



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

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

Wednesday, July 21, 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 Meeting

1. CALL TO ORDER

Chairman Einheuser called the meeting to order at 2:03 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 Lane Coleman, seconded by
Commissioner Jane Garcia that the agenda be approved. The motion carried
by a unanimous vote.**

4. APPROVAL OF MINUTES

Chairman Einheuser requested approval of the minutes of June 16, 2021.

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

5. PUBLIC COMMENTS (3 minutes per speaker)

1. Demeeko Williams of Hydrate Detroit asked how has the BOWC assisted with constituents who do not have internet access to download the claim form? Attorney Popsiech replied that anyone who has water in the basement due to the rain event on June 25 and June 26 can file a claim electronically or call to request a claim form for submission. Mr. Williams continues to rally for water rate suspension.

2. Ms. George extended her condolences to Commissioner Kinloch for the loss of his

mother. She too continues to rally for suspension of water rates especially during to the pandemic. She said the coronavirus can spread through wastewater by viral shedding, meaning you can inhale the virus through your nasal passage. She also expressed concern for constituents who lost their appliances (hot water tank, washer, dryer) during the flood.

3. Christine Fah at 6822 Peidmont came before the Board about no water service at her residence she purchased through the land bank.

4. Thomas Hardiman, Executive Vice President of Lakeshore Global Corporation came to ask the Board to accept their bid protest for contract DWS-920 against Inland Waters Pollution.

5. Sanaa Green of the Jefferson/Chalmers community said that she has not recovered from the flooding that continues to be an on-going issue during rainfalls. She asked what the Department is doing to mitigate the drainage problem. She also asked if a credit would be applied for the sewage in her basement due to the rain event. She also has concern about the increased water rates.

6. James Perkinson said he experienced flooding on June 26. He asked what the exact proportion of the wastewater charge is borne by Detroit compared to the suburbs, historically and presently? He said that in the past its been 83 percent suburban and 17 percent Detroit. He asked for clarification on how the water system works and who pays for it.

7. Russ Bellant stated that when he reviewed the construction maps, it shows a line coming from Van Dyke and 8 Mile going South and bending East to the lower east side. There is another line coming from Southeast Macomb County that meets at the Jefferson interceptor. The population being served by these two lines is 964,815 people. He said he was puzzled to hear that the flow was not going into the Van Dyke interceptor; and if that is not the case, why is the City trying to give the Oakland/Macomb Interceptor Authority control over the Van Dyke interceptor South of 7 Mile? The Planning Department asked for an easement to give them personal, eternal, and forever control over an aspect of the interceptor tunnel, one mile inside Detroit. He said this was a real concern to him. If this flow coming from these places, were cut off, it would relieve the flooding problem. But having a flow for almost a million people coming to the lower east side, has to be a factor in the flooding and remedies are needed.

8. Patricia Bosch supports Mr. Perkinson and Mr. Bellant comments. She stated that prior to the June 25 and 26 events, her community had been asking for an explanation of the construction that is occurring at Outer Drive and Van Dyke. In addition, The City Council has asked for a easement to GLWA one-half mile South of 7 Mile and Van Dyke. The community has been requesting a town hall meeting, trying to understand how does the system works, and why is the easement necessary. She also wanted to know why is it that on a given street (Bishop) a few homes in the block may flood, but the other homes do not?

9. Toya Watts stated that her basement flooded during the rain event, and she had submitted all the necessary information for a claim. She asked for the next steps.

10. Marie Thomas asked for an explanation of the Oakland/Macomb Interceptor Drain (OMID). She also asked whether other counties are paying their share of the cost? She requested a contact number for those constituents who do not have internet access.

There are a number of seniors suffering from the result of the flooding and need assistance to remove damaged items from the basement. She inquired if there was a program or information that can be shared with seniors, low-income, or home-bound customers to get relief.

11. John Myers asked for a written response about the Combined Sewer Overflow(CSO) in Fox Creek. He asked when we sued to stop the discharge of raw sewage in Fox Creek back in the 90's. they built the Connor Creek CSO. We sued the State of Michigan for issuing the permit and back in 1995/1996 there was no longer a permit to discharge. He then asked when Fox Creek was used as a reservoir for the CSO we would receive a notification immediately on the millions of gallons of raw sewage being discharged into our backyards. Why were we not being notified, and when will GLWA back flush the canal?

