



Adopted as follows:
 Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 May 16, 2000

Honorable City Council:
 RE: Petition No. 1247 - Hamilton Anderson Associates, requesting a right-of-way encroachment for the Penobscot Building, the Ford Building and First National Building, which includes planting of trees and the installation of new granite pavers in the sidewalk areas.
 Petition No. 1247 of "Hamilton

Anderson Associates" 1435 Randolph, Suite 200, Detroit, Michigan 48226, and its contractor "Torre & Bruglio, Inc. request approval of treewell encroachments and deviation from standard specifications for sidewalks on the west side of Griswold Street (Penobscot Building), 90 & 105 feet wide, between West Fort St., 100 feet wide, and West Congress, 60 feet wide; also, the east side of Woodward Avenue (First National Building), 190 feet wide, between West Fort St., 100 feet wide, and West Congress, 60 feet wide, and the north side of West Congress (First National Building), 60 feet wide, between Woodward Avenue, 100 feet wide, and Bates Street, 69.28 feet wide, to improve the entry to their buildings. The petitioner has removed the Ford Building request from this petition.

It is necessary by Detroit Code to request City Council approval for encroachments and nonstandard conditions in public rights-of-way. The plan for encroachments into the Woodward Avenue right-of-way south of W. Fort Street will need MDOT permits and approval.

The petition was referred to the City Engineering Division - DPW for investigation and report. This is our report.

The Traffic Engineering Division - DPW requires a minimum distance of 2'-6" clearance between the curb and tree well encroachments and 7' clear space for pedestrian traffic. The Petitioner has supplied information on ADA approved tree gates which will satisfy this condition.

All work shall be done in accordance with City Engineering Division- DPW standards and specifications as they apply to brick or granite pavers. Special provisions are a part of this resolution. The petitioner must submit plans to the City Engineering Division - DPW, Street Design Bureau for approval before any construction is to begin.

All City departments and privately owned utility companies reported that they have no objections to the requested changes in public rights-of-way or that they have reached satisfactory arrangements with the petitioner regarding their installations therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
SUNDAY JAIYESIMI,
City Engineer

By Council Member Everett:

Whereas, "Hamilton Anderson Associates" 1435 Randolph, Suite 200, Detroit, Michigan 48226, and/or its contractor "Torre & Bruglio" request approval of treewell encroachments and deviation from standard specifications for sidewalks; Now Therefore Be It

Resolved, That the City Engineering Division - DPW is hereby authorized and directed to issue permits to Hamilton Anderson Associates and/or its contractor Torre & Bruglio, Inc., for permission to encroach the public rights-of-way for the installation and maintenance of four (4) tree grates and sidewalks of special coloration and finish, in sidewalks abutting property described as:

Land in the City of Detroit, Wayne County, Michigan: Lying easterly of and abutting the east line of Lots 7,8,9 of "A Map of the Tract of land granted by Act of Congress (approved May 20th 1826) to the City of Detroit as the same have been divided into lots and numbered by order of the Common Council of said city by J. Mullet Surveyor June 1831 reduced from said Mullet Plat by John Farmer December 1833 as recorded in Liber 5, page 218, City Records; (AKA 633

Griswold) Also, Land in the City of Detroit, Wayne County, Michigan: Lying westerly of and abutting the west line of Lots 53 & 54 and lying southerly of and abutting the south line of Lots 93 & 94 of "A Survey of Part of Section 1 as quit claimed to the Corporation of St. Anne by A.E. Hathon - 1836 as recorded in Liber 9, Page 425, City Records; (AKA 662 Woodward)

Provided , That the necessary permits be obtained from the City Engineering Division - DPW and that the same shall be constructed and maintained under the rules and regulations, and in accordance with plans submitted to and approved by said department; and further

Provided , That all costs for the construction, maintenance, permits and use of the encroachments shall be borne by the property owners or its assigns; and further

Provided , That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments, shall be borne by the property owners or its assigns. Should damages to utilities occur the property owners or its assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided , If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, the property owners for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided , That the permittee shall contact the "MISS DIG" organization before any construction is to begin; and further

