appointment to the District 5 Community Advisory Council.

If you have any questions or need additional information, please contact Yvonne Ragland from my office at yvonne.ragland@detroitmi.gov.

Cc: Honorable Colleagues
City Clerk



CITY OF DETROIT

Choose an item.

Choose an item.

MEMORANDUM

To: Click here to enter text.

Through: Click here to enter text.

From: Choose an item.

Date: 9/17/2020

RE: Click here to enter text.

SUMMARY:

Click or tap here to enter text.

DEPARTMENTAL CONTACT:

Name: Click or tap here to enter text.

Position: Click or tap here to enter text.

City of Detroit


CITY COUNCIL

GABRIELA SANTIAGO-ROMERO
COUNCIL MEMBER, DISTRICT 6

MEMORANDUM

TO: Internal Operations Standing Committee
Council Member Latisha Johnson, Chair
Council Member Mary Waters, Vice Chair
Council Member Angela Whitfield-Calloway

THRU: Council Member Mary Sheffield, Council President

FROM: Council Member Gabriela Santiago-Romero 

DATE: February 6, 2023

RE: Reappointment of David Esparza to City Planning Commission

Please interview David Esparza for reappointment to the City Planning Commission to represent District 6 for the 2023 - 2026 term.

Cc: Honorable Detroit City Council
Louise Jones, City Clerk's Office
Malik Washington, City Council Liaison



CITY OF DETROIT

Choose an item.

Choose an item.

MEMORANDUM

To: Click here to enter text.

Through: Click here to enter text.

From: Choose an item.

Date: 9/17/2020

RE: Click here to enter text.

SUMMARY:

Click or tap here to enter text.

DEPARTMENTAL CONTACT:

Name: Click or tap here to enter text.

Position: Click or tap here to enter text.



City of Detroit

CITY COUNCIL

JAMES E. TATE JR.
CITY COUNCIL PRESIDENT PRO-TEMPORE
DISTRICT 1

MEMORANDUM

TO: David Whitaker, Director, Legislative Policy Division
THRU: Internal Operations Standing Committee
FROM: Council President Pro Tempore James E. Tate Jr.
DATE: Wednesday, February 1, 2023
RE: Nomination of Asia Hamilton to the Detroit Entertainment Commission

I would like to nominate Ms. Asia Hamilton to the Detroit Entertainment Commission. This appointment request is for a three-year term, running from 2023-2026. This nomination requires an interview at the Internal Operations Standing Committee for a future date.

If there any questions, please contact Sumaiyah Ahmed at sumaiyah.ahmed@detroitmi.gov.

Thank you.

CC: Honorable Council Members
Mr. Malik Washington, Mayor's Office
Dir. Marcel Todd, City Planning Commission



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1705

*** RE:**

Submitting reso. autho. Payment of Contingency Fee to Hidden Assets, LLC

*** SUMMARY:**

We, therefore, request authorization to approve payment of a contingency fee in the amount of **\$112,197.64** to Hidden Assets, LLC in full and final satisfaction of any claims Hidden Assets may have against the City of Detroit recoveries from the State of Michigan.

*** RECOMMENDATION:**

RESOLVED, that the Office of the Chief Financial Officer is hereby authorized to issue payment of **\$112,197.64** to Hidden Assets in full and final satisfaction of any claims Hidden Assets may have against City of Detroit recoveries from the State of Michigan

*** DEPARTMENTAL CONTACT:**

Name: Vie Serifovski
Position: Senior Assistant Corporation Counsel

***=REQUIRED**



January 19, 2023

Hon. City Council

Re: Resolution for payment of contingency fee to Hidden Assets, LLC

Honorable City Council:

We respectfully submit the attached resolution, which is supported by a privileged and confidential memorandum provided under separate cover.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "CNR".

Charles N. Raimi

Deputy corporation counsel

A RESOLUTION BY COUNCIL MEMBER _____

**RESOLUTION FOR APPROVAL OF PAYMENT OF CONTINGENT FEE
TO HIDDEN ASSETS, LLC.**

WHEREAS Hidden Assets provided services on behalf of and at the request of the City of Detroit by locating and assisting in recovering for the City the sum of \$448,790.57 which was being held by the State of Michigan under escheat laws. The City has in fact recovered that amount.

WHEREAS The law department had agreed, subject to City Council approval, to pay Hidden Assets a contingency fee of 25% of the recovery.

RESOLVED The Office of the Chief Financial Officer is hereby authorized to issue payment of \$112,197.64 to Hidden Assets in full and final satisfaction of any claims Hidden Assets may have against City of Detroit recoveries from the State of Michigan.