12. Beulah Walker, Chief Coordinator of Hydrate Detroit thanked all the DWSD workers that remained since the bankruptcy of 2014. She suggested that the department rehire the highly skilled water plant operators that were laid off or retired. Attorney Pospiech replied that DWSD does not hire any employees at the pump facilities because that is the responsibility of GLWA. Deputy Director Mobley added that DWSD is responsible for pipes. DWSD is not responsible for pumps, clarifiers, water treatment facilities, wastewater facilities, or gates.

13. Tim Edwards of the Jefferson/Chalmers community stated he had water damage due to the rain event. What will be done to manage future events?

14. Bob Sisler said he had sewage coming into his basement. Back in 2014, he received a notice from the Health Department about a series of health issues that could occur. He said he received nothing this time. Mr. Sisler suggested that customers contact the City, State, and Federal governments and demand GLWA not add another drain flow on a system that is inadequate which makes sewage a major health problem.

15. Elena Herrada of Corktown said her home flooded three times in three weeks. After the June 26 event she purchased a new hot water tank and had to file a claim. On another occasion, she had to file a claim on her vehicle. The water has to be diverted to its proper place, because we also have to be able to live on the taxes that we pay.

Commissioner Blackmon joined the meeting at 2:25 p.m.

6. ITEMS FROM THE COMMISSIONERS

Commissioner Kinloch -There have been many serious on-going conversations with GLWA and DWSD staff about the infrastructure due to the rain events.

Vice Chair Blackmon - Thanked all for the heartwarming good wishes as she received the Ambassador Award from SEMCOG. She also indicated that the Department needs a plan to address the community issues and a mechanism that distinguishes the duties between GLWA and DWSD.

Chairman Einheuser - It is impossible to measure the love for the career of Commissioner Blackmon's public service. The award ceremony was well received.

Commissioner Forte- It's mind-blowing to hear the many stories of the constituents

during the rain event. The Board is extremely concerned and thank the DWSD team for all their efforts through the many hours invested during these trying times.

7. COMMUNICATIONS

A. [21-0546](#) Receipt of Correspondence

Attachments: [Lakeshore Global Package to DWSD Board 7-8-21](#)

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

B. [21-0547](#) Receipt of Correspondence

Sponsors: Pospiech

Attachments: [Damage Claims Report](#)

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

8. UNFINISHED BUSINESS

There was none.

9. APPROVAL OF CONSENT AGENDA (Items 9A-H)

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

A. [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](#)

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

- B.** [21-0530](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **three (3) DWSD Contracts 6003702 (Somat Engineering, Inc.), 6003703 (Orchard, Hiltz & McCliment dba OHM Advisors) and 6003704 (to The Mannik Smith Group, Inc.) for as-needed Engineering design services for DWSD construction design services (Project CS-1921) for a combined total amount not-to-exceed \$6,000,000 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 Mary Blackmon, seconded by Commissioner Linda Forte that this Contract be approved. The motion carried by a unanimous vote.**
- C.** [21-0531](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **approve Change Order No. 3 to Contract No. 6003126 (previously 6000802) with Giorgi Concrete LLC for the Repair of Pavement, Sidewalks, Driveways and Curb cuts at various locations throughout the City of Detroit (Project DWS-902). This amendment will add \$2,500,000 for a total amended contract amount not-to-exceed \$28,681,475 to this existing contract and extend the term by 92 days for a new expiration date of 9/30/21.** 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 Mary Blackmon, seconded by Commissioner Linda Forte that this Contract be approved. The motion carried by a unanimous vote.**
- D.** [21-0532](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **approve Change Order 3 to DWSD Contract No. 6001600 (WS-708) with Major Cement Co. for “Repair and Replacement of Water Main Systems: Various Pipe Sizes at Various Locations Throughout the City of Detroit” to add \$600,000 in funding, for a new total amended amount not-to-exceed 8,602,800 and to extend the contract term by six months.** 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 Mary Blackmon, seconded by Commissioner Linda Forte that this Contract Amendment be approved. The motion carried by a unanimous vote.**
- E.** [21-0541](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department conditionally authorizes the Director to approve **DWSD Contract 6003690 with Santoro, Inc. to furnish parts, repair and refurbishment services for DWSD-owned Heavy-Duty Trucks, Vans, Construction**

