



Detroit Water and Sewerage Department Meeting Minutes - Final Board of Water Commissioners

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Detroit, Michigan 48226
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Wednesday, June 16, 2021

2:00 PM

To attend by phone call one of these numbers:
+1 301 715 8592, +1 312 626 6799, +1 267 831 0333
Use Meeting ID: 815 7263 5118
Use Passcode: 482262021

To attend online: <https://cityofdetroit.zoom.us/j/81572635118>
Use Passcode: 482262021

BOWC Regular and Annual Meeting

1. CALL TO ORDER

Chairman Einheuser called the meeting to order at 2:00 p.m.

2. ROLL CALL

Present: 6 - Commissioner Jane Garcia, Commissioner John Henry Davis,
Commissioner Jonathan Kinloch, Commissioner Lane Coleman,
Commissioner Linda Forte and Commissioner Michael Einheuser
Excused: 1 - Commissioner Mary Blackmon

3. APPROVAL OF AGENDA

Chairman Einheuser requested approval of the agenda.

**A motion was made by Commissioner John Henry Davis, seconded by
Commissioner Linda Forte that the agenda be approved. The motion carried
by a unanimous vote.**

4. ELECTION AND APPROVAL OF OFFICERS

- A. [21-0515](#)** The Board of Water Commissioners for the City of Detroit Water and Sewerage
Department **approves the following officer of Chair for the term of July 1,
2021 through June 30, 2022.**

Sponsors: Pospiech

Attachments: [Chair Resolution](#)

**A motion was made by Commissioner Jonathan Kinloch, seconded by
Commissioner Lane Coleman that this Resolution, BOWC be approved. The
motion carried by a unanimous vote.**

- B. [21-0516](#)** The Board of Water Commissioners for the City of Detroit Water and Sewerage
Department **approves the following officer of Vice Chair for the term of July**

1, 2021 through June 30, 2022.

Sponsors: Pospiech

Attachments: [Vice Chair Resolution](#)

A motion was made by Commissioner John Henry Davis, seconded by Commissioner Jane Garcia that this Resolution, BOWC be approved. The motion carried by a unanimous vote.

5. **APPROVAL OF MINUTES**

Chairman Einheuser requested a motion to approve the minutes of May 19, 2021.

A motion was made by Commissioner Linda Forte, seconded by Commissioner Jane Garcia that the minutes be approved. The motion carried by a unanimous vote.

6. **PUBLIC COMMENTS (3 minutes per speaker)**

Charisse McMillan of 19613 Plymouth Road came before the board because she has no water service.

Vice Chair Blackmon joined the meeting at 2:09 p.m.

7. **ITEMS FROM THE COMMISSIONERS**

There were none.

8. **COMMUNICATIONS**

A. [21-0520](#) **Receipt of Correspondence**

Sponsors: Pospiech

Attachments: [FOIA REQUESTS - MONTHLY REPORT MAY 2021](#)

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Linda Forte that this Communication or Report be received and filed. The motion carried by a unanimous vote.

B. [21-0521](#) **Receipt of Correspondence**

Sponsors: Pospiech

Attachments: [Damage Claims](#)

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Linda Forte that this Communication or Report be received and filed. The motion carried by a unanimous vote.

C. [21-0527](#) **Receipt of Correspondence**

Sponsors: Pospiech

Attachments: [Letter to Hydrate Detroit](#)

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Linda Forte that this Communication or Report be placed on the table. The motion carried by a unanimous vote.

9. UNFINISHED BUSINESS

Advocate "We the People" update

10. APPROVAL OF CONSENT AGENDA (Items 10A-E)

A motion was made by Commissioner Linda Forte, seconded by Commissioner Mary Blackmon that the Consent Agenda be approved. The motion carried by a unanimous vote.

A. [21-0498](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD's portion of the City of Detroit's contract 6003387 with Ben Washington & Sons Plumbing & Heating, Inc., for as-needed plumbing services for a total amount not-to-exceed \$300,000 and a term of three (3) years.** This also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

A motion was made by Commissioner Linda Forte, seconded by Commissioner Mary Blackmon that this Contract be approved. The motion carried by a unanimous vote.

B. [21-0499](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Contract 6003610 with Major Cement Co. for Water System Improvements at Jefferson-Chalmers (Project WS-713) for a total contract amount not-to-exceed \$12,336,544.30 and a term of two (2) years.** This also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

Attachments: [WS-713 Attachment](#)

A motion was made by Commissioner Linda Forte, seconded by Commissioner Mary Blackmon that this Contract be approved. The motion carried by a unanimous vote.

C. [21-0502](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Contract No. 6003375 with Azteca Systems Holdings, LLC, for CityWorks GIS-centric Maintenance Management System Software for a total contract**

not-to-exceed amount of \$600,000 and a term of three (3) years. This also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

A motion was made by Commissioner Linda Forte, seconded by Commissioner Mary Blackmon that this Contract be approved. The motion carried by a unanimous vote.

D. [21-0503](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Contract No. 6003486 with Innovyze Inc., for Hydraulic Modeling System Software to DWSD for a total contract not-to-exceed amount of \$180,000 and a term of three (3) years.** This also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

A motion was made by Commissioner Linda Forte, seconded by Commissioner Mary Blackmon that this Contract be approved. The motion carried by a unanimous vote.

E. [21-0506](#)

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department approves the following Operations policy: **Scrap Metal and Materials and** authorizes the Director to take such action as may be necessary to effectuate the policies.

Sponsors: Smalley

Attachments: [Scrap Metal and Materials Policy 1 5.24.2021](#)

A motion was made by Commissioner Linda Forte, seconded by Commissioner Mary Blackmon that this Policy be approved. The motion carried by a unanimous vote.