DEPARTMENTAL SUBMISSION

DEPARTMENT: Legislative Policy Division

FILE NUMBER: Legislative Policy Division-0309

*** RE:**

Submitting report related to: Juneteenth Ordinance

*** SUMMARY:**

Juneteenth

*** RECOMMENDATION:**

For Review

*** DEPARTMENTAL CONTACT:**

Name: Sabrina Shockley

Position: Administrative Assistant

***=REQUIRED**

SUMMARY

This proposed ordinance amends Chapter 35 *Personnel*, Article II *Employment*, Division 2 *Hours of Work and Methods of Payment* to add Juneteenth to the City's observed holidays.

1 requests the time off in the form of compensatory time, the department director or agency head
2 shall pay for the holiday.

3 (c) An appointee or employee shall be eligible to be paid for a holiday, provided, that:

4 (1) The appointee or employee shall have received at least eight hours of pay,
5 exclusive of overtime and sick leave, the work day before and the day after the holiday;

6 (2) The appointee or employee continues on the payroll through the holiday; and

7 (3) The appointee or employee is otherwise qualified for the holiday.

8 For the purposes of this subsection, an appointee or employee shall be considered off the payroll
9 where the appointee or employee is discharged, has voluntarily quit, is on a formal leave of
10 absence granted by the Human Resources Department, is receiving workers' compensation, is
11 laid off, or is engaging in an illegal work stoppage which extends through a holiday. In the event
12 that the appointee or employee is off the payroll within the meaning of this subsection, pay for
13 the holiday shall be forfeited.

14 (d) In addition to the straight time paid for a holiday, an employee shall be paid holiday
15 premium pay at time and one-half for all hours worked on a holiday.

16 (e) Where an employee is absent without leave on a holiday on which the employee is
17 scheduled to work, the employee shall not receive pay for the holiday.

18 (f) Holiday premium pay shall not be duplicated for the same hours worked.

19 (g) Where an employee who is engaged in six- or seven-day operations works either the actual
20 calendar holiday or the substitute holiday, the employee shall receive holiday premium pay,
21 but the employee shall not be allowed to pyramid holiday premium pay for working both
22 days, provided, that:

1 (1) An employee who is assigned to a six- or seven-day operation may be scheduled
2 off for the holiday on either the calendar holiday or the substitute holiday;

3 (2) Where an employee works both the calendar holiday or the substitute holiday, the
4 day designated as a holiday for pay purposes shall be the day which allows the employee the
5 maximum pay credit for working both days;

6 (3) Where an employee works either the calendar holiday or the substitute holiday, or
7 both, the employee shall be paid holiday premium for the day worked;

8 (4) Where an employee is on sick leave on the calendar holiday, or on the substitute
9 holiday, or on both, the employee shall receive sick pay, provided, that where the employee
10 works either of the two days, the employee shall receive holiday premium for the day worked;
11 and

12 (5) Where an employee is absent without leave on a calendar holiday, but works on
13 the substitute holiday, the employee shall not be entitled either to holiday pay or to holiday
14 premium pay.

Section 2. All ordinances, or parts of ordinances, that in conflict with this ordinance
are repealed.

Section 3. This ordinance is declared necessary to preserve the public peace, health,
safety, and welfare of the People of the City of Detroit.

Section 4. If this ordinance is passed by a two-thirds (2/3) majority of City Council
members serving, it shall be given immediate effect and shall become effective upon publication
in accordance with Section 4-118 of the 2012 Detroit City Charter; if passed by less than a two-
thirds (2/3) majority of City Council members serving, it shall become effective no later than thirty
(30) days after publication in accordance with Section 4-118 of the 2012 Detroit City Charter; if

this ordinance specifies a certain date to become effective, it shall become effective in accordance with the date.

Approved as to form:

Hon. Conrad Mallett, Jr.
Corporation Counsel



DEPARTMENTAL SUBMISSION

DEPARTMENT: OCFO-Office of Contracting & Procurement
FILE NUMBER: OCFO-Office of Contracting &
Procurement-1994

RE:

Submitting Reso. Autho. Contract No. 3063866

SUMMARY:

100% City Funding – To Provide a Case Management System for Government Investigative Services for the Board of Ethics. – Contractor: WingSwept – Location: 800 Benson Road, Garner, NC 27529 – Contract Period: Upon City Council Approval through March 31, 2024 – Total Contract Amount: \$55,000.00. **Board of Ethics**

RECOMMENDATION:

100% City Funding – To Provide a Case Management System for Government Investigative Services for the Board of Ethics. – Contractor: WingSwept – Location: 800 Benson Road, Garner, NC 27529 – Contract Period: Upon City Council Approval through March 31, 2024 – Total Contract Amount: \$55,000.00. **Board of Ethics**

BY Choose an item.

