



CITY OF DETROIT
LAW DEPARTMENT

82

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3535
PHONE 313•224•4550
FAX 313•224•5505
WWW.DETROITMI.GOV

August 23, 2016

HONORABLE CITY COUNCIL

RE: MENDELSON ORTHOPEDICS v CITY OF DETROIT
CASE NO.: 16-108978 NF
FILE NO: L16-00287 (KAC)

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 **Six Thousand Dollars and No Cents (\$6,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Six Thousand Dollars and No Cents (\$6,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **MENDELSON ORTHOPEDICS and their attorney, BRUCE K. PAZNER** to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 16-108978 NF, approved by the Law Department.

Respectfully submitted,

Krystal A. Crittendon
Supervising Assistant Corporation Counsel

APPROVED: AUG 25 2016

MELVIN HOLLOWELL
Corporation Counsel

BY:
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Attachments

TY CLERK 2016 AUG 24 10:11:00

RESOLUTION

BY COUNCIL MEMBER _____ :

**RE: Mendelson Orthopedics v City of Detroit,
Wayne County Circuit Court Case No.: 16-108978 NF**

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Six Thousand Dollars and No Cents (\$6,000.00)**; 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 **MENDELSON ORTHOPEDICS and their attorney, BRUCE K. PAZNER** in the amount of **Six Thousand Dollars and No Cents (\$6,000.00)** in full payment for any and all claims which **MENDELSON ORTHOPEDICS** may have against the City of Detroit by reason of alleged injuries sustained when Ben McKenzie was injured in an incident involving a DOT coach, on or about **January 7, 2010**, and that said amount be paid upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 16-108978 NF, approved by the Law Department.

APPROVED:

MELVIN HOLLOWELL
Corporation Counsel

_____ Dated: _____

BY: _____
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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August 26, 2016

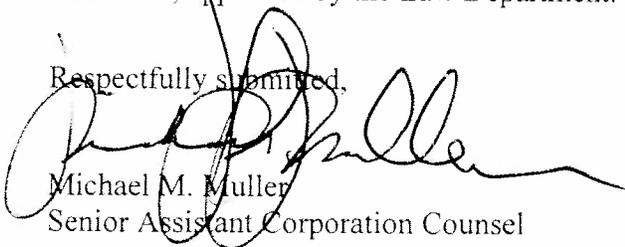
HONORABLE CITY COUNCIL

**RE: COREY PROCTOR et. al. v CITY OF DETROIT et. al.
CASE NO. 15-011505-NO
FILE NO. L15-00680 (MMM)**

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 **One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft payable to **COREY PROCTOR and ROBINSON & ASSOCIATES, P.C., his attorneys**, in the amount of **One Hundred Ten Thousand Dollars and No Cents (\$110,000.00)**, in favor of **JEREMY SMITH and ROBINSON & ASSOCIATES, P.C., his attorneys**, in the amount of **Forty Thousand Dollars and No Cents (\$40,000.00)** and in favor of **TRAMMELL PROCTOR and ROBINSON & ASSOCIATES, P.C., his attorneys**, in the amount of **Twenty Five Thousand Dollars and No Cents (\$25,000.00)**, and to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 15-011505-NO, approved by the Law Department.

Respectfully submitted,

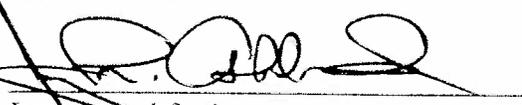


Michael M. Muller
Senior Assistant Corporation Counsel

APPROVED: AUG 29 2016

MELVIN BUTCH HOLLOWELL, JR.
Corporation Counsel

BY:



Jerry L. Ashford
Chief of Litigation

RESOLUTION

BY COUNCIL MEMBER _____:

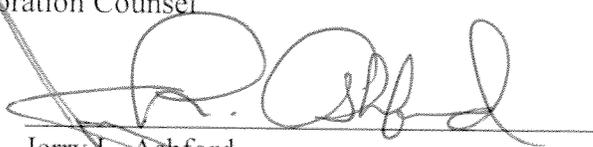
RESOLVED, that settlement of the above matter be and is hereby authorized in the amount **One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **COREY PROCTOR and ROBINSON & ASSOCIATES, P.C., his attorneys**, in the amount of **One Hundred Ten Thousand Dollars and No Cents (\$110,000.00)**, in favor of **JEREMY SMITH and ROBINSON & ASSOCIATES, P.C., his attorneys**, in the amount of **Forty Thousand Dollars and No Cents (\$40,000.00)** and in favor of **TRAMMELL PROCTOR and ROBINSON & ASSOCIATES, P.C., his attorneys**, in the amount of **Twenty Five Thousand Dollars and No Cents (\$25,000.00)** in full payment for any and all claims which **COREY PROCTOR, JEREMY SMITH and TRAMMELL PROCTOR** may have against the City of Detroit, John Appling, Michael Reed, and any other City of Detroit employees by reason of alleged injuries sustained by Corey Proctor, Jeremy Reed and Trammell Proctor on or about **December 28, 2013** and as otherwise set forth in Case No. 15-011505-NO filed in the Circuit Court for the County of Wayne, State of Michigan, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Case No. 15-011505-NO.

APPROVED:

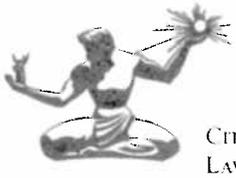
MELVIN BUTCH HOLLOWELL, JR.
Corporation Counsel

BY:


Jerry L. Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

Michael M. Muller
Senior Assistant Corporation Counsel
Litigation Division
Direct Tel. (313) 237-5052
E-mail: mullin@detroitmi.gov

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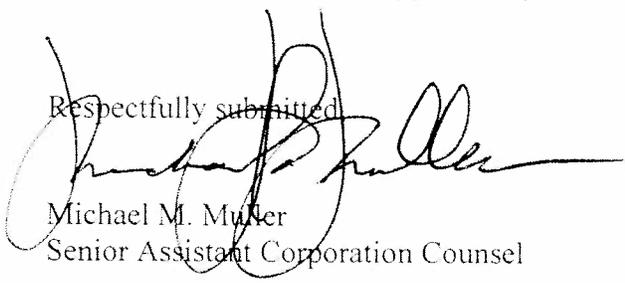
July 26, 2016

**MELVIN BUTCH HOLLOWELL, JR.
CORPORATION COUNSEL**

**RE: STARR MOON v CITY OF DETROIT
CASE NO. 15-009509-NF
FILE NO. L15-00626 (MMM)**

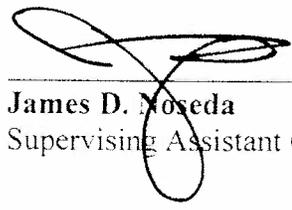
We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Forty Two Thousand Five Hundred Dollars and No Cents (\$42,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Forty Two Thousand Five Hundred Dollars and No Cents (\$42,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **Starr Moon and Mike Morse Law Firm, her attorneys**, and to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 15-009509-NF, approved by the Law Department.

Respectfully submitted

Michael M. Muller
Senior Assistant Corporation Counsel

APPROVED: **JM** 27 2016

MELVIN BUTCH HOLLOWELL, JR.
Corporation Counsel

BY: 
James D. Nosedá
Supervising Assistant Corporation Counsel

RESOLUTION

BY COUNCIL MEMBER _____ :

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Forty Two Thousand Five Hundred Dollars and No Cents (\$42,500.00)**; 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 **Starr Moon and Mike Morse Law Firm, their attorneys**, in the amount of **Forty Two Thousand Five Hundred Dollars and No Cents (\$42,500.00)** in full payment for any and all claims which **Starr Moon** may have against the City of Detroit, and any other City of Detroit employees by reason of alleged injuries sustained by Starr Moon on or about **April 24, 2013** and as otherwise set forth in Case No. 15-009509-NF filed in the Circuit Court for the County of Wayne, State of Michigan, and that said amount be paid upon receipt of properly executed Releases, and a Stipulation and Order of Dismissal entered in Case No. 15-009509-NF.