11. NEW BUSINESS

A. [21-0517](#)

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **adopts the FY 2021-2022 Schedule of Board Meetings attached to this motion** and also authorizes the Chairman and the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Pospiech

Attachments: [Amended FY2021-2022 BOWC Meeting Calendar](#)

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Jane Garcia that this Resolution, BOWC be approved. The motion carried by a unanimous vote.

B. [21-0524](#)

The Board of Water Commissioners for the City of Detroit Water and Sewerage

Department authorizes the Director to approve the accompanying Water Supply System (WSS) Capital Improvement Program for Fiscal Years 2022 through 2026; authorize the Director to approve the FY2022 Capital Budget, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Daniels and Naughton

Attachments: [2022 5-Year CIP Plan Final 6.9..2021 md](#)

A motion was made by Commissioner Forte, seconded by Commissioner Blackmon that this Resolution, BOWC be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Garcia, Commissioner Davis, Commissioner Kinloch, Commissioner Coleman, Commissioner Blackmon, Commissioner Forte and Commissioner Einheuser

C. [21-0525](#)

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **authorizes the Director to approve the accompanying Sewer Disposal System (SDS) Capital Improvement Program for Fiscal Years 2022 through 2026; authorize the Director to approve the FY2022 Capital Budget,** and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Daniels and Naughton

Attachments: [2022 5-Year CIP Plan Final 6.9..2021 md](#)

A motion was made by Commissioner Forte, seconded by Commissioner Blackmon that this Resolution, BOWC be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Garcia, Commissioner Davis, Commissioner Kinloch, Commissioner Coleman, Commissioner Blackmon, Commissioner Forte and Commissioner Einheuser

D. [21-0526](#)

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **approves the amended Flexible Work Arrangement Policy,** and authorizes the Director to take such action as may be necessary to effectuate the policy.

Sponsors: Pospiech

Attachments: [21-0526.300 HR Flexible Work Arrangement - Amended June 2021](#)
[21-0526.300-HR-Flexible Work Arrangement - Amended June 2021 - no redline](#)
[21-0526.COD Employee Return to Workplace Guidelines 5.27.21](#)
[21-0526.Return to Work at MOB Notice 6.9.2021 FINAL](#)
[21-0526.Memo to BOWC re Amended Flexible Work Arrangement Policy](#)

The item was referred to the Human Resources committee.

12. DIRECTOR'S METRICS**A. [21-0528](#) Director's Report**

Sponsors: Brown

Attachments: [Board Report - Metrics - 06162021](#)

This Communication or Report was received and filed.

13. COMMENTS BY COMMISSIONERS

Vice Chair Blackmon inquired about the status of the board members whose terms have expired. Director Brown replied that all appointments will carry over as-is until the Mayor has had an opportunity to review.

14. COMMENTS BY THE CHAIR

There were none.

15. OTHER MATTERS

There were none.

16. CLOSED SESSION

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Jane Garcia to enter into Closed Session at 2:20 p.m. be approved. The motion carried by a unanimous vote.

A. [21-0522](#) 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(d) and (h) of the Michigan Open Meetings Act to discuss an offer to purchase real property and a confidential attorney communication.**

Sponsors: Pospiech

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Jane Garcia that this Request, Closed Session be approved. The motion carried by a unanimous vote.

B. [21-0523](#) 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 trial or settlement strategy in pending litigation and a confidential attorney communication.**

Sponsors: Pospiech

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Linda Forte that this Request, Closed Session be approved. The motion carried by a unanimous vote.

ROLL CALL VOTE

A motion was made that this be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Garcia, Commissioner Davis, Commissioner Kinloch, Commissioner Coleman, Commissioner Blackmon, Commissioner Forte and Commissioner Einheuser

OPEN SESSION

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner John Henry Davis to return from Closed Session at 3:01 p.m. be approved. The motion carried by a unanimous vote.

17. NEW BUSINESS CONTINUED

- A. [21-0518](#) The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **rejects the June 3, 2021, offer to purchase 90, 102, and 114 Stimson Street and 78 Peterboro Street, Detroit, Michigan**; and authorizes 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 Mary Blackmon, seconded by Commissioner Linda Forte that this Contract, Real Estate (Other) be approved. The motion carried by a unanimous vote.

- B. [21-0519](#) The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **rejects the settlement offers in the case of *City of Detroit vs. The Detroit/Wayne County Port Authority and Nicholson Terminal & Dock Company*; Wayne County Circuit Court Case No. 20-004781-CZ**; and authorizes 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 Blackmon, seconded by Commissioner Davis that this Case Settlement, Other be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Garcia, Commissioner Davis, Commissioner Coleman, Commissioner Blackmon, Commissioner Forte and Commissioner Einheuser

Recused: 1 - Commissioner Kinloch

18. ADJOURNMENT

Chairman Einheuser requested a motion to adjourn.

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Jane Garcia that the meeting be adjourned. The motion carried by a unanimous vote.

There being no further business, the meeting adjourned at 3:07 p.m.

Due to the COVID-19 Pandemic and Detroit Health Department emergency orders, the Detroit Board of Water Commissioners is currently hosting its meetings virtually via Zoom.

During the Board of Water Commissioners meeting, members of the public may make a comment when the chair opens the public comment section of the agenda. Raise your hand using the Zoom hand icon on your desktop or mobile device. If calling into the meeting by phone, press *9 to raise your hand. Comments are limited to three minutes. You will only be called upon once for public comment during the same committee meeting, full board meeting or public hearing. Once the chair closes public comment, there will be no other comments accepted from the public and all attendees will remain muted for the duration of the meeting.