

ished as originally ordered with the cost of demolition assessed against the property. Respectfully submitted,

DAVID BELL
Building Official

By Council Member Jenkins:

Resolved, That the request for rescission of the demolition orders of February 28, 2007 (J.C.C. pgs. 464-466), March 1, 2011 (J.C.C. pgs. 438-445), and March 1, 2011 (J.C.C. pgs. 438-445) on properties at 4669 Braden, 15034 Puritan, and 15000 Puritan, be and the same is hereby denied and the Buildings, Safety Engineering, and Environmental Department be and it is hereby authorized and directed to have the building renovated as originally ordered in accordance with the three (3) foregoing communications.

Adopted as follows:

Yeas — Council Members Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

May 9, 2014

Honorable City Council:

Re: Petition No. 3024 — Temple Plaza Hotel Inc., request to renovate/update façade located at East Lafayette Avenue. The new design of the old original columns encroach into the right-of-way an additional 3 inches.

Petition No. 3024 — Temple Plaza Hotel Inc. whose address is 1600 Clay, Detroit, Michigan 48211 request to install and maintain encroachment with decorative columns a total of 7 inches into the East Lafayette, 50 feet wide, in the block bounded by East Fort Street, East Lafayette Avenue, Brush Street and Beaubien Street.

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

Traffic Engineering Division — DPW (TED), reports there is no objection provided that a 5 feet minimum clear sidewalk width shall be maintained.

City Engineering Division — DPW (CED) has approved, provided City specifications are met and that pedestrian sidewalk access is available with no impediment.

The Public Lighting Department (PLD) reports an overhead line running in the area of the request and provisions protecting the line are included in the resolution. The contractor and/or the petitioner will be liable for any damages to any PLD facilities.

The Detroit Water and Sewerage Department (DWSD) has no objection to the encroachment provided that the resolution contain the DWSD specific

encroachment provisions. The DWSD encroachment provisions are included in the resolution.

DTE Energy Gas Division report involvement, and provisions protecting the Gas lines in the encroachment area are a part of the resolution.

All other involved City departments and privately owned utility companies reported no objections, or that satisfactory arrangements have been made.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY
City Engineer

City Engineering Division — DPW
By Council Member Jenkins:

Provided, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Temple Plaza Hotel Inc. to encroach with six columns into Lafayette Avenue, 50 feet wide, said columns being 2 feet wide and encroaching 7 inches into the public right-of-way of said East Lafayette Avenue adjoining property described as: Land in the City of Detroit, Wayne County, Michigan being Lots 116 and 117 "Plat of a part of the L. Beaubien Farm in the City of Detroit as surveyed into Town Lots for the proprietors by John Mullet Surveyor" as recorded in Liber 6 pages 475-478 of City Records, Wayne County Records.

Provided, That if there is any additional cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further:

Provided, By approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all time, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-way, shall be borne by DWSD; and be it further

Provided, That all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

Provided, That construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

Provided, That if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

Provided, That the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

Provided, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the right-of-way being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation; and be it further

Provided, That the contractor call MISS DIG 72 hours prior to starting any underground construction where they plan the underground encroachment; and be it further

Provided, That any structure proposed to be built shall maintain 10 feet of horizontal clearance from overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3-foot horizontal clearance and 12-inch vertical clearance from the PLD conduit bank and manholes. The contractor and/or the petitioner will be liable for any damages to any PLD underground facilities. PLD requires unrestricted 24-hour heavy vehicle access to the encroachment area to maintain their facilities; and be it further

Provided, That the encroachment into Lafayette St. 7 inches will remain as is (at 7 inches) and will not go more than that. Michcon Gas Co. has an existing Gas main line running along Lafayette from 19 feet EW Beaubien Street Due westward at 4, 5 and 6 feet NS Lafayette Street. Otherwise, contact Michcon Gas Company Public Improvement Department (Jay Williams at 313 389-7303 or Laura Forrester at 313 389-7261) for the estimated cost of service abandonment, removal, relocation or rerouting including the survey, design and drawing of the gas utility.

Provided, That the Temple Plaza Hotel Inc. or its assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments

such work shall be according to detail permit application drawings submitted to the City Engineering Division — DPW prior to any public right-of-way construction; and further

Provided, That all work in the public right-of-way be done to City specifications and that pedestrian access is available without impediment with a 5 foot minimum clear sidewalk width maintained.

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division — DPW (if necessary); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Temple Plaza Hotel Inc.; and further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocated their existing utility facilities located in close proximity to the encroachments shall be borne by Temple Plaza Hotel Inc. or its assigns. Should damages to utilities occur, Temple Plaza Hotel Inc. 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 Temple Plaza Hotel Inc. 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 Temple Plaza Hotel Inc. shall file with the Finance Department and/or City Engineering Division — DPW an indemnity 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 Temple Plaza Hotel Inc. of the terms thereof. Further, Temple Plaza Hotel Inc. 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 per-

mission 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 property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

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

Provided, That the encroachment permits 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 and indemnity agreement with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, and President Jones — 7.

Nays — Council Member Tate — 1.

Fire Department

June 2, 2014

Honorable City Council:

Re: Request to accept and appropriate FY2013 Assistance to Firefighters Grant Program Grant from FEMA.

The Federal Emergency Management Agency (FEMA) has awarded the City of Detroit Fire Department FY 2013 Assistance to Firefighters Grant Program for a total of \$1,307,000.00. The Federal share is 90 percent or \$1,176,300.00 of the approved amount and a cash match of 20 percent or \$130,700.00. The grant period is April 28, 2014 to April 27, 2015.

The objective of the grant is to prevent death and illness to our firefighters by providing appropriate Self Contained Breathing Apparatus (SCBA) packs to protect them from exposure to acute and chronic health hazards. The funding allotted to the department will be utilized to purchase 200 SCBA packs with face-masks and voice amplifiers. This is a reimbursement grant.

If approval is granted to accept and appropriate this funding, Kellie Russell — Budget Manager, will be the fiduciary agent for the grant. The cost center is 240704 and appropriation number is 13833.

I respectfully ask your approval to accept and appropriate funding in accordance with the attached resolution.

Respectfully submitted,
EDSEL JENKINS
Executive Fire Commissioner

Approved:

PAMELA SCALES
Budget Director
JOHN NAGLICK
Finance Director

By Council Member Jenkins:

Resolved, That the Detroit Fire Department be and is hereby authorized to accept and appropriate a “2013 Assistance to Firefighter Grant Program” to