APPROVED:
MELVIN BUTCH HOLLOWELL, JR.
Corporation Counsel

BY:



James D. Nosedada, Supervising
Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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July 19, 2016

HONORABLE CITY COUNCIL

RE: **KEVIN GEORGE, JR. v. THE CITY OF DETROIT**
CASE NO. 14-013573-NI
FILE NO. L14-00518 (PMC)

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 Hundred Fifty Thousand Dollars and No Cents (\$350,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **KEVIN GEORGE, JR. and his attorneys FREDERIC M. ROSEN, P.C., and JOHNSON LAW, P.L.C.,** to be delivered upon receipt of a properly executed Release and a Stipulation and Order of Dismissal entered in Case No. **14-013573-NI**, approved by the Law Department.

Respectfully submitted,

PATRICK M. CUNNINGHAM (P67643)
Assistant Corporation Counsel

APPROVED: JUL 25 2016

MELVIN BUTCH HOLLOWELL
Corporation Counsel

BY:

Jerry Ashford
Chief of Litigation

RESOLUTION

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00)**; 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 **KEVIN GEORGE, JR. and his attorneys FREDERIC M. ROSEN, P.C., and JOHNSON LAW, P.L.C.**, in the amount of **Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00)** in full payment for any and all claims which may have against the City of Detroit and any City of Detroit employees or agents by reason of alleged injuries or property damage sustained by **Kevin George, Jr.** on or about **May 30, 2014**, as otherwise set forth in Case No. **14-013573-NI** in the Wayne County Circuit Court, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Case No. **14-013573-NI**, and, where it is deemed necessary or desirable by the Law Department, a properly executed Medicare Reporting and Indemnification Affidavit, approved by the Law Department.

APPROVED:

MELVIN BUTCH HOLLOWELL

Corporation Counsel

BY:



Jerry Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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August 24, 2016

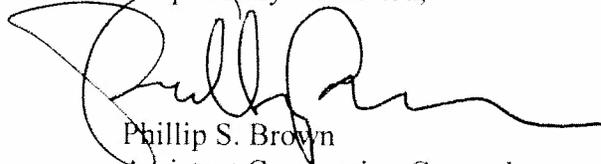
HONORABLE CITY COUNCIL

**RE: CHARLES EVANS vs CITY OF DETROIT
WATER AND SEWERAGE DEPARTMENT
FILE #: 14844 (PSB)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential attorney-client privileged 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 **THIRTY THOUSAND DOLLARS (\$30,000.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **THIRTY THOUSAND DOLLARS (\$30,000.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Charles Evans and his attorney, Kevin M. Kain**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14844, approved by the Law Department.

Respectfully submitted,



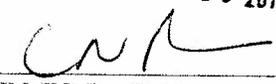
Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: **AUG 29 2016**



CHARLES RAIMI
Deputy Corporation Counsel

CITY CLERK 2016 AUG 31 10:11:09

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **THIRTY THOUSAND DOLLARS (\$30,000.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor **Charles Evans and his attorney, Kevin M. Kain**, in the sum of **THIRTY THOUSAND DOLLARS (\$30,000.00)** in full payment of any and all claims for workers' compensation wage loss benefits which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of his past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: 1 AUG 29 2016



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

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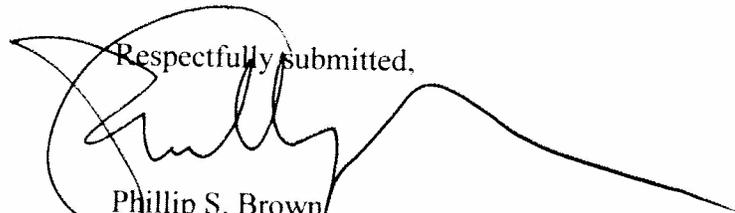
August 15, 2016

HONORABLE CITY COUNCIL

**RE: RUDOLPH BARTLETT, JR. vs CITY OF DETROIT
DEPARTMENT OF PUBLIC LIGHTING
FILE #:14764 (PSB)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential attorney-client privileged 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 **NINETY-NINE THOUSAND AND FIVE HUNDRED DOLLARS (\$99,500.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **NINETY-NINE THOUSAND AND FIVE HUNDRED DOLLARS (\$99,500.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Rudolph Bartlett, Jr. and his attorney, Barry D. Alder**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14764, approved by the Law Department.

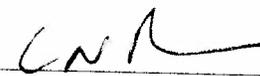
Respectfully submitted,

Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: AUG 17 2016



CHARLES RAIMI
Deputy Corporation Counsel

CITY CLERK 2016 AUG 31 AM 11:09

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **NINETY-NINE THOUSAND AND FIVE HUNDRED DOLLARS (\$99,500.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor **Rudolph Bartlett, Jr. and his attorney, Barry D. Alder**, in the sum of **NINETY-NINE THOUSAND AND FIVE HUNDRED DOLLARS (\$99,500.00)** in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of his past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: **AUG 17 2016**



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

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July 12, 2016

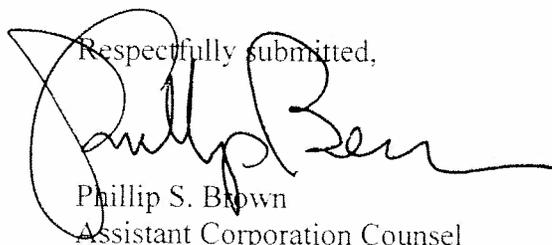
HONORABLE CITY COUNCIL

**RE: MONIQUE DUNLAP vs CITY OF DETROIT
WATER AND SEWERAGE DEPARTMENT
FILE #: 14639 (PSB)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential attorney-client privileged 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 **SEVENTY-SEVEN THOUSAND DOLLARS (\$77,000.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **SEVENTY-SEVEN THOUSAND DOLLARS (\$77,000.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Monique Dunlap and her attorney, Rick J. Ehrlich**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14639, approved by the Law Department.

Respectfully submitted,



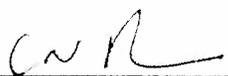
Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: JUL 10 2016



CHARLES RAIMI
Deputy Corporation Counsel

CITY CLERK 2016 JUL 04 AM 11:03

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **SEVENTY-SEVEN THOUSAND DOLLARS (\$77,000.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor **Monique Dunlap and her attorney, Rick J. Ehrlich**, in the sum of **SEVENTY-SEVEN THOUSAND DOLLARS (\$77,000.00)** in full payment of any and all claims for workers' compensation wage loss benefits which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of her past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: JUL 28 2016



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

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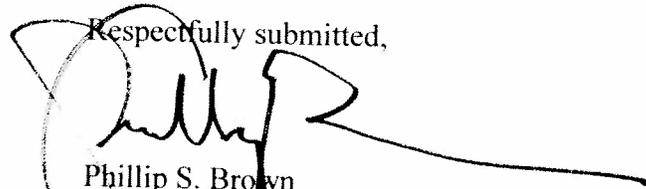
July 5, 2016

HONORABLE CITY COUNCIL

**RE: TRACEY DANIELS vs CITY OF DETROIT
WATER AND SEWERAGE DEPARTMENT
FILE #: 14822 (PSB)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential attorney-client privileged 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 **ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Tracey Daniels and her attorney, Paul S. Rosen**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14822, approved by the Law Department.

Respectfully submitted,

Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: **JUL 11 2016**



CHARLES RAIMI
Deputy Corporation Counsel

CITY CLERK 2016 AUG 21 10:41:05

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor **Tracey Daniels and her attorney, Paul S. Rosen**, in the sum of **ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00)** in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of her past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: **JUL 11 2016**



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
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July 6, 2016

HONORABLE CITY COUNCIL

**RE: ROBERT R. JONES vs CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
FILE #: 14707 (PSB)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential attorney-client privileged 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 **NINETY-ONE THOUSAND SEVEN HUNDRED AND SEVENTY DOLLARS (\$91,770.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **NINETY-ONE THOUSAND SEVEN HUNDRED AND SEVENTY DOLLARS (\$91,770.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Robert R. Jones and his attorney, Armin G. Fischer**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14707, approved by the Law Department.

Respectfully submitted,

Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: **JUL 11 2016**

CHARLES RAIMI
Deputy Corporation Counsel

CITY CLERK 2015 AUG 21 09:14:109

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **NINETY-ONE THOUSAND SEVEN HUNDRED AND SEVENTY DOLLARS (\$91,770.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor **Robert R. Jones and his attorney, Armin G. Fischer**, in the sum of **NINETY-ONE THOUSAND SEVEN HUNDRED AND SEVENTY DOLLARS (\$91,770.00)** in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of his past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED:  11 2016



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

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August 30, 2016

HONORABLE CITY COUNCIL

RE: **GARY EVANKO v CITY OF DETROIT**
WAYNE COUNTY CIRCUIT COURT CASE NO. 16-009847-CK
FILE NO.: L16-00561 (EBG)

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 **ONE HUNDRED THIRTY-FIVE THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS and THIRTY- EIGHT CENTS (\$135,224.38)**, is in the best interest of the City of Detroit.