Sandra Yu Stahl, Chief Procurement Officer
Office of Contracting and Procurement Office

RESOLVED: that Contract No. 3063866 referred to in the foregoing communication dated March 23, 2023 be hereby and approved.

DEPARTMENTAL CONTACT:

Name: Alexandria Vaughn-Powe
Position: Procurement Assistant



DEPARTMENTAL SUBMISSION

DEPARTMENT: OCFO-Office of Contracting & Procurement
FILE NUMBER: OCFO-Office of Contracting &
Procurement-1996

RE:

Submitting Reso. Autho. Contract No. 3064871

SUMMARY:

100% City Funding – To Provide Various Online Specialized Trainings by way of LinkedIn Learning. – Contractor: Carahsoft Technology Corp – Location: 11493 Sunset Hills Road, Suite 100, Reston, VA 20190 – Contract Period: Upon City Council Approval through March 31, 2024 – Total Contract Amount: \$66,000.00. **Human Resources**

RECOMMENDATION:

100% City Funding – To Provide Various Online Specialized Trainings by way of LinkedIn Learning. – Contractor: Carahsoft Technology Corp – Location: 11493 Sunset Hills Road, Suite 100, Reston, VA 20190 – Contract Period: Upon City Council Approval through March 31, 2024 – Total Contract Amount: \$66,000.00. **Human Resources**

BY Choose an item.

Sandra Yu Stahl, Chief Procurement Officer
Office of Contracting and Procurement Office

RESOLVED: that Contract No. 3064871 referred to in the foregoing communication dated March 24, 2023 be hereby and approved.

DEPARTMENTAL CONTACT:

Name: Alexandria Vaughn-Powe
Position: Procurement Assistant



DEPARTMENTAL SUBMISSION

DEPARTMENT: OCFO-Office of Contracting & Procurement
FILE NUMBER: OCFO-Office of Contracting &
Procurement-1995

RE:

Submitting Reso. Autho. Contract No. 6005144

SUMMARY:

100% Compliance Fees – To Provide Workforce Training to Increase the Pool of Qualified Detroit Applicant for Jobs in the Skilled Construction Trades and Other High Growth Jobs. – Contractor: Detroit Employment Solutions Corp – Location: 440 E Congress Street, 4th Floor, Suite 400, Detroit, MI 48226 – Contract Period: Upon City Council Approval through June 30, 2025 – Total Contract Amount: \$4,000,000.00. **Human Rights**

RECOMMENDATION:

100% Compliance Fees – To Provide Workforce Training to Increase the Pool of Qualified Detroit Applicant for Jobs in the Skilled Construction Trades and Other High Growth Jobs. – Contractor: Detroit Employment Solutions Corp – Location: 440 E Congress Street, 4th Floor, Suite 400, Detroit, MI 48226 – Contract Period: Upon City Council Approval through June 30, 2025 – Total Contract Amount: \$4,000,000.00. **Human Rights**

BY Choose an item.

Sandra Yu Stahl, Chief Procurement Officer
Office of Contracting and Procurement Office

RESOLVED: that Contract No. 6005144 referred to in the foregoing communication dated March 24, 2023 be hereby and approved.

DEPARTMENTAL CONTACT:

Name: Alexandria Vaughn-Powe
Position: Procurement Assistant



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1800

*** RE:**

Submitting reso. autho. Settlement in lawsuit of Inova Diagnostics, LLC (Calvin Thornton) v City of Detroit

*** SUMMARY:**

Case No. 22-201135-GC, File No. L23-00019 (YRB) A20000 (Department of Transportation) in the amount of **\$3,250.00**, in full payment for any and all claims which **INOVA DIAGNOSTICS, LLC** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 9, 2019

*** RECOMMENDATION:**

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw warrants upon the proper account in favor of **INOVA DIAGNOSTICS, LLC** and **ITS** attorneys, **HIRSCH, GAUGIER & KHAN**, in the amount of **\$3,250.00**, in full payment for any and all claims which **INOVA DIAGNOSTICS, LLC** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 9, 2019, and otherwise set forth in Case No. 22-201135-GC, that said amount be paid upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-201135-GC and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