Provided , That the property owners shall file with the Finance Department an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by the property owners of the terms thereof. Further, the property owners shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public proper-

ty affected shall be restored to a condition satisfactory to the City Engineering Division-DPW by permittee at its expense; and further

Provided, That when permittee vacates said property, all tree grates are to be removed and the City of Detroit Recreation Department - Forestry Division is notified in order to determine suitable replacement surfacing on walks; and further

Provided, That an absolute 6 foot clearance shall be maintained for walkways, from all obstructions including, but limited to, tree well grates, utility poles, property line offset; and further

Provided, Said permission to use the above-described public sidewalk space may be rescinded at any time by the Department of Public Works; and further

Provided, That the issuance of permits for said installation(s) shall not in any way waive the rights of the City to utilize the area for street widening or other purposes as may become necessary in the future; and further

Provided, The installation and maintenance of any encroachments referred to herein shall be construed as acceptance of this resolution by the permittee; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and the property owners acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

Finance Department Purchasing Division

May 16, 2000

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contracts with the following firms or persons.

The approval of your Honorable Body and Waiver of Reconsideration is requested on the files and contracts that are attached.

Respectfully submitted,
AUDREY P. JACKSON
Director

80214—100% Federal Funding — To provide educational services for the Empowerment Program — Geraldine Coleman, 15516 Murray Hill, Detroit, MI

— June 1, 2000 thru September 30, 2000 — \$30.00 per hour — Not to exceed \$4,770.00. Youth.

80215—100% Federal Funding — Program Coordinator for the Empowerment Program on the East side of Detroit — Kimberly Cooke, 4757 Third #10, Detroit, MI — June 1, 2000 thru September 30, 2000 — \$19.23 per hour — Not to exceed \$13,385.00. Youth.

80216—100% Federal Funding — Administrative Assistant for the S.A.F.E.T.Y. program at the Herman Keifer Health Complex — Teresa Grant, 631 Orleans #82, Detroit, MI — June 1, 2000 thru May 31, 2001 — \$15.00 per hour — Not to exceed \$31,200.00. Youth.

80217—100% Federal Funding — Secretary for the Empowerment program located in the Colin Powell Academy on the east-side of Detroit — Karen McWilliams, 19791 Marlowe, Detroit, MI — June 1, 2000 thru September 30, 2000 — \$14.00 per hour — Not to exceed \$9,744.00. Youth.

80218—100% City Funding — Secretary for RYC and Youth Department Administrative Division — Rochelle Mitchell, 2 LaFayette Place, #1103, Detroit, MI — \$11.00 per hour — Not to exceed \$22,880.00. Youth.

80219—100% Federal Funding — Assistant Program Coordinator for the Empowerment Program located in the Colin Powell Academy on the east-side of Detroit — Kenyetta Peoples, 9548 Longacre, Detroit, MI — \$18.26 per hour — Not to exceed \$12,708.96. Youth.

80221—100% City Funding — Program Coordinator for the S.A.F.E.T.Y. program at the Herman Keifer Health Complex — Keyth Stone, 5023 Iroquois, Detroit, MI — June 1, 2000 thru May 31, 2001 — \$21.63 per hour — Not to exceed \$44,990.00. Youth.

2522409—100% Federal Funding — To administer grant funding and Provide Fiscal Management Services — Southeastern Michigan Health Association, 3011 W. Grand Blvd., 222 Fisher Bldg., Detroit, MI — January 1, 2000 thru December 31, 2000 — Not to exceed \$449,629.00. Health.

2524965—100% Federal Funding — To administer grant funding and Provide Fiscal Management Services — Southeastern Michigan Health Association, 3011 W. Grand Blvd., 222 Fisher Bldg., Detroit, MI — March 1, 2000 thru February 28, 2001 — Not to exceed \$7,234,813.00 with an operating advance payment in the amount of \$1,205,802.00. Health.

2525842—100% City Funding — Legal Services: Fourth Precinct Public Safety Mall Project — James C. Cobb, Jr. P.C., 615 Griswold, Ste. 1415, Detroit, MI — Contract Period: Upon notice to proceed — Until completion of litigation — Not to