



Detroit Water and Sewerage Department Meeting Minutes - Final Finance Committee

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

Wednesday, March 7, 2018

1:00 PM

5th Floor Board Room, Water Board Building

Finance Committee Meeting

1. CALL TO ORDER

Chair Forte called the meeting to order at 1:01 p.m.

2. ROLL CALL

Present: 4 - Linda Forte, Michael Einheuser, Lane Coleman and Pamela Rodgers

3. APPROVAL OF AGENDA

Chair Forte requested approval of the agenda as amended.

Emergency Purchase Order for four(4) new Caterpillar Model:430F2 Backhoe Loaders and DWSD Procurement Upcoming Requests were added to the agenda.

Commissioner Rodgers joined the meeting at 1:05 p.m.

A motion was made by Commissioner Michael Einheuser, seconded by Commissioner Lane Coleman that the agenda be approved as amended. The motion carried by a unanimous vote.

4. APPROVAL OF MINUTES

Chair Forte requested approval of the minutes of February 7, 2018.

A motion was made by Commissioner Lane Coleman, seconded by Commissioner Michael Einheuser that the minutes be approved. The motion carried by a unanimous vote.

5. PUBLIC PARTICIPATION

There were none.

6. COMMUNICATIONS

There were none.

7. UNFINISHED BUSINESS

There were none.

8. NEW BUSINESS**A. [18-0049](#) January 2018 Finance Committee Review**

Sponsors: Naughton

Attachments: [Finance Committee Presentation -Mar 2018 Rev2 2](#)

Treasury Update-Cash and Investments

Presenter: Nykole Whitsett

This Communication or Report was received and filed.

B. [17-0130](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department approval to **adopt the Finance Committee Charter** and also the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Pospiech

Attachments: [FC - Charter and Planning Calendar](#)

Tom Naughton, CFO anticipate BOWC's approval of Operating and Capital budget by April. Workforce review by April/May.

9. OTHER MATTERS

[18-0048](#) Emergency purchase of four new Caterpillar Model: 430F2 Backhoe Loaders

Sponsors: Burgi

Attachments: [18-0048Four\(4\) Caterpillars Backhoe Loaders](#)

A motion was made by Commissioner Lane Coleman, seconded by Commissioner Michael Einheuser that this Contract be received and filed. The motion carried by a unanimous vote.

[18-0056](#) Procurement Upcoming Requests

Sponsors: Burgi

Attachments: [BOWC Upcoming Procurement Requests](#)

This Communication or Report was received and filed.

10. NEXT MEETING

April 4, 2018

11. CLOSED SESSION

A. [18-0034](#)

The Board of Water Commissioners vote to: the Board of Water Commissioners for the City of Detroit Water and Sewerage Department, by an affirmative roll call vote of 2/3 of the Board Members appointed and serving, hereby resolves to: 1) **Meet with legal counsel in closed session pursuant to Sections 8(e) and (h) of the Michigan Open Meetings Act to discuss settlement strategy in *Jonathan Kenniburg v. City of Detroit and Darryl Shavers v. City of Detroit*, and 2) Authorize the Director to take such other action as may be necessary to accomplish the intent of this vote.**

Sponsors: Pospiech

A motion was made by Commissioner Lane Coleman, seconded by Commissioner Michael Einheuser to enter into this Request, Closed Session at 1:36 p.m. be approved. The motion carried by a unanimous vote.

B. [18-0042](#)

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department, by an affirmative roll call vote of 2/3 of the Board Members appointed and serving, hereby resolves to: 1) **Meet with legal counsel in closed session pursuant to Sections 8(e) and (h) of the Michigan Open Meetings Act to discuss settlement strategy in *James Abbott, et al v City of Detroit, et al*, and 2) Authorize the Director to take such other action as may be necessary to accomplish the intent of this vote.**

Sponsors: Pospiech

A motion was made by Commissioner Lane Coleman, seconded by Commissioner Michael Einheuser to enter into his Request, Closed Session at 1:36 p.m. be approved. The motion carried by a unanimous vote.

ROLL CALL VOTE:

A motion was made that this be approved. The motion carried unanimously.

Aye: 4 - Chairperson Forte, Commissioner Einheuser, Commissioner Coleman and Rodgers

The only matters discussed were pending litigation.

Returned from closed session at 1:48 p.m.

Excused: 1 - Rodgers

NEW BUSINESS (CON'T)**[18-0030](#)**

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **enter into a settlement agreement**

between DWSD and Jonathan Kenniburg regarding a personal injury claim filed by Mr. Kenniburg against DWSD. The Agreement is intended to settle all the claims alleged by the Plaintiff in Wayne County Circuit Court Case Number 15-001843-NO, entitled *Jonathan Kenniburg v. City of Detroit*; and also authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Pospiech

A motion was made by Commissioner Lane Coleman, seconded by Pamela Rodgers that this Case Settlement, Other be approved. The motion carried by a unanimous vote.

[18-0031](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to enter into a settlement agreement between DWSD and Darryl Shavers regarding a personal injury claim filed by Mr. Shavers against DWSD. The Agreement is intended to settle all the claims alleged by the Plaintiff in Wayne County Circuit Court Case Number 15-001843-NO, entitled *Darryl Shavers v. City of Detroit*; and also authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Pospiech

A motion was made by Commissioner Lane Coleman, seconded by Pamela Rodgers that this Case Settlement, Other be approved. The motion carried by a unanimous vote.

E. [18-0044](#)

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 in the matter of *James Abbott, et al vs. City of Detroit, et al* regarding Industrial Waste Control charges assessed between November 2014 and August 2017. This Agreement is intended to settle all of the claims of all members who join the Class in the above captioned matter; and also authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Pospiech

A motion was made by Commissioner Lane Coleman, seconded by Pamela Rodgers that this Case Settlement, Other be approved. The motion carried by a unanimous vote.

12. ADJOURNMENT

Chair Forte requested approval to adjourn.

A motion was made by Commissioner Lane Coleman, seconded by Pamela Rodgers that this meeting be adjourned. The motion carried by a unanimous vote.

There being no further business, the meeting adjourned at 1:52 p.m.