*** DEPARTMENTAL CONTACT:**

Name: Andrea D'Agostino Keenan
Position: Paralegal

***=REQUIRED**



LAW DEPARTMENT

March 20, 2023

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

HONORABLE CITY COUNCIL

RE: Inova Diagnostics, LLC (Calvin Thornton) v City of Detroit
Case No: 22-201135-GC
File No: L23-00019 (YRB)

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 **THREE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO/CENTS (\$3,250.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **THREE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO/CENTS (\$3,250.00)** and that Your Honorable Body direct the Finance Director to issue a draft to **INOVA DIAGNOSTICS, LLC** and **ITS** attorneys, **HIRSCH, GAUGIER & KHAN**, in the amount of **THREE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO/CENTS (\$3,250.00)**, to be delivered upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-201135-GC, approved by the Law Department.

Respectfully submitted,
Yvonne R. Bradley
/s/ Yvonne R. Bradley
Supervising Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____ :

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **THREE THOUSAND TWO HUNDRED FIFTY DOLLARS AND ^{NO}/CENTS (\$3,250.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw warrants upon the proper account in favor of **INOVA DIAGNOSTICS, LLC** and **ITS** attorneys, **HIRSCH, GAUGIER & KHAN**, in the amount of **THREE THOUSAND TWO HUNDRED FIFTY DOLLARS and No/Cents (\$3,250.00)**, in full payment for any and all claims which **INOVA DIAGNOSTICS, LLC** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 9, 2019, and otherwise set forth in Case No. 22-201135-GC, that said amount be paid upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-201135-GC and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLETT
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1799

*** RE:**

Submitting reso. autho. Settlement in lawsuit of Richelle Yvette Watson and True Scan, LLC v. City of Detroit

*** SUMMARY:**

Case No. 21-000944-NI, File No.L21-00139 (YRB) A20000 (Department of Transportation) in the total amount of **\$59,000.00** in full payment for any and all claims which Richelle Yvette Watson and True Scan, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about January 29, 2020

*** RECOMMENDATION:**

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of (1) **RICHELLE YVETTE WATSON** and **HER** attorneys, the **LOBB LAW FIRM**, in the amount of **\$55,000.00** and in favor of (2) **TRUE SCAN, LLC** and **ITS** attorneys, **THE ERSKINE LAW GROUP, PC** in the amount of **\$4,000.00**, in full payment for any and all claims which Richelle Yvette Watson and True Scan, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about January 29, 2020, and otherwise set forth in Case No. 21-000944-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 21-000944-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

*** DEPARTMENTAL CONTACT:**

Name: Andrea D'Agostino Keenan
Position: Paralegal

***=REQUIRED**



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

March 17, 2023

HONORABLE CITY COUNCIL

RE: Richelle Yvette Watson and True Scan, LLC v. City of Detroit
Case No: 21-000944-NI
File No: L21-00139 (YRB)

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 **FIFTY-NINE THOUSAND DOLLARS AND NO/CENTS (\$59,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **FIFTY-NINE THOUSAND DOLLARS AND NO/CENTS (\$59,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft to (1) **RICHELLE YVETTE WATSON** and **HER** attorneys, the **LOBB LAW FIRM**, in the amount of **FIFTY-FIVE THOUSAND DOLLARS AND NO/CENTS (\$55,000.00)** and a draft to (2) **TRUE SCAN, LLC** and **ITS** attorneys, **THE ERSKINE LAW GROUP, PC**, in the amount of **FOUR THOUSAND DOLLARS AND NO/CENTS (\$4,000.00)**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.21-00139, approved by the Law Department.

Respectfully submitted,
Yuvonne R. Bradley
/s/ Yuvonne R. Bradley
Supervising Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____ :

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **FIFTY-NINE THOUSAND DOLLARS AND NO/CENTS (\$59,000.00)**; 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 (1) **RICHELLE YVETTE WATSON** and **HER** attorneys, the **LOBB LAW FIRM**, in the amount of **FIFTY-FIVE THOUSAND DOLLARS AND NO/CENTS (\$55,000.00)** and in favor of (2) **TRUE SCAN, LLC** and **ITS** attorneys, **THE ERSKINE LAW GROUP, PC** in the amount of **FOUR THOUSAND DOLLARS AND NO/CENTS (\$4,000.00)**, in full payment for any and all claims which Richelle Yvette Watson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about January 29, 2020, and otherwise set forth in Case No. 21-000944-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 21-000944-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLETT
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1798

*** RE:**

Submitting reso. auth. Settlement in lawsuit of Vital Community Care (Cecelia Anderson) v City of Detroit