We, therefore, request authorization to settle Plaintiff's claims in this matter in the amount of **ONE HUNDRED THIRTY-FIVE THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS and THIRTY- EIGHT CENTS (\$135,224.38)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **GARY EVANKO** and his attorney, **JOEL B. SKLAR**, to be delivered upon receipt of a properly executed Release and a Stipulation and Order of Dismissal of Claims entered in Lawsuit No. 16-009847-CK, approved by the Law Department.

Respectfully submitted,

ERIC B. GAABO
Assistant Corporation Counsel

APPROVED: **AUG 31 2016**

MELVIN B. HOLLOWELL
Corporation Counsel

BY:

JAMES D. NOSEDA
Supervising Corporation Counsel

FILED 2016 SEP 1 AM 10:05

RESOLUTION

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **ONE HUNDRED THIRTY-FIVE THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS and THIRTY- EIGHT CENTS (\$135,224.38)**; 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 **GARY EVANKO** and his attorney, **JOEL B. SKLAR**, in the amount of **ONE HUNDRED THIRTY-FIVE THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS and THIRTY- EIGHT CENTS (\$135,224.38)** in full payment for any and all claims which **GARY EVANKO** may have against the City of Detroit, including but not limited to all claims which were or could have been raised in the case entitled "Gary Evanko v City of Detroit," Wayne County Circuit Court Case No. 16-009847-CK, and that said amount be paid upon receipt of a properly executed Release and a Stipulation and Order of Dismissal of damage claims entered in Wayne County Circuit Court Case No. 16-009847-CK, approved by the Law Department.

APPROVED:

MELVIN BUTCH HOLLOWELL, JR.
Corporation Counsel

BY: _____
James D. Nosedo, Supervising
Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3535
(313) 224-4550 • TTY:711
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July 21, 2016

HONORABLE CITY COUNCIL

**RE: ABCDE Operating, LLC vs City of Detroit
Civil Action Case No: 14-cv-13158**

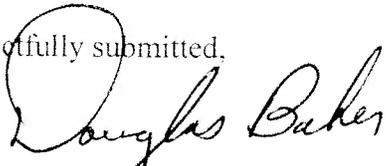
Representation of the Law Department of the City employees or officers listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and we believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of his official duties. We further recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We, therefore, recommend a "Yes" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

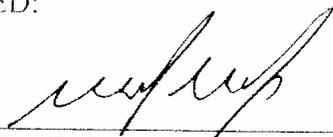
The officer requesting representation:

- | | |
|------------------------------|------------------------|
| Sgt. Stephen Geelhood | Badge No: S-501 |
| P.O. Gregory Touville | Badge No: 682 |
| P.O. Amy Matelic | Badge No: 2379 |
| P.O. Reginald Beasley | Badge No: 2575 |

Respectfully submitted,


Douglas Baker, Supervising
Assistant Corporation Counsel

APPROVED:

BY: 
MELVIN B. HOLLOWELL
CORPORATION COUNSEL

DB/sb

Attachments

RESOLUTION

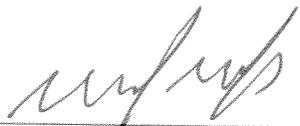
By Council Member _____:

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication will be providing legal representation and indemnification to the following Employees or Officers in the lawsuit of: **ABCDE Operating, LLC v City of Detroit, Civil Action Case No: 14-cv-13158**

Sgt. Stephen Geelhood	Badge No: S-501
P.O. Gregory Touville	Badge No: 682
P.O. Amy Matelic	Badge No: 2379
P.O. Reginald Beasley	Badge No: 2575

APPROVED:

BY:



MELVIN B. HOLLOWELL
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT

93

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July 21, 2016

HONORABLE CITY COUNCIL

**RE: O'Neal Jennings vs City of Detroit
Civil Action Case No: 16-003843 NI**

Representation of the Law Department of the City employees or officers listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and we believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of his official duties. We further recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We, therefore, recommend a "Yes" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

The officer or employee requesting representation:

P.O. Aaron Earl Badge No: 2711

Respectfully submitted,

Douglas Baker, Supervising
Assistant Corporation Counsel

APPROVED:

BY:
MELVIN B. HOLLOWELL
CORPORATION COUNSEL

DB/sb

Attachments

CITY CLERK 2016 AUG 31 10:11:09

RESOLUTION

By Council Member _____:

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication will be providing legal representation and indemnification to the following Employees or Officers in the lawsuit of: **O'Neal Jennings v. City of Detroit, Civil Action Case No: 16-003843 NI**

P.O. Aaron Earl Badge No: 2711

APPROVED:

BY: 

MELVIN B. HOLLOWELL
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT

94

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July 18, 2016

HONORABLE CITY COUNCIL

**RE: Danny Crowell et al. vs City of Detroit, et al.
Civil Action Case No: 16-006433 NI**

Representation of the Law Department and of the City employees or officers listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and we believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of his official duties. We further recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We, therefore, recommend a "Yes" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

The officer or employee requesting representation:

Raul Perez

Respectfully submitted,

Douglas Baker, Supervising
Assistant Corporation Counsel

APPROVED:

BY:
MELVIN B. HOLLOWELL
CORPORATION COUNSEL

DB/sb

Attachments

CITY CLERK 2016 AUG 24 AM 11:09

RESOLUTION

By Council Member _____

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication will be providing legal representation and indemnification to the following Employees or Officers in the lawsuit of: **Danny Crowell, et al. v City of Detroit, et. al., Civil Action Case No: 16-006433 NI.**

Raul Perez

APPROVED:

BY:



MELVIN B. HOLLOWELL
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER
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July 19, 2016

HONORABLE CITY COUNCIL

**RE: Charletta Monique Totch vs City of Detroit, et al.
Civil Action Case No: 16-003435 NI**

Representation of the Law Department of the City employees or officers listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and we believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of his official duties. We further recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We, therefore, recommend a "Yes" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

The officer requesting representation:

TEO Ezra Wesley

Respectfully submitted,

Douglas Baker, Supervising
Assistant Corporation Counsel

APPROVED:

BY:

MELVIN B. HOLLOWELL
CORPORATION COUNSEL

DB/sb

Attachments

RESOLUTION

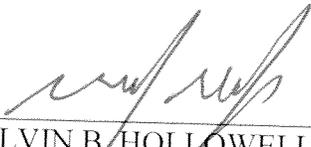
By Council Member _____:

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication will be providing legal representation and indemnification to the following Employees or Officers in the lawsuit of: **Charletta Monique Totch v City of Detroit et. al., Civil Action Case No: 16-003435 NI**

TEO Ezra Wesley

APPROVED:

BY:



MELVIN B. HOLLOWELL
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT

96
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MEMORANDUM

To: Detroit City Council

From: Charles Raimi, Deputy Corporation Counsel
City of Detroit Law Department

Date: August 26, 2016

Re: Tax collection initiative on foreclosed properties –proposed resolution regarding settlement authority

1. Background

The Mayor's office recently developed an initiative whereby the City will sue to collect unpaid property taxes after foreclosure. For example, if a property has unpaid taxes of \$50,000, and is sold at foreclosure sale for \$20,000, the City can sue the former owner of the property for the remaining \$30,000.

This initiative is targeting landlords and banks, not homeowners who lost their homes due to foreclosure.

This initiative will not require any out-of-pocket payments by the City. The Corporation Counsel intends to utilize Roosen, Varchetti & Olivier to bring the necessary collection lawsuits. The Roosen firm is currently under contract to the City and has proven extremely effective in collection work for Department of Administrative Hearings. Roosen works on a contingency fee basis and the City will not be out-of-pocket for these collection activities.