Equipment and Machines for a total amount not-to-exceed \$2,250,000 and a term of 5 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: [Heavy Duty Bid Tab](#)

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

F. [21-0542](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Contract No. 6003376 with Loadspring Solutions, Inc., for Primavera Project Management Software to DWSD for a total contract not-to-exceed amount of \$165,000 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 Mary Blackmon, seconded by Commissioner Linda Forte that this Contract be approved. The motion carried by a unanimous vote.

G. [21-0543](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD contract 6003694 for auto body collision repair services for the DWSD owned vehicles (Ford, General Motors, and FCA Brands) with Bob Maxey Ford, Inc. with a total contract amount not-to-exceed amount of \$750,000 and a term of 5 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: [Auto Collision Repair Bid Tab](#)

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

H. [21-0535](#)

The Board of Water Commissioners for the City of Detroit Water Sewerage Department **1) Approves the Collective Bargaining Agreement for 2021-2024 between the DWSD and the Association of Municipal Engineers; 2) Authorizes the Director to execute the Agreement, and 3) authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.**

Sponsors: Thornhill

Attachments: [DWSD AME Agreement 20210618 for BOWC Ratification](#)

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

10. NEW BUSINESS

A. [21-0537](#) CIP 2022-2026 Five-Year CIP Plan with Projects

Sponsors: Daniels

Attachments: [DWSD 2022-2026 CIP Book with Projects 07/01/2021](#)

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

B. Service Line Warranty Contract

This item was placed on the finance committee agenda.

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

11. DIRECTOR'S METRICS

A. [21-0548](#) Director's Metrics

Attachments: [Board Report - Metrics - 07212021](#)

This Communication or Report was received and filed.

12. COMMENTS BY COMMISSIONERS

Vice Chair Blackmon stated she has had personal instances where the Department had reached out to assist customers. She thanked all DWSD staff for their efforts.

Commissioner Kinloch stated that he had received several complaints from customers on a regular basis with the same issue of not being able to communicate with the land bank concerning properties with no water service. The Department needs to find a way to elevate this matter.

13. COMMENTS BY THE CHAIR

Chairman Einheuser echoed the comments to Director Brown, Deputy Director Mobley, Attorney Pospeich and the DWSD employees for all their time and efforts during the rain event. He appreciated how staff has been vigilantly doing all they can to respond.

14. OTHER MATTERS

There were none.

15. CLOSED SESSION

- A. [21-0549](#) The Board of Water Commissioners vote to **approve a meeting to consider a periodic personnel evaluation in closed session pursuant to Section 8(a) of the Michigan Open Meetings Act and upon request of the public officer/employee.**

Sponsors: Pospiech

A motion was made by Commissioner Mary Blackmon, seconded by Commissioner Jonathan Kinloch to enter into this Request, Closed Session at 3:50 p.m., be approved. The motion carried by a unanimous vote.

- B. [21-0551](#) 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 a memorandum subject to attorney-client privilege.**

Sponsors: Pospiech

A motion was made by Commissioner Linda Forte, seconded by Commissioner Jonathan Kinloch to enter this Request, Closed Session at 3:50 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 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 Jane Garcia to return from Request, for Closed Session at 5:00 p.m., be approved. The motion carried by a unanimous vote.

16. NEW BUSINESS CONTINUED

- A. [21-0552](#) The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **reject** the protest from LGC Global regarding DWSD Contract Number DWS-920 and directs the Director to act in accordance with this action.

Sponsors: Pospiech

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

Aye: 5 - Commissioner Davis, Commissioner Coleman, Commissioner Blackmon, Commissioner Forte and Commissioner Einheuser

Abstain: 2 - Commissioner Garcia and Commissioner Kinloch

17. ADJOURNMENT

Chairman Einheuser requested a motion to adjourn.

A motion was made by Commissioner Jonathan Kinloch, 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 5:01 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 hearing. Once the chair closes public comment, there will be no other comments from the public accepted and all attendees will remain muted for the duration of the meeting.