*** SUMMARY:**

Case No. 22-181557-GC, File No. L22-00679 (YRB) A20000 (Department of Transportation) in the amount of **\$4,000.00**, in full payment for any and all claims which Vital Community Care may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020

*** RECOMMENDATION:**

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw warrants upon the proper account in favor of **VITAL COMMUNITY CARE** and **ITS** attorneys, **THE DOLLAR LAW FIRM, PLLC**, in the amount of **\$4,000.00**, in full payment for any and all claims which **VITAL COMMUNITY CARE** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020, and otherwise set forth in Case No. 22-181557-GC, that said amount be paid upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-181557-GC and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

*** DEPARTMENTAL CONTACT:**

Name: Andrea D'Agostino Keenan
Position: Paralegal

***=REQUIRED**



LAW DEPARTMENT

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March 17, 2023

HONORABLE CITY COUNCIL

RE: Vital Community Care (Cecelia Anderson) v City of Detroit
Case No: 22-181557-GC
File No: L22-00679 (YRB)

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 **FOUR THOUSAND DOLLARS AND NO/CENTS (\$4,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **FOUR THOUSAND DOLLARS AND NO/CENTS (\$4,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft to **VITAL COMMUNITY CARE** and **ITS** attorneys, **THE DOLLAR LAW FIRM, PLLC** in the amount of **FOUR THOUSAND DOLLARS AND NO/CENTS (\$4,000.00)**, to be delivered upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-181557-GC, approved by the Law Department.

Respectfully submitted,
Yvonne R. Bradley
/s/ Yvonne R. Bradley
Supervising Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **FOUR THOUSAND DOLLARS AND NO/CENTS (\$4,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw warrants upon the proper account in favor of **VITAL COMMUNITY CARE** and **ITS** attorneys, **THE DOLLAR LAW FIRM, PLLC**, in the amount of **FOUR THOUSAND DOLLARS AND NO/CENTS (\$4,000.00)**, in full payment for any and all claims which **VITAL COMMUNITY CARE** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020, and otherwise set forth in Case No. 22-181557-GC, that said amount be paid upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-181557-GC and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1804

*** RE:**

Submitting reso. auth. Settlement in Lawsuit of Velicia Brandom v City of Detroit and Michael Greene

*** SUMMARY:**

Case Number: 21-003006-NI File Number: L21-00227 (AA) (DDOT) in the amount of **(\$9,500.00)** in full payment for any and all claims which Valencia Brandom may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **March 7, 2020**

*** RECOMMENDATION:**

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **(\$9,500.00)**; 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 **VALENCIA BRANDOM and HER attorney, HIRSCH, GAUGIER & KHAN**, in the amount of **(\$9,500.00)** in full payment for any and all claims which Valencia Brandom may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **March 7, 2020**, and otherwise set forth in Case No.21-003006-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 21-003006-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

*** DEPARTMENTAL CONTACT:**

Name: Deanna Denby
Position: Paralegal

***=REQUIRED**



March 21, 2023

HONORABLE CITY COUNCIL

**RE: BRANDOM, VELICIA V CITY OF DETROIT AND MICHAEL GREENE
CASE NO: 21-003006-NI
FILE NO: L21-00227 (AA)**

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 **NINE THOUSAND FIVE HUNDRED DOLLARS and NO/Cents (\$9,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **NINE THOUSAND FIVE HUNDRED DOLLARS and NO/Cents (\$9,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **VALENCIA BRANDOM and HER attorney, HIRSCH, GAUGIER & KHAN**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.21-003006-NI, approved by the Law Department.

Respectfully submitted,
/s/ Alfred Ashu
Alfred Ashu
ACC

APPROVED:
CONRAD MALLETT
Corporation Counsel

BY: /s/Krystal A. Crittendon
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **NINE THOUSAND FIVE HUNDRED DOLLARS and NO/Cents (\$9,500.00)**; 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 **VALENCIA BRANDOM and HER attorney, HIRSCH, GAUGIER & KHAN**, in the amount of **NINE THOUSAND FIVE HUNDRED DOLLARS and NO/Cents (\$9,500.00)** in full payment for any and all claims which Valencia Brandom may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **March 7, 2020**, and otherwise set forth in Case No.21-003006-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 21-003006-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLETT
Corporation Counsel

BY: /s/Krystal A. Crittendon
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1801

*** RE:**

Submitting reso. autho Settlement in Lawsuit of Affiliated Diagnostic of Oakland, LLC (Cecelia Anderson) v City of Detroit