The City's share of taxes on any given tax bill is roughly 40%, with the other roughly 60% made up of taxes from Wayne County, WCCC, DPS, Zoo and DIA, HCMP and intermediate school district. The City may, but is not obligated to, use these lawsuits to collect taxes on behalf of these other entities. The City will offer to have the Roosen firm attempt to collect taxes for these entities in connection with these lawsuits – but the City's taxes will be collected first, and these other taxing jurisdictions will be required to pay all collection fees attributable to their shares of proceeds.

2. Lawsuit settlement authority

The first "batch" will entail about 600 lawsuits. There likely will be thousands of these lawsuits over the next several years. Because (i) the City will not have to pay anything to pursue these lawsuits, and (ii) due to the number of lawsuits, and the need to settle many because the defendant is not collectible in whole or part, the law department submits that it would be unduly



burdensome for the law department to seek, or City Council to review, most lawsuit settlements. The law department proposes the following with respect to settlement authority for lawsuits:

- Law department need not seek prior City Council approval to settle lawsuits if (i) the amount of City tax at issue is \$50,000 or less, or (ii) the settlement provides for collection of at least 50% of city tax at issue. Therefore, prior settlement authority would be needed only if the amount of City tax at issue is more than \$50,000 and the settlement results in collection of less than 50% of the city tax at issue.
- Law department will provide City Council will quarterly reports on collections.

A proposed resolution is attached.

Cc: David Whittaker, Legislative Policy Division
David Szymanski, Treasurer
Eli Savit, Mayor's Office
Mary Beth Cobb, Law Department

RESOLUTION

BY COUNCIL MEMBER _____

RE: Administration's initiative to collect unpaid property taxes on foreclosed properties from the former property owner – lawsuit settlement authority

RESOLVED:

The law department shall have the following settlement authority for lawsuits filed in connection with the administration's efforts to hold prior owners of foreclosed properties personally liable for back taxes:

- Law department need not seek prior City Council approval to settle lawsuits if (i) the amount of City tax at issue is \$50,000 or less, or (ii) the settlement provides for collection of at least 50% of city tax at issue. Therefore, prior settlement authority would be needed only if the amount of City tax at issue is more than \$50,000 and the settlement results in collection of less than 50% of the city tax at issue.

- Law department will provide City Council will quarterly reports on collections.

APPROVED:

Charles N. Raimi
Deputy Corporation Counsel

_____ Dated: _____

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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WWW.DETROITMI.GOV

Date: August 4, 2016
To: Honorable City Council
From: Law Department
Re: State of Michigan Quarterly Report of No-Fault Claim Liabilities and Payments

The Law Department has submitted a privileged and confidential memorandum regarding the above –referenced matter. Please submit this item for referral so that Council may consider any action that is necessary.



CITY OF DETROIT
LAW DEPARTMENT

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(313) 224-4550 • TTY:711
(313) 224-5505
WWW.DETROITMI.GOV

Date: August 4, 2016

To: Honorable City Council

From: Law Department

Re: Law Department Report on MVA Settlements as authorized by resolution of the Detroit City Council

The Law Department has submitted a privileged and confidential memorandum regarding the above –referenced matter. Please submit this item for referral so that Council may consider any action that is necessary.

City of Detroit

CITY COUNCIL

HISTORIC DESIGNATION ADVISORY BOARD

218 Coleman A. Young Municipal Center, Detroit, Michigan 48226

Phone: (313) 224-3487 Fax: (313) 224-4336

e-mail: historic@detroitmi.gov

August 11, 2016

HONORABLE INTERNAL OPERATION STANDING COMMITTEE:

Re: Appointment-Historic Designation Advisory Board Members

As the Council considers filling two seats on the Historic Designation Advisory Board, it seems appropriate to remind Council Members that there is one statutory requirements for a member of the board, and also some needs relating to the City's status as "Certified Local Government".

It is a requirement of our ordinance that one member of the Historic Designation Advisory Board be a representative of a local preservation organization which may be, but is not limited to, a historic district association or resides in a historic district. The present board has several members who meet these criterions.

Beginning in 2001, the city has been qualified as a "Certified Local Government" under the federal preservation program. This benefit gives the city direct input into the nomination of Detroit properties to the National Register of Historic Places. More importantly, the status makes the city eligible for modest but highly useful grant funds from the federal preservation program.

Under that program, we are required to have on or available to the City body reviewing National Register programs certain skills. The Advisory Board is that reviewing body for the City of Detroit. Among the skills required are those of an architect or preservation architect, which was beholden by long time board member Edward Francis, until his resignation in December 2015. The Historic Designation Advisory Board is required to have architect or preservation architect as a board member. In refiling this role, attached is the resume of Louis J. Fisher, which I believe is aptly qualified for this position.

As always, I am available if there are questions.

Respectfully,



Janese Chapman, Senior Historic Planner
Historic Designation Advisory Board

Cc:

City Clerk

David D. Whitaker,
Marcell R. Todd Jr.,

Director, Legislative Policy Division
Director, City Planning Commission



Architecture & Urban Design
Professional Corporation
14310 Longacre Detroit MI, 48227



Louis Fisher Resume

Louis J. Fisher, AIA / NOMA / NCARB/ LEED Green Associate: Project principal responsible for project management, client liaison, design and construction documents, and professional service quality assurance.

Registrations: New York 1976, Pennsylvania 1977, Michigan 1980, Alabama 2014, NCARB Certified 1976.

Recent Professional Experience

- Architecture & Urban Design P.C. – President, 1997-Present, Detroit, MI
- Hannah-Murano, Inc. (HMI) – Senior Architect QA/QC 2007-08-Detroit, MI
- Scales Associates Inc. (SAI) – Senior Architect 2007-08 – Detroit, MI
- Hamilton Anderson Associates (HAA) - Project Architect – 2006, 2007, Detroit, MI
- Rossetti (RAA) Project Architect – 1994-2003, Birmingham, MI
- Harley Ellington Pierce & Yee Associates (HEPY) – Project Architect 1990-94, Southfield MI
- Sims-Varner & Associates (SVA) – Project Architect & Manager 1978-90, Detroit, MI

Professional Activities

- American Institute of Architects, Detroit & Michigan Chapter Member
- National Organization of Minority Architects (NOMA) Member & NOMA-Detroit Current At Large Board Member; President 2013-14 & Treasurer 2007-2012
- USGBC Member 2008-Present

Community Service

- AIA Detroit Urban Priorities Committee/NOMA-Detroit-- Michigan Avenue Urban Design Study – 2014-Present. Design study collaboration.
- Grandmont Rosedale Development Corporation (GRDC) Board Member- 1990-96
- Grandmont Community Radio Patrol -2000-2002, 2012-Present
- GRDC Design Review Committee 2003- Present
- EPIC Ministries Community Development Corp Board Member 2005 - 2006.

Education

- MBA Program Candidate - Harvard Graduate School of Business 1976-77
- Bachelor of Architecture - University of Kansas 1971

Awards and Honors

- 1989 YMCA Minority Achievers Award for community service and leadership

Chronology of Selected Recent Projects (asterisks indicate employee relationship in firm indicated)

- 2016 Detroit Event Center Metal Cladding Shop Drawing QA/QC Consulting (SAI)
- 2014-2015 Defense Logistics Agency Warehouses and Pump House Maintenance & Repairs in Hammond, IN (SAI)
- 2012-2014 Veterans Transitional Housing facility in Huntsville, Alabama. Conceptual Site Development and Perspective Drawings
- 2013 Wayne State University Campus Engineering Student Innovation Center- Conceptual Design Study (SAI)
- 2012-13 Bank Field Quality Assurance for Inpatient Rehab Center and Retail Mall Projects (PQA)
- 2012 Play Place for Autistic Children Feasibility Study
- 2010 Notre Dame University Ice Hockey Arena, South Bend, IN – Specifications development, review and coordination with construction drawings. (RAA)

