



Detroit Water and Sewerage Department Meeting Agenda - Final-Revised Board of Water Commissioners

735 Randolph
Detroit, Michigan 48226
(313) 224-4704 Office
dwsd.legistar.com

Wednesday, February 19, 2020

2:00 PM

5th Floor Board Room, Water Board Building

BOWC Meeting

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. APPROVAL OF MINUTES

January 15, 2020

5. PUBLIC COMMENTS (3 minutes per speaker)

Anyone from the public who wishes to address any item on the Agenda or make a comment. (3 Minute Limitation)

6. COMMUNICATIONS

A. [20-0054](#) Receipt of Correspondence

Sponsors: Pospiech

Attachments: [FOIA REQUESTS - JANUARY 2020](#)

B. [20-0055](#) Receipt of Correspondence

Sponsors: Phillips

Attachments: [Eric & Verladia Blount 01.17.2020.#1](#)

[Eric Blount 1.15.2020.#2](#)

[Jerina Cleveland 1.15.2020](#)

[Eugene Cochran 02.10.2020](#)

[Rachel Hesse 2-11-2020](#)

[Maggie Hinton 1.15.2020](#)

[Karen Miller 2-11-2020](#)

[Gwendolyn Taylor 1.15.2020](#)

[Mayda Taylor 1.15.2020](#)

[Bernadette Williams 1.15.2020](#)

7. ITEMS FROM THE COMMISSIONERS*Follow-up Items**Joshua Ronnebaum of 19410 Lucerne-Pending**Ali G. Chegito of 10500 Lanark Street-Pending**Kwaku Atara of 5830 Conner-Pending**Sonja Davis of 14200 Faust-Pending**Michele Emerson of 14189 Faust-Pending**Cheryl Minnifield of 14000 Faust-Pending**Gary Little of 11302 Mckinney-Pending***8. UNFINISHED BUSINESS***There was none.***9. NEW BUSINESS****A. APPROVAL OF CONSENT AGENDA (Items A1-VII)**

- I. [20-0026](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Amendment No. 2 to a contract with T & N Services for repair clamps; the amendment adds \$240,000 in funding for a total amended contract not-to-exceed amount of \$817,247, and extends the term for an additional 6 months** and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

Legislative History

2/5/20 Finance Committee recommended for approval

- II. [20-0028](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **approve DWSD Amendment No. 1 to a contract with Motor City Pipe & Supply Company for critical gate box parts; the amendment adds \$64,000 in funding for a total amended contract not-to-exceed amount of \$233,048.05, and extends the term for an additional 6 months.** The BOWC also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

Legislative History

2/5/20 Finance Committee recommended for approval

- III. [20-0030](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Amendment No. 1 to Contract No. 6002159, with Groundwork0, LLC for the Parallel Network Project, to add \$250,000 in funding and a total amended contract not-to-exceed amount of \$500,000 and extend the contract term by 1 year.** The BOWC also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

Legislative History

2/5/20 Finance Committee recommended for approval

- IV. [20-0032](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director **to utilize a MiDeal cooperative contract with Verizon Wireless for Automatic Vehicle Location hardware devices, software and monthly services for Fleet vehicles, for a total contract amount not-to-exceed \$256,110 and a term of 3.75 years.** The BOWC also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

Legislative History

2/5/20 Finance Committee recommended for approval

- V. [20-0038](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department **recommends adoption of the “Resolution Relating To Issuance By The Great Lakes Water Authority Of Water Supply System Revenue Bonds For The Benefit Of The Detroit Local Water Supply System,”** and also authorizes the Chief Financial Officer and the Director to take such other action as may be necessary to accomplish the intent of this vote. The resolution also contains language necessary to permit DWSD to use bond proceeds to reimburse itself for capital expenses incurred up to 60 days prior to the adoption of the resolution.

Sponsors: Naughton

Attachments: [FINAL Resolution- FY2021/2022 Water Bonds\(35183914_2\)](#)

Legislative History

2/5/20 Finance Committee recommended for approval

- VI. [20-0039](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to enter into **Lease Agreement LA-20-12520, “Lease of Property” with Pewabic Society, Inc. for a duration of five (5) years, beginning February 1, 2020** and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Financial Services

Attachments: [Pewabic Lease Amendment \(01-29-2020\)](#)

[Pewabic Society Presentation](#)

Legislative History

2/5/20 Finance Committee recommended for approval
Heather Simmit, Finance Director of Pewabic Pottery was present to address any questions or concerns.

- VII. [20-0045](#) The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **authorizes the Director to enter into a Class Action Settlement Agreement between DWSD and a Class of Plaintiffs to be certified consisting of persons or entities who or which have paid or incurred the PFL Charges during the permitted time periods preceding the filing of the class action and/or at any time during the pendency of the above-captioned matter through June 30, 2020;** and authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Pospiech

Legislative History

2/5/20 Finance Committee recommended for approval

- B. [20-0052](#) The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **authorizes the Director to approve the “Performance Resolution for Governmental Agencies” form to facilitate the acquisition of DWSD’s 2020 MDOT Annual Permit,** and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Mobley

Attachments: [20-0052.Performance Resolution](#)

10. **DIRECTOR'S METRICS**

- A. [20-0057](#) **Director’s Metrics**

Sponsors: Office of the Director

Attachments: [Board Report - Metrics - 02192020](#)

11. **COMMENTS BY COMMISSIONERS**

12. **COMMENTS BY THE CHAIR**

13. OTHER MATTERS

14. CLOSED SESSION

- A. [20-0053](#) Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the Board of Water Commissioners votes to **approve a meeting with General Counsel in closed session pursuant to Sections 8(e) and (h) of the Michigan Open Meetings Act to discuss settlement strategy in pending litigation and a confidential attorney communication.**

Sponsors: Pospiech

- B. [20-0059](#) Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the Board of Water Commissioners votes to **approve a meeting with General Counsel in closed session pursuant to Section 8(h) of the Michigan Open Meetings Act to discuss memoranda subject to attorney-client privilege.**

Sponsors: Pospiech

- C. [20-0060](#) Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the Board of Water Commissioners for the City of Detroit Water and Sewerage Department (DWSD), by an affirmative roll call vote of 2/3 of the Board Members appointed and serving, hereby resolves to: **meet with legal counsel in closed session pursuant to Section 8(e) of the Michigan Open Meetings Act and Section 13(1)(g) of the Freedom of Information Act to consider material exempt from discussion or disclosure by state or federal statute, specifically a consultation with General Counsel regarding pending litigation.**

Sponsors: Pospiech

- D. [20-0061](#) Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the Board of Water Commissioners votes to **approve a meeting with General Counsel in closed session pursuant to Sections 8(e) and (h) of the Michigan Open Meetings Act to discuss settlement strategy in pending litigation and a confidential attorney communication.**

Sponsors: Pospiech

15. OPEN SESSION

- A. [20-0058](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes **an increase to the Water Residential Assistance Program (WRAP) funding and the expansion of program eligibility criteria**, and authorizes the Director and Chief Financial Officer to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Pospiech

- B. [20-0062](#) Resolution Requesting Aid from Michigan Municipal Legal Defense Fund.
Sponsors: Pospiech
- C. [20-0063](#) The Detroit Board of Water Commissioners (Board) **authorizes the Director to enter into a Settlement Agreement with Defendant DRSN Real Estate North, LLC in the matter of *Detroit Water and Sewerage Department v. DRSN Real Estate North, LLC* to settle all claims in the amount of \$200,000 for charges assessed against 18300 E. Warren Avenue;** and the Board authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.
Sponsors: Pospiech

16. **ADJOURNMENT**