*** SUMMARY:**

Case No. 22-181149-GC, File No. L22-00608 (YRB) A20000 (Department of Transportation) in the amount of **\$10,000.00**, in full payment for any and all claims which Affiliated Diagnostic of Oakland, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020

*** RECOMMENDATION:**

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw warrants upon the proper account in favor of **AFFILIATED DIAGNOSTIC OF OAKLAND, LLC** and **ITS** attorneys, **THE DOLLAR LAW FIRM, PLLC**, in the amount of **\$10,000.00**, in full payment for any and all claims which Affiliated Diagnostic of Oakland, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020, and otherwise set forth in Case No. 22-181149-GC, that said amount be paid upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-181149-GC and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter

*** DEPARTMENTAL CONTACT:**

Name: Andrea D'Agostino Keenan
Position: Paralegal

***=REQUIRED**



LAW DEPARTMENT

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Detroit, Michigan 48226-3437

Phone 313•224•4550
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www.detroitmi.gov

March 17, 2023

HONORABLE CITY COUNCIL

RE: Affiliated Diagnostic of Oakland, LLC (Cecelia Anderson) v City of Detroit
Case No: 22-181149-GC
File No: L22-00608 (YRB)

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 **TEN THOUSAND DOLLARS AND NO/CENTS (\$10,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **TEN THOUSAND DOLLARS AND NO/CENTS (\$10,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft to **AFFILIATED DIAGNOSTIC OF OAKLAND, LLC** and **ITS** attorneys, **THE DOLLAR LAW FIRM, PLLC** in the amount of **TEN THOUSAND DOLLARS AND NO/CENTS (\$10,000.00)**, to be delivered upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-181149-GC, approved by the Law Department.

Respectfully submitted,
Yvonne R. Bradley
/s/ Yvonne R. Bradley
Supervising Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____ :

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **TEN THOUSAND DOLLARS AND NO/CENTS (\$10,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw warrants upon the proper account in favor of **AFFILIATED DIAGNOSTIC OF OAKLAND, LLC** and **ITS** attorneys, **THE DOLLAR LAW FIRM, PLLC**, in the amount of **TEN THOUSAND DOLLARS AND NO/CENTS (\$10,000.00)**, in full payment for any and all claims which Affiliated Diagnostic of Oakland, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about August 4, 2020, and otherwise set forth in Case No. 22-181149-GC, that said amount be paid upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 22-181149-GC and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLETT
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1802

*** RE:**

Submitting reso. auth. National Prescription Opiate Litigation

*** SUMMARY:**

The facts and particulars of the above-captioned lawsuit were set forth in a confidential memorandum that was electronically circulated to City Council on March 21, 2023. From this review, it is our considered opinion that settlement of this matter is in the best interests of the City of Detroit.

*** RECOMMENDATION:**

Request authorization to settle this matter by Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation and Entry of State Local Government Intrastate Agreement Concerning Allocation of Settlement Proceeds, as indicated in the attached proposed resolution.

*** DEPARTMENTAL CONTACT:**

Name: Asiha Chambers
Position: Legal Secretary

***=REQUIRED**



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
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www.detroitmi.gov

March 21, 2023

HONORABLE CITY COUNCIL

RE: In re National Prescription Opiate Litigation, Case No. 4:17-cv-14075-LVP-SDD

The facts and particulars of the above-captioned lawsuit were set forth in a confidential memorandum that was electronically circulated to City Council on March 21, 2023. From this review, it is our considered opinion that settlement of this matter is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter by Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation and Entry of State Local Government Intrastate Agreement Concerning Allocation of Settlement Proceeds, as indicated in the attached proposed resolution.

Respectfully submitted,

Conrad L. Mallett
Corporation Counsel

Attachments

**RESOLUTION AUTHORIZING ENTRY OF PARTICIPATION AGREEMENTS
IN PARTIAL SETTLEMENT OF THE NATIONAL PRESCRIPTION OPIATE
LITIGATION AND ENTRY OF STATE LOCAL GOVERNMENT INTRASTATE
AGREEMENT CONCERNING ALLOCATION OF SETTLEMENT PROCEEDS**

WHEREAS, the City of Detroit filed a lawsuit to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants (“Settling Defendants”):

1. Teva Pharmaceuticals Industries Ltd. (a prescription opioids manufacturer);
2. Allergan Finance, LLC (a prescription opioids manufacturer);
3. CVS Health Corp. and CVS Pharmacy, Inc. (a prescription opioids distributor); and
4. Walmart, Inc. (a prescription opioids distributor);