14310 Longacre / Detroit, MI 48227
313 608 2826 Cell Phone 313 836 2011 Fax
lifaianoma@comcast.net E-mail

<http://www.audpcarchitect.com> Website



**Architecture &
Urban Design**
Professional Corporation

14310 Longacre Detroit MI, 48227



Louis Fisher Resume

- 2010 Chicago Land Speedway Modernization – Design Development, Joliet IL. (RAA)
- 2009-10 Battle Creek, MI Federal Building Reroofing – (HMI)
- 2009-10 Kalamazoo, MI Federal Building Façade Restoration – (HMI)
- 2008-09 Consumers Power Owosso Service Center Renovation Unit A, Owosso, Mi. (SAI)
- 2007-08 North Terminal Commissioning Exterior Enclosure – Detroit Metro Airport (SAI)
- 2006 St Mary's Hospital Livonia Cancer Center Addition- Livonia, MI [Consultant to Architect of Record: Trinity Design (TD-HKS)]
- 2005 St Josephs Mercy Hospital CT/MRI Addition – Clinton Twp., MI (TD-HKS)
- 2003 St Josephs Mercy Macomb Hospital Patient Tower Addition, Clinton Twp., MI (TD-HKS while on loan from RAA*)
- 2003 Western Michigan University Engineering Building - Kalamazoo, MI (RAA*)
- 2001 Oakland Commons Office Complex - Southfield, MI (RAA*)
- 1998-96 Dearborn Heights Montessori Middle, Upper Elementary, Conf. Rm and Office Additions
- 1993 Central Michigan University School of Music - Mt. Pleasant, MI (HEPY*)
- 1990-91 University of Michigan Chemistry Building Renovation - Ann Arbor, MI (HEPY*)
- 1985-90 Cobo Conference and Exhibition Center Expansion - Detroit, MI (SVA*)

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313 608 2826 Cell Phone 313 836 2011 Fax

ljfaianoma@comcast.net E-mail

<http://www.audpcarchitect.com> Website

page 2



(100)

August 29, 2016

Honorable City Council

Subject: **Request to Amend the Official Compensation Schedule**

Recommendation is submitted to amend the 2016 – 2017 Official Compensation Schedule to include the pay range for the following Police Department classification:

Class Code	Title	Current Salary	Salary Range	Step Code
41-20-21	Social Worker	\$36,000 – \$40,200	\$39,500 - \$43,500	A

The above recommendation was occasioned by a request from JoAnn Cooper-Reid, Head Social Worker.

The salary adjustment will align the classification closer to the market, which is essential for recruitment and retention purposes.

Respectfully submitted,

Denise Starr

Denise Starr
Human Resources Director

DS/sm

Attachments

cc: Budget Department



BY COUNCIL MEMBER _____

RESOLVED, That the 2016 - 2017 Official Compensation Schedule is hereby amended to reflect the following pay ranges, effective upon Council's approval.

Class Code	Title	Current Salary	Salary Range	Step Code
41-20-21	Social Worker	\$36,000 – \$40,200	\$39,500 - \$43,500	A

RESOLVED, That the Finance Director is hereby authorized to honor payrolls and vouchers in accordance with this resolution, the above communication and standard City of Detroit practices.



August 26, 2016

Honorable City Council

Subject: **Request to Amend the Official Compensation Schedule**

Recommendation is submitted to amend the 2016 – 2017 Official Compensation Schedule to include the pay ranges for the following Health Department classifications:

Class Code	Classification	Salary Range	Step Code
33-90-10	Live Release Coordinator	\$35,000 - \$38,000	D
33-90-11	Animal Care Technician	\$10.00/hr. – \$12.00/hr.	D
33-90-12	Animal Care Dispatcher	\$10.00/hr. – \$12.00/hr.	D

The above recommendation was at the request of Leseliey Welch, Public Health Deputy Director.

The above request and recommendation is based on the ability to attract and retain essential personnel and improve the operations of the Animal Control Division of the Health Department.

Respectfully submitted,

Denise Starr

Denise Starr
Human Resources Director

DS/bvt

Attachments

cc: Budget Department
Mayor's Office

BY COUNCIL MEMBER _____

RESOLVED, That the 2016 - 2017 Official Compensation Schedule is hereby amended to reflect the following pay ranges, effective upon Council's approval.

Class Code	Classification	Salary Range	Step Code
33-90-10	Live Release Coordinator	\$35,000 - \$38,000	D
33-90-11	Animal Care Technician	\$10.00/hr. - \$12.00/hr.	D
33-90-12	Animal Care Dispatcher	\$10.00/hr. - \$12.00/hr.	D

RESOLVED, That the Finance Director is hereby authorized to honor payrolls and vouchers in accordance with this resolution, the above communication and standard City of Detroit practices.

City of Detroit
Classification/Compensation Division
Classification/Compensation Notification Form

Requesting Department: <u>Health</u>	Division: <u>Administration</u>
Requester Name: <u>Leseliey Welch, Public Health Deputy Director</u>	
Date of Receipt: <u>7/12/2016</u>	
Work Order Number <u>#2016-140, 2016-142, 2016-143</u>	P.L.#: <u>13, 15, 16</u>

Action Taken

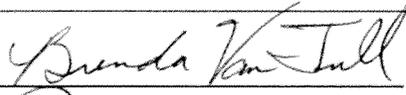
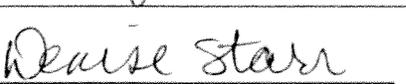
<input type="checkbox"/> Specification Maintained <input type="checkbox"/> Specification Updated <input type="checkbox"/> New Specification <input checked="" type="checkbox"/> Other: <u>New Classifications</u>	<input type="checkbox"/> Position Maintained <input type="checkbox"/> Position Reallocated <input type="checkbox"/> Positions Allocated <input type="checkbox"/> Position Deletion
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Explanation: This is to advise you that the Human Resources Department concurred in the following recommendations, based on investigation and report by the Classification/Compensation Division of this Department:

1. That the titles and codes of the following classified job titles be adopted:
 - Live Release Coordinator (33-90-10)
 - Animal Care Technician (33-90-11)
 - Animal Care Dispatcher (33-90-12)
2. That the 2016 - 2017 Official Compensation Schedule be amended to include the following pay ranges:

Class Code	Classification	Salary Range	Step Code
33-90-10	Live Release Coordinator	\$35,000 - \$38,000	D
33-90-11	Animal Care Technician	\$10.00/hr. - \$12.00/hr.	D
33-90-12	Animal Care Dispatcher	\$10.00/hr. - \$12.00/hr.	D

Subject to City Council approval.

Classification/Compensation Analyst:	<u>Brenda VanTull</u> 	Date: <u>8/26/16</u>
Chief Classification/Compensation Officer :	<u>Zena Johnson</u> 	Date: <u>8/26/16</u>
Human Resources Director:	<u>Denise Starr</u> 	Date: <u>8/28/16</u>

CC: Tamara Tarrance, Recruiter
 Abdul El-Sayed, Executive Director & Health Officer
 Melissa Miller, Director – Animal Care & Control
 Labor Relations
 Payroll Audit
 Budget
 Oracle Updates



August 10, 2016

Honorable City Council

Subject: **Request to Amend the Official Compensation Schedule**

Recommendation is submitted to amend the 2016 – 2017 Official Compensation Schedule to include the pay range for the following General Services Department classification:

Class Code	Title	Current Salary	Recommended Salary	Step Code
16-43-43	Chief of Landscape Architecture	\$56,700 – \$67,000	\$78,430 - \$102,865	D

The above recommendation was occasioned by a request from Brad Dick, General Services Department Director.

The salary adjustment will align the classification closer to the market, which is essential for recruitment and retention purposes.

Respectfully submitted,

Denise Starr

Denise Starr
Human Resources Director

DS/sm

Attachments

cc: Budget Department



BY COUNCIL MEMBER _____

RESOLVED, That the 2016 - 2017 Official Compensation Schedule is hereby amended to reflect the following pay range, effective upon Council's approval.

Class Code	Title	Current Salary	Recommended Salary	Step Code
16-43-43	Chief of Landscape Architecture	\$56,700 – \$67,000	\$78,430 - \$102,865	D

RESOLVED, That the Finance Director is hereby authorized to honor payrolls and vouchers in accordance with this resolution, the above communication and standard City of Detroit practices.

