



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, October 20, 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

Vice Chair Blackmon called the meeting to order at 2:00 p.m.

2. ROLL CALL

Present: 7 - Commissioner Jane Garcia, Commissioner John Henry Davis, Commissioner Jonathan Kinloch, Commissioner Lane Coleman, Commissioner Mary Blackmon, Commissioner Linda Forte and Commissioner Michael Einheuser

3. APPROVAL OF AGENDA

Vice Chair Blackmon requested approval of the amended agenda.

Item 10A was removed from the agenda.

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

4. APPROVAL OF MINUTES

Vice Chair Blackmon requested approval of the minutes of September 15, 2021.

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

5. PUBLIC COMMENTS (3 minutes per speaker)

1. Ms. George asked if churches were able to file a claim during the June rain event. She also asked why the African American males on the GLWA Board of Directors never Chair their meetings. Director Brown replied that any one affected by the June rain event should file a claim with their insurance company, FEMA, GLWA and DWSD. He also mentioned that the GLWA Board is regularly updated on the investigation and the deposition of the claims. Director Brown stated that the GLWA Board is

comprised of a member from the State of Michigan, Oakland, Macomb, Wayne, and two members from Detroit. There is a rotation for each jurisdiction to get an opportunity to Chair every five years. Mr. Freeman Hendricks was chair for one year and it rotates through each county. Because Detroit has two members, they do not take two rotations.

2. M. L. Elrick asked if DWSD had identified or drafted plans for green infrastructure projects that could be put into effect if approved by City Council or the appropriate authority.

3. Lynett Sluis came before the Board about a service disconnect at commercial property located on S. Schaefer Street.

4. Jeffrey Perczyk came before the Board about a sinkhole in alley.

5. Demeeko Williams came before the Board about: a) How to access the BOWC minutes and agendas; b) the Build Back Better plan; and c) Hydrate Detroit partnering with DWSD on outreach and relief.

6. Linda Kajma came before the Board about a \$6,000 water bill.

7. Brenda Sands asked if there was a timeline for DWSD to upgrade the water system infrastructure and if the Department would receive any of the \$800 million federal funds.

8. Wendy Forbers with Morgan Waterfront Estates is requesting a site assessment in regard to the drainage bill.

6. ITEMS FROM THE COMMISSIONERS

Commissioner Kinloch inquired about the flooding on North Martindale and Kay Streets. Sam Smalley, COO of Operations, replied that the Department had resolved the flooding matter but still investigating the source of the leak.

7. COMMUNICATIONS

A. [21-0632](#) Receipt of Correspondence

Sponsors: Pospiech

Attachments: [Damage Claims](#)

A motion was made by Commissioner Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Communication or Report be received and filed. The motion carried by a unanimous vote.

B. [21-0633](#) Receipt of Correspondence

Sponsors: Pospiech

Attachments: [FOIA REQUESTS - MONTHLY REPORT SEPTEMBER 2021](#)
[FOIA 21-121](#)
[FOIA 21-142](#)

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

C. [21-0634](#)

Receipt of Correspondence

Sponsors: Mobley and Smalley

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

D. [21-0635](#)

Receipt of Correspondence

Sponsors: Phillips

Attachments: [Debra Martin](#)

A motion was made by Commissioner John Henry Davis, seconded by Commissioner Jane Garcia that this Contract be received and filed. The motion carried by a unanimous vote.

8. **UNFINISHED BUSINESS**

There was none.

9. **APPROVAL OF CONSENT AGENDA (Items 9A-K)**

A motion was made by Commissioner Jonathan Kinloch, seconded by Commissioner Michael Einheuser that the Consent Agenda be approved. The motion carried by a unanimous vote.

A. [21-0599](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **Approve four new Information Technology Shared Service Agreements, the extension of three existing Information Technology Shared Service Agreements, and the retroactive approval of one Information Technology Shared Service Agreement** and authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Rainey

A motion was made by Commissioner Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract be approved. The motion carried by a unanimous vote.

B. [21-0616](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Single Source Contract No. 6003531 with Granicus Legistar Software to provide the Government Meeting Management Services for Board of Water Commissioners (BOWC) for a total contract not-to-exceed amount of \$155,062.91 and a**

term of five (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

A motion was made by Commissioner Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract be approved. The motion carried by a unanimous vote.

C. [21-0617](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **approve Amendment No. 1 to DWSD Contract 6003467 with Pace Transportation Service formally known as, Lakeshore Utility Trailer, Inc. (Original Contract 6002339) for as-needed body and frame parts and service repairs of DWSD owned large heavy-duty trucks and tractor trailers for an amount not-to-exceed \$66,535** and 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract Amendment be approved. The motion carried by a unanimous vote.

D. [21-0618](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Contract No. 6003895, with Ajax Paving Industries Inc. for the purchase and delivery of Cold Patch material at a cost not-to-exceed the amount of \$146,900 for a term of one (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

A motion was made by Commissioner Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract be approved. The motion carried by a unanimous vote.