AND WHEREAS the Settling Defendants have negotiated proposed national settlement agreements (“Proposed Settlements”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to the City of Detroit’s lawsuit;

AND WHEREAS the Proposed Settlements contain significant equitable and monetary relief, including:

1. An agreement to pay (a) up to \$3.34 billion over the next 13 years by Teva; (b) up to \$2.02 billion over 7 years by Allergan; (c) \$4.9 billion over the next ten years by CVS; and (d) \$2.74 billion within six years by Walmart. The bulk of each of these payments will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance;
2. An agreement by Teva and Allergan to abide by strict limitations on their marketing, promotion, sale, and distribution of opioids, including a ban on (a) promotion and lobbying; (b) rewarding or disciplining employees based on volume of opioid sales; and (c) funding or grants to third parties; and
3. An agreement by CVS and Walmart to implement changes in how they handle opioids, including requirements addressing: their compliance structures; pharmacist judgment; diversion prevention; suspicious order monitoring; and reporting on red-flag processes, as well as blocked and potentially problematic prescribers.

AND WHEREAS the City of Detroit previously executed Participation Agreements for the Distributor and Janssen Settlements, which have conferred and continue to confer valuable benefits;

AND WHEREAS the Proposed Settlements each contain a “default” allocation method where settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state are allocated as follows:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund;

AND WHEREAS the Proposed Settlements enable the state and local governments within a State to negotiate alternative allocation methods to the “default” allocation method referenced above;

AND WHEREAS the City of Detroit desires to enter into an alternative allocation method which allocates settlement funds on a 50/50 basis to:

1. Participating Local Governments who have elected to participate in the Proposed Settlements; and
2. the State of Michigan.

AND WHEREAS the City of Detroit previously executed the Michigan State-Subdivision Agreement for Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement, which allocated funds attributed to the State of Michigan in a streamlined and equitable manner;

NOW THEREFORE, the City of Detroit authorizes the execution of Participation Agreements for: (1) the Master Settlement Agreement with Teva Pharmaceuticals Industries Ltd.; (2) the Master Settlement Agreement with Allergan Finance, LLC; (3) the Master Settlement Agreement with CVS Health Corp. and CVS Pharmacy, Inc.; and (4) the Master Settlement Agreement with Walmart, Inc., each of which are listed and available to the public at <https://nationalopioidsettlement.com/>. Specimen copies of the material terms of the participation agreements are attached as Exhibit A to this resolution.

The City of Detroit also authorizes the execution of a new Michigan State-Subdivision Agreement For Allocation of Allergan, Teva, CVS, and Walmart Settlement Agreements substantially similar to the proposed agreement attached as Exhibit B to this resolution. The City of Detroit also authorizes execution of a similar

state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity.

For the avoidance of doubt, the City of Detroit also authorizes its continued participation in the Distributor Settlement Agreement, the Janssen Settlement Agreement, and the Michigan State-Subdivision Agreement for the Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement, all previously executed.



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1805

*** RE:**

Submitting reso. autho. Settlement in lawsuit of Mary Kennedy v. City of Detroit

*** SUMMARY:**

Case No. 21-009467 NF, File No. L21-00701 (YRB) A20000 (Department of Transportation) The award of the arbitrators shall represent a full and final settlement of any amounts due and owing to Plaintiff for any and all claims arising out of the incident which occurred on or about August 3, 2020.

*** RECOMMENDATION:**

Arbitration Range Recommended: \$7,500.00 to \$27,500.00

*** DEPARTMENTAL CONTACT:**

Name: Andrea D'Agostino Keenan
Position: Paralegal

***=REQUIRED**



LAW DEPARTMENT

Coleman A. Young Municipal Center
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Phone 313•224•4550
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March 22, 2023

HONORABLE CITY COUNCIL

RE: Mary Kennedy v City of Detroit
Case No: 21-009467 NF
File No: L21-00701 (YRB)

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 the City should agree to the entry of an Order of Dismissal and enter into an Agreement to Arbitrate on the terms and conditions set forth in the following resolution.

We, therefore, request authorization to agree to entry of an Order of Dismissal and to enter into an Agreement to Arbitrate on the terms and conditions set forth in the following resolution and, upon certification by the Law Department that the arbitrators have announced a decision requiring the City to pay a designated sum to the Plaintiff, that Your Honorable Body direct the Finance Director to issue a draft payable to **MARY KENNEDY** and **HER** attorneys, **REIFMAN LAW FIRM, P.L.L.C.**, in the amount the City is to pay the Plaintiff pursuant to the arbitrators' decision, but said draft may not be less than **SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$7,500.00)** and shall not exceed **TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$27,500.00)**.