City of Detroit
Classification/Compensation Division
Classification/Compensation Notification Form

Requesting Department: General Services Division: Facilities Management

Requester Name: Brad Dick, General Services Department Director

Date of Receipt 6/1/2016

Work Order Number #2016-104 P.L.#: 72

Action Taken

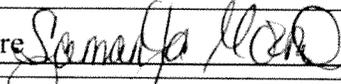
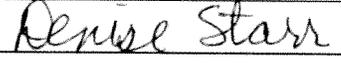
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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Specification Maintained
<input type="checkbox"/> Specification Updated
<input type="checkbox"/> New Specification
<input checked="" type="checkbox"/> Other: <u>Salary Adjustment</u> | <input type="checkbox"/> Position Maintained
<input type="checkbox"/> Positions Reallocated
<input type="checkbox"/> Position Allocated
<input type="checkbox"/> Position Deletion |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Explanation: This is to advise you that the Human Resources Department concurred in the following recommendations, based on investigation and report by the Classification/Compensation Division of this Department:

That the 2016 - 2017 Official Compensation Schedule be amended to reflect the follow pay range:

Class Code	Classification	Current Salary		Recommended Salary		Step Code
		Minimum	Maximum	Minimum	Maximum	
16-43-43	Chief of Landscape Architecture	\$56,700	\$67,000	\$78,430	\$102,865	D

Subject to City Council Approval.

Classification & Compensation Analyst:	Samantha Moore 	Date: <u>8-26-16</u>
Chief Classification & Compensation Officer:	Zená Johnson 	Date: <u>8/26/16</u>
Human Resources Director:	Denise Starr 	Date: <u>8/28/16</u>

- CC: Renee Laster, Employee Services Consultant
 Stacey Olivache, Recruiter
 Labor Relations
 Payroll Audit
 Budget
 Oracle Updates



August 26, 2016

Honorable City Council

Subject: **Request to Amend the Official Compensation Schedule**

Recommendation is submitted to amend the 2016 – 2017 Official Compensation Schedule to include the pay ranges for the following Health Department classifications:

Class Code	Title	Current Salary Range	Proposed Salary Range
26-30-47	Veterinarian – Animal Control	\$48,200 - \$67,300	\$76,000 - \$80,000
33-90-27	Animal Control Investigator	\$29,100 - \$33,800	\$31,200 - \$35,360
33-90-31	Supervising Animal Control Officer	\$35,400 - \$35,400	\$37,000 - \$41,000
33-90-21	Animal Control Officer	\$12.57/hr. - \$15.50/hr.	\$15.00/hr. - \$17.00/hr.
33-90-61	Administrative Supervisor – Animal Control	\$47,300 - \$50,200	\$51,000 - \$55,000

The above recommendation was at the request of Leseliey Welch, Public Health Deputy Director.

The above request and recommendation is based on the ability to attract and retain essential personnel in the Animal Control Division of the Health Department.

Respectfully submitted,

Denise Starr
Human Resources Director

DS/bvt

CITY OF DETROIT 2016 AUG 29 PM 1:00

Attachments

cc: Budget Department
Mayor's Office

BY COUNCIL MEMBER _____

RESOLVED, That the 2016 - 2017 Official Compensation Schedule is hereby amended to reflect the following pay ranges, effective upon Council's approval.

Class Code	Title	Current Salary Range	Proposed Salary Range
26-30-47	Veterinarian – Animal Control	\$48,200 - \$67,300	\$76,000 - \$80,000
33-90-27	Animal Control Investigator	\$29,100 - \$33,800	\$31,200 - \$35,360
33-90-31	Supervising Animal Control Officer	\$35,400 - \$35,400	\$37,000 - \$41,000
33-90-21	Animal Control Officer	\$12.57/hr. - \$15.50/hr.	\$15.00/hr. - \$17.00/hr.
33-90-61	Administrative Supervisor – Animal Control	\$47,300 - \$50,200	\$51,000 - \$55,000

RESOLVED, That the Finance Director is hereby authorized to honor payrolls and vouchers in accordance with this resolution, the above communication and standard City of Detroit practices.

City of Detroit
Classification/Compensation Division
Classification/Compensation Notification Form

Requesting Department: Health Division: Administration

Requester Name: Leseliey Welch, Public Health Deputy Director

Date of Receipt 7/12/2016

Work Order Number #2016-134, 2016-136, 2016-137, 2016-139, 2016-141 P.L.#: 7, 9, 10, 12, 14

Action Taken

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Specification Maintained
<input type="checkbox"/> Specification Updated
<input type="checkbox"/> New Specification
<input checked="" type="checkbox"/> Other: <u>Salary Adjustments</u> | <input type="checkbox"/> Position Maintained
<input type="checkbox"/> Positions Reallocated
<input type="checkbox"/> Position Allocated
<input type="checkbox"/> Position Deletion |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Explanation: This is to advise you that the Human Resources Department concurred in the following recommendations, based on investigation and report by the Classification/Compensation Division of this Department:

That the 2016-2017 Official Compensation Schedule be amended to include the following pay ranges:

Class Code	Title	Current Salary Range	Proposed Salary Range
26-30-47	Veterinarian – Animal Control	\$48,200 - \$67,300	\$76,000 - \$80,000
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33-90-61	Administrative Supervisor – Animal Control	\$47,300 - \$50,200	\$51,000 - \$55,000

Subject to Contract Negotiations/City Council Approval.

Classification/Compensation Analyst: <u>Brenda VanTull</u>	Date: <u>8/26/16</u>
Chief Classification/Compensation Officer: <u>Zená Johnson</u>	Date: <u>8/26/16</u>
Human Resources Director: <u>Denise Starr</u>	Date: <u>8/28/16</u>

- CC: Tamara Tarrance, Recruiter
 Abdul El-Sayed, Executive Director & Health Officer
 Melissa Miller, Director – Animal Care & Control
 Labor Relations
 Teamsters
 Payroll Audit
 Budget
 Oracle Updates

David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Senior City Planner

LaKisha Barclift, Esq.
M. Rory Bolger, PhD, AICP
Timothy Boscarino, AICP
Kemba Braynon
Elizabeth Cabot, Esq.
Janese Chapman
Tasha Cowan

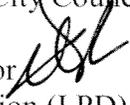
City of Detroit

CITY COUNCIL

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

Richard Drumb
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Marcel Hurt
Kimani Jeffrey
Anne Marie Langan
Analine Powers, PhD
Sabrina Shockley
Thomas Stephens, Esq.
David Teeter
Theresa Thomas
Kathryn Lynch Underwood

TO: The Honorable Detroit City Council

FROM: David Whitaker, Director 
Legislative Policy Division (LPD) Staff

DATE: July 27, 2016

RE: **Non-Enforcement of PA 269 Political Official "Gag Order"**

During Council's deliberations regarding the competing Community Benefits Agreement Ordinances offered by citizen petition initiative and City Council, respectively, for the November 8, 2016 ballot, Council Members requested that LPD provide a report regarding the status of recent Michigan legislation formally designated PA 269. Section 57(3) of that statute has more commonly been referred to as a "gag order" on elected officials, seeking to inform the public regarding such ballot initiatives in the two (2) month period preceding an election.

As previously stated verbally by LPD, that statute has effectively been rendered unenforceable via judicial intervention. Under current law, elected officials in Michigan are free to comment on such issues – as long as they do not directly and improperly use public taxpayer-funds to advocate a particular result.

For example, Council Members may:

- 1) On their own time, express their opinions regarding the pending proposals, including their personal support or opposition as the case may be; and
- 2) In the context of City government using media, office and staff resources funded by taxpayers, participate in factual, balanced, public educational forums, informational materials and discussions that maintain clear neutrality on the questions being presented to voters.

At issue earlier this year was Section 57(3) of the statute, signed by the Governor on January 6, 2016 (excerpt attached). That section states:

“Except for an election official in the performance of his or her duties under the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, a public body, or a person acting for a public body, shall not, during the period 60 days before an election in which a local ballot question appears on a ballot, use public funds or resources for a communication by means of radio, television, mass mailing, or prerecorded telephone message if that communication references a local ballot question and is targeted to the relevant electorate where the local ballot question appears on the ballot.”

On February 5, 2016, a month after passage of PA 269, the United States District Court in Detroit, Hon. John Corbett O’Meara, in litigation brought by the Michigan Municipal League and a consortium of local government officials against the Secretary of State as the official designated with responsibility for enforcing the gag order, temporarily enjoined enforcement of the above provision. Judge O’Meara’s attached opinion states:

“...§ 57(3)’s broad language appears inconsistent with the stated purpose of prohibiting “electioneering” conduct with taxpayer funds. One could arguably find a communication that “references” a ballot question to be any communication that merely “mentions” a ballot question. This result appears absurd; it is difficult to imagine that regulators would attempt to sanction or prosecute a public official for merely mentioning a ballot question in a city newsletter, explaining the difference between a millage renewal and millage increase, or explaining what “nonhomestead” means, for example. The vague language of §57(3) arguably prohibits these communications, however, leaving it up to regulators to determine what violates the act. Allowing regulators this type of unrestricted judgment call provides no check against arbitrary or discriminatory enforcement...” (citations omitted)

After issuance of that injunction, the parties engaged in fruitful negotiations, and on April 28, 2016, they formally stipulated and agreed that the Secretary of State will not enforce Section 57(3). The resulting Consent Judgment (attached) states:

“A final judgment and permanent injunction is hereby entered against Defendant Ruth Johnson, in her official capacity as Secretary of State. ... Defendant Secretary of State is permanently enjoined from enforcing Mich. Comp. Laws 169.257 (3)...”

A more detailed chronology, in the form of The MML public advisory and media reporting, is also attached for Council’s information.

It is important to realize that, notwithstanding the judicial invalidation of the Section 57(3) “gag order”, there are still pre-existing legal limitations on the direct use of public, taxpayer funds for the specific purpose of election advocacy that must be respected. Previous LPD/RAD reports relevant to this limitation are attached for Council’s review. The exact location of the line between what is permissible and what may not be is sometimes hard to determine, and often fact-specific. The MML public information document summarizes the distinction between what is permissible and impermissible as follows:

“Guidelines: Municipal officials should consult their municipal attorneys and other specialized legal counsel in regard to expenditure of funds, use of resources, and conveying information regarding upcoming ballot proposals. Please review and share with your municipal attorney the Michigan Secretary of State interpretations of the existing law, accessible via the links below. They are considered to be the best guidance available. The particular circumstances in your community are most important, however, **generally, public officials may convey objectively neutral, factual information about local ballot proposals**, as permitted by the Campaign Finance Act existing prior to the adoption of PA 269. **It is generally permissible to express your views in your policy-making capacity, or for your governing body to adopt a resolution on a ballot proposal related to your municipality, but the use of funds to distribute the resolution shouldn’t differ from the way you’d use funds to distribute any other resolution.**

You may not use public funds and resources to engage in express advocacy, or its functional equivalent, such as to expressly advocate a vote for (“vote yes”) or against (“vote no”) on a ballot proposal. Please note that avoiding “action words” alone is not sufficient. It is possible to skew or slant a communication to be impermissible even without saying “vote yes” for instance. This is especially important to keep in mind in what will be a period of time when there will be exacting scrutiny by proponents of PA 269 of local ballot proposals. ...

One interpretation, from a law review article ... is as follows: **“As a basic rule of thumb, an employee or official speaking out on his or her own time is fine, but when public resources or staff time are being used, the action should be limited to producing and disseminating factual information.** It is acceptable to produce and distribute factual information on a millage (what the total revenue raised will be, the tax impact on a homeowner, how and where the money will be spent, etc.) and to describe the effects a proposed ordinance, law or state constitution change might have.” The article goes on to state **“When a public body chooses to speak on a ballot issue, it must constrain itself to factual information. This means, of course, avoiding ‘action words’ like requesting that the electorate ‘vote for’ or ‘support’ a particular measure.”** [Note the paragraph above which begins “You may not...”.] **“Where the public body is not doing the speaking, but is simply allowing its facilities to be used in a way that does not show [favoritism], it does not violate the Michigan Campaign Finance Act. Local meeting hall use for debates or cable access station candidate interviews do not constitute violations.”** (emphasis added)

The article concludes with this advice: “Public bodies must stay out of ballot fights while still sufficiently informing the electorate..... When the issue is local and has been the subject of little or no media coverage or political debate, then the public body’s desire (or even its duty) to speak out and explain the issue should be greatest.” In the context of the competing Community Benefits Agreement ordinance proposals presumably to be placed on the November 8, 2016 ballot, Council Members may individually and on their own time express opinions for or against either or both of them; **if any City officials in either the legislative or executive branches plan to use funds, staff, technology or other public resources to communicate with the public regarding either or both of these proposals, the distinction between advocacy and neutral, factual communications is still applicable and must be observed.**

If Council has any other questions or concerns regarding this subject, LPD will be happy to provide further research and analysis upon request.

Act No. 269
Public Acts of 2015
Approved by the Governor
January 6, 2016
Filed with the Secretary of State
January 6, 2016
EFFECTIVE DATE: January 6, 2016

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2015**

Introduced by Senator Kowall

ENROLLED SENATE BILL No. 571

AN ACT to amend 1976 PA 388, entitled "An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending sections 4, 6, 9, 10, 15, 21, 24, 33, 35, 47, 52, 54, 55, and 57 (MCL 169.204, 169.206, 169.209, 169.210, 169.215, 169.221, 169.224, 169.233, 169.235, 169.247, 169.252, 169.254, 169.255, and 169.257), sections 4, 6, 33, 47, 52, and 55 as amended by 2013 PA 252, section 9 as amended by 2012 PA 275, section 15 as amended by 2012 PA 277, section 21 as amended by 1989 PA 95, section 24 as amended by 1999 PA 237, section 35 as amended by 2012 PA 273, section 54 as amended by 1995 PA 264, and section 57 as amended by 2012 PA 31.

The People of the State of Michigan enact:

Sec. 4. (1) "Contribution" means a payment, gift, subscription, assessment, expenditure, contract, payment for services, dues, advance, forbearance, loan, or donation of money or anything of ascertainable monetary value, or a transfer of anything of ascertainable monetary value to a person, made for the purpose of influencing the nomination or election of a candidate, for the qualification, passage, or defeat of a ballot question, or for the qualification of a new political party.

(2) Contribution includes the full purchase price of tickets or payment of an attendance fee for events such as dinners, luncheons, rallies, testimonials, and other fund-raising events; an individual's own money or property other than the individual's homestead used on behalf of that individual's candidacy; the granting of discounts or rebates not available to the general public; or the granting of discounts or rebates by broadcast media and newspapers not extended on an equal basis to all candidates for the same office; and the endorsing or guaranteeing of a loan for the amount the endorser or guarantor is liable. Except for the purposes of section 57, contribution does not include a contribution to a federal candidate or a federal committee.

(b) "Record" and "electronic record" mean those terms as defined in section 2 of the uniform electronic transactions act, 2000 PA 305, MCL 450.832.

(c) "Written instrument" means a money order, or a check, cashier's check, or other negotiable instrument, as those terms are defined in section 3104 of the uniform commercial code, 1962 PA 174, MCL 440.3104, in the name of the connected organization and payable to the separate segregated fund.

Sec. 57. (1) A public body or a person acting for a public body shall not use or authorize the use of funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure or provide volunteer personal services that are excluded from the definition of contribution under section 4(3)(a). The prohibition under this subsection includes, but is not limited to, using or authorizing the use of public resources to establish or administer a payroll deduction plan to directly or indirectly collect or deliver a contribution to, or make an expenditure for, a committee. Advance payment or reimbursement to a public body does not cure a use of public resources otherwise prohibited by this subsection. This subsection does not apply to any of the following:

(a) The expression of views by an elected or appointed public official who has policy making responsibilities.

(b) Subject to subsection (3), the production or dissemination of factual information concerning issues relevant to the function of the public body.

(c) The production or dissemination of debates, interviews, commentary, or information by a broadcasting station, newspaper, magazine, or other periodical or publication in the regular course of broadcasting or publication.

(d) The use of a public facility owned or leased by, or on behalf of, a public body if any candidate or committee has an equal opportunity to use the public facility.

(e) The use of a public facility owned or leased by, or on behalf of, a public body if that facility is primarily used as a family dwelling and is not used to conduct a fund-raising event.

(f) An elected or appointed public official or an employee of a public body who, when not acting for a public body but is on his or her own personal time, is expressing his or her own personal views, is expending his or her own personal funds, or is providing his or her own personal volunteer services.

(2) If the secretary of state has dismissed a complaint filed under section 15(5) alleging that a public body or person acting for a public body used or authorized the use of public resources to establish or administer a payroll deduction plan to collect or deliver a contribution to, or make an expenditure for, a committee in violation of this section, or if the secretary of state enters into a conciliation agreement under section 15(10) that does not prevent a public body or a person acting for a public body to use or authorize the use of public resources to establish or administer a payroll deduction plan to collect or deliver a contribution to, or make an expenditure for, a committee in violation of this section, the following apply:

(a) The complainant or any other person who resides, or has a place of business, in the jurisdiction where the use or authorization of the use of public resources occurred may bring a civil action against the public body or person acting for the public body to seek declaratory, injunctive, mandamus, or other equitable relief and to recover losses that a public body suffers from the violation of this section.

(b) If the complainant or any other person who resides, or has a place of business, in the jurisdiction where the use or authorization of the use of public resources occurred prevails in an action initiated under this subsection, a court shall award the complainant or any other person necessary expenses, costs, and reasonable attorney fees.

(c) Any amount awarded or equitable relief granted by a court under this subsection may be awarded or granted against the public body or an individual acting for the public body, or both, that violates this section, as determined by the court.

(d) A complainant or any other person who resides, or has a place of business, in the jurisdiction where the use or authorization of the use of public resources occurred may bring a civil action under this subsection in any county in which venue is proper. Process issued by a court in which an action is filed under this subsection may be served anywhere in this state.

(3) Except for an election official in the performance of his or her duties under the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, a public body, or a person acting for a public body, shall not, during the period 60 days before an election in which a local ballot question appears on a ballot, use public funds or resources for a communication by means of radio, television, mass mailing, or prerecorded telephone message if that communication references a local ballot question and is targeted to the relevant electorate where the local ballot question appears on the ballot.

(4) A person who knowingly violates this section is guilty of a misdemeanor punishable, if the person is an individual, by a fine of not more than \$1,000.00 or imprisonment for not more than 1 year, or both, or if the person is not an individual, by 1 of the following, whichever is greater:

(a) A fine of not more than \$20,000.00.

(b) A fine equal to the amount of the improper contribution or expenditure.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT TAYLOR, Mayor,
City of Roseville, *et al.*,

Plaintiffs,

v.

Case No. 16-10256

Hon. John Corbett O'Meara

RUTH JOHNSON, in her official capacity
as Secretary of State of the State of
Michigan; and the STATE OF MICHIGAN,

Defendants.

**OPINION AND ORDER GRANTING PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION**

Before the court is Plaintiffs' motion for preliminary injunction. The court heard oral argument on February 4, 2016, and took the matter under advisement. For the reasons explained below, Plaintiffs' motion is granted.

BACKGROUND FACTS

Plaintiffs are public officials (mayors, county commissioners, superintendents of schools) and an individual, Stephen Purchase. They are challenging the constitutionality of a newly enacted amendment to Michigan's campaign finance law. For years, the Michigan Campaign Finance Act has prohibited the use of public funds and resources to engage in express advocacy.

taxpayer resources to distribute mass communications concerning ballot questions. As I interpret this language, it is intended to prohibit communications that are plain attempts to influence voters without using words like ‘vote for’ or ‘support.’” Id.

The governor suggested that the Legislature enact new legislation to address the concerns of the public and “clarify that the new language does not impact the expression of personal views by a public official, the use of resources or facilities in the ordinary course of business, and that it is intended only to prohibit the use of targeted, advertisement style mass communications that are reasonably interpreted as an attempt to influence the electorate using taxpayer dollars.” Id.

Plaintiffs contend that they have historically used public resources to disseminate (via mass mailings, etc.) objectively neutral, factual information about local ballot questions during the 60-day period leading up to an election. Plaintiffs allege that they intended to communicate with their constituents regarding local ballot proposals on the March 8 and May 3, 2016 ballots. For example, Plaintiff Douglas Alexander, City Manager for the City of Algonac, was planning to communicate factual, neutral information regarding a ballot proposal in the city’s quarterly newsletter. On March 8, 2016, Algonac residents are being asked to vote on a ballot proposal to enter into a twenty-year lease with the U.S. Coast Guard for 200 feet of Riverfront Park dockage in exchange for the Coast Guard repairing the

merits; (2) whether the movant would suffer irreparable injury absent the injunction; (3) whether the injunction would cause substantial harm to others; and (4) whether the public interest would be served by the issuance of an injunction.” American Civil Liberties Union Fund of Michigan v. Livingston Cty., 796 F.3d 636, 642 (6th Cir. 2015). The Sixth Circuit has noted that in cases alleging constitutional violations, “the crucial inquiry is usually whether the plaintiff has demonstrated a likelihood of success on the merits. This is because the public’s interest and any potential harm to the parties or others largely depend on the constitutionality of the state action.” Id. (citations omitted). See also Overstreet v. Lexington-Fayette Urban Cty. Gov’t, 305 F.3d 566, 578 (6th Cir. 2002) (“[A] plaintiff can demonstrate that a denial of an injunction will cause irreparable harm if the claim is based upon a violation of the plaintiff’s constitutional rights.”).

II. Standing

As a threshold matter, Defendants contend that Plaintiffs lack standing to challenge §57(3) because they have not established injury-in-fact. To the contrary, the public official Plaintiffs have articulated in their complaint the types of communications that they intended to produce and that they have refrained from disseminating these communications because they fear that they will run afoul of §57(3). Plaintiffs satisfy the injury-in-fact requirement because they allege “an

(1972).

Because the consequences for violating § 57(3) include criminal sanctions, a “relatively strict” level of scrutiny is appropriate. Belle Maer Harbor v. Charter Twp. of Harrison, 170 F.3d 553, 557 (6th Cir. 1999) “An enactment imposing criminal sanctions or reaching a substantial amount of constitutionally protected conduct may withstand facial constitutional scrutiny only if it incorporates a high level of definiteness.” Id.

The Sixth Circuit has explained that to “withstand a facial challenge, an enactment must define the proscribed behavior with sufficient particularity to provide a person of ordinary intelligence with reasonable notice of prohibited conduct and to encourage non-arbitrary enforcement of the provision.” Id.

Plaintiffs argue that §57(3) is vague because public employees are uncertain about what conduct is and is not permitted. The statute prohibits a “person acting for a public body” from using “public funds or resources for a communication by means of radio, television, mass mailing, or prerecorded telephone message if that communication *references* a local ballot question.” Id. (emphasis added). In his signing letter, Governor Snyder stated that “[a]s I interpret this language, it is intended to prohibit communications that are *plain attempts to influence voters* without using words like ‘vote for’ or ‘support.’” Pls.’ Ex. 11 (emphasis added).

rights, also favors an injunction.

ORDER

Accordingly, IT IS HEREBY ORDERED that Plaintiffs' motion for preliminary injunction is GRANTED and that Defendants are hereby ENJOINED from enforcing § 57(3) of the Michigan Campaign Finance Act, M.C.L. 169.257(3), until further order of the court.

s/John Corbett O'Meara
United States District Judge

Date: February 5, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, February 5, 2016, using the ECF system.

s/William Barkholz
Case Manager

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT TAYLOR, Mayor, City of Roseville;
DOUGLAS R. ALEXANDER, City Manager,
City of Algonac; MATTHEW BIERLEIN,
County Commissioner, Tuscola County;
DONALD LYONS, Mayor, City of Dowagiac;
TODD R. ROBINSON, Superintendent, New
Haven Community Schools; RUSSELL
PICKELL, Superintendent, Riverview
Community Schools; KELLY COFFIN,
Superintendent, Tecumseh Public Schools;
KIMBERLY AMSTUTZ-WILD, School Board
President, Tecumseh Public Schools; KEITH
WUNDERLICH, Superintendent, Waterford
School District; ROBERT SEETERLIN, School
Board President, Waterford School District;
MICHELLE IMBRUNONE, Superintendent,
Goodrich Area Schools; DAVID P. PRAY,
Superintendent, Clinton Community Schools;
PATRICIA MURPHY-ALDERMAN,
Superintendent, Bryon Area Schools; AMY
LAWRENCE, School Board President, Byron
Area Schools; ROBERT D. LIVERNOIS,
Superintendent, Warren Consolidated School
District; YVONNE CAAMAL CANUL,
Superintendent, Lansing School District; in their
individual and official capacities; and STEPHEN
PURCHASE, in his individual capacity,

Plaintiffs,

v

RUTH JOHNSON, in her official capacity as
Secretary of the State of Michigan; and the
STATE OF MICHIGAN,

Defendants.

Case no. 16-10256

HON. JOHN CORBETT
O'MEARA

MAG. R. STEVEN
WHALEN

CONSENT JUDGMENT