E. [21-0619](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **approve Amendment 2 to Contract No. 6002328 with Phoenix Environmental, Inc. for inspections for parts and as needed maintenance and repairs of DWSD owned fuel lines, underground fuel storage tanks and related fuel system equipment to add \$152,026.50 in funding for a total amended not-to-exceed amount of \$456,079.50** and 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract Amendment be approved. The motion carried by a unanimous vote.

- F. [21-0620](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **Amendment No. 6 to DWSD Contract No. 6001278 (LS-1773) to add \$200,000 in funding, for a total amended contract not-to-exceed amount of \$1,300,000 for Legal Services relating to All Drainage Charge Related Matters and Michigan Warehousing Group v City of Detroit with Miller, Canfield, Paddock & Stone, P.L.C.** 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract Amendment be approved. The motion carried by a unanimous vote.**
- G. [21-0625](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department **authorizes the DWSD to enter into binding arbitration in the matter of *Cheryl Anderson-Small, et al. v. City of Detroit*, Wayne County Circuit Court Case No. 19-009936-CZ**, and also 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Case Settlement, Other be approved. The motion carried by a unanimous vote.**
- H. [21-0626](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department **authorizes the Director to settle the matter of *Maria Lupercio v. City of Detroit*, Wayne County Circuit Court Case No. 20-003854-NI for \$3,900,000.00** and also 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Case Settlement, Other be approved. The motion carried by a unanimous vote.**
- I. [21-0627](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **Amendment 1 to DWSD Contract 6003726 with Pipetek Infrastructure Services to reduce the total contract not-to-exceed amount by \$870,935 for a revised new total amount of \$629,065.00 for emergency investigations, cleaning and repairs to catch basins, manholes, sinkholes, etc. related to the 2021 severe flooding events (Project No. DWS-947).** 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract Amendment be approved.**

The motion carried by a unanimous vote.

- J. [21-0628](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **Amendment 1 to DWSD Contract 6003727 with Inland Waters Pollution Control, Inc. to add an additional \$663,898.32 for a new total contract not-to-exceed amount of \$2,663,898.32 for emergency investigations, cleaning and repairs to catch basins, manholes, sinkholes, etc. related to the 2021 severe flooding events (Project No. DWS-948).** 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract Amendment be approved. The motion carried by a unanimous vote.

- K. [21-0629](#) The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **Amendments 1 & 2 to DWSD Contract 6003817 (an emergency exception) with Lakeshore Global Corporation to 1) add an additional \$207,036.68 and 2) to add an additional \$7,952.72 for a new total contract not-to-exceed amount of \$1,714,900 for emergency manhole and water in basement investigations related to the 2021 severe flooding events (Project No. DWS-949).** 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 Jonathan Kinloch, seconded by Commissioner Michael Einheuser that this Contract Amendment be approved. The motion carried by a unanimous vote.

10. NEW BUSINESS

- A. **21-0630** The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to approve **DWSD Contract 6003967 with Major Cement Contracting for Water Main Repairs (Project WS-719) for a total contract amount not-to-exceed \$26,702,800 and a term of three years.** This also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

Sponsors: Burgi

This Contract was pulled from the agenda.

11. DIRECTOR'S METRICS

- A. [21-0636](#) Director's Metrics

Sponsors: Brown

Attachments: [Board Report - Metrics - 10202021](#)

This Communication or Report was received and filed.

12. COMMENTS BY COMMISSIONERS

Vice Chair Blackmon stated that Southeast Michigan Council of Governments (SEMCOG) sub-committee General Assembly met to discuss water infrastructure. She hopes that the Department maintains its contacts with SEMCOG as they move forward to address the water and sewer infrastructure that affects all communities.

Commissioner Forte said that one of our focus points, as a member of the HR committee, would be retaining and recruiting staff to work and its impact on the Department and how we prepare for the future.

13. COMMENTS BY THE CHAIR

Chairman Einheuser responded to a constituent that spoke during public comment about the Board's ability to raise the rates. He said that the BOWC has the authority to set its rates, but its done in the context of our costs. We base it on the context of GLWA's actions on rates.

14. OTHER MATTERS

There were none.

15. ADJOURNMENT

Vice Chair Blackmon requested a motion to adjourn.

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

There being no further business, the meeting adjourned at 3:16 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.

You may provide your public comment via Zoom link
<http://cityofdetroit.zoom.us/j/81572635118>

During the public comment section for each committee meeting, raise your hand using the Zoom hand icon on your desktop or mobile device, or if calling into the meeting by phone, press *9 to raise your hand (press *6 to unmute when called upon)

We respectfully request that you maximize your three minutes by sharing all your comments/questions at one time. 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 accepted from the public, and all the attendees will remain muted for the duration of the meeting.