Respectfully submitted,

Yuvonne Bradley

Yuvonne Bradley

Supervising Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, The Law Department is authorized to agree to entry of an Order of Dismissal and to enter into an Agreement to Arbitrate in the case of Mary Kennedy v City of Detroit, 21-009467 NF, on the following terms and conditions:

A.

1. The parties shall submit to arbitration all matters in controversy raised in the above-named lawsuit.
2. Plaintiff shall recover a minimum amount OF **SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$7,500.00)**.

The maximum amount of any award to the Plaintiff shall not exceed the amount of **TWENTY-SEVEN THOUSAND DOLLARS AND NO CENTS (\$27,500.00)**.

3. Any award under **\$7,500.00** shall be interpreted to be in the amount of **\$7,500.00**.

Any award in excess of **\$27,500.00** shall be interpreted to be in the amount of **\$27,500.00**.

There shall be no costs, fees, attorney fees or interest taxable with respect to the award rendered by the arbitrators.

The award of the arbitrators shall represent a full and final settlement of any amounts due and owing to Plaintiff for any and all claims arising out of the incident which occurred on or about August 3, 2020, at Antietam and Orleans; however, limited judicial review may be obtained in a Michigan Federal District Court or Michigan Circuit Court of competent jurisdiction (a) in accordance with the standards for review of arbitration awards as established by law; or (b) on the ground that the arbitrators committed an error of law.

B. Promptly after the arbitrators announce their decision, the Law Department shall inform City Council in writing of that decision.

C. Upon certification by the Law Department that the arbitrators have announced a decision requiring the City to pay part or all **\$27,500.00** to the Plaintiff, the Finance Director is authorized to issue a draft drawn upon the proper account in favor of **MARY KENNEDY** and **HER** attorneys, **REIFMAN LAW FIRM, P.L.L.C.**, in the amount of the arbitrators' award, but said draft may not be less than **SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$7,500.00)** and shall not exceed **TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$27,500.00)**.

APPROVED:
CONRAD MALLETT
Corporation Counsel

BY: /s/Jerry L. Ashford
Jerry L. Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



DEPARTMENTAL SUBMISSION

DEPARTMENT: Legislative Policy Division
FILE NUMBER: Legislative Policy Division-0392

*** RE:**

Submitting report related to: Board of Zoning Appeals Membership

*** SUMMARY:**

Board of Zoning Appeals Membership

*** RECOMMENDATION:**

For Review

*** DEPARTMENTAL CONTACT:**

Name: Sabrina Shockley
Position: Administrative Assistant

***=REQUIRED**

David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Director, City Planning Commission
Janese Chapman
Director, Historic Designation
Advisory Board

City of Detroit


CITY COUNCIL

LEGISLATIVE POLICY DIVISION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-4946 Fax: (313) 224-4336

Derrick Headd
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Kelsey Maas
Jamie Murphy
Kim Newby
Analine Powers, Ph.D.
Laurie Anne Sabatini
Rebecca Savage
Ryan Schumaker
Sabrina Shockley
Renee Short
Thomas Stephens, Esq.
Timarie Szwed
Dr. Sheryl Theriot
Theresa Thomas
Ashley A. Wilson

John Alexander
Roland Amarteifio
Megha Bamola
LaKisha Barclift, Esq.
Nur Barre
Paige Blessman
M. Rory Bolger, Ph.D., FAICP
Eric Fazzini, AICP
Christopher Gulock, AICP

TO: Detroit City Council

FROM: David D. Whitaker, Esq. 
Legislative Policy Division Staff

DATE: March 22, 2023

RE: Board of Zoning Appeals Membership

Council Member Mary Waters has made an inquiry about the feasibility of adding two additional members to the Board of Zoning Appeals. Based on our research, the Legislative Policy Division has determined that can be done.

According the Zoning Ordinance, “[t]he Board of Zoning Appeals shall be composed of not fewer than five or more than nine members who, in accordance with Section 601(1) of the Michigan Zoning Enabling Act, being MCL 125.3601(1), are appointed by a majority vote of City Council members serving”.¹ The addition of two members will bring the number of members on the board at nine which is squarely within the parameters of the ordinance. A resolution is required to make a change in the number of members.

Additionally, a budget allocation is necessary to fund the two additional stipends for the board members. This allocation can be addressed during your budget deliberations if this Body’s desire to add the members for the upcoming fiscal year.

¹ Section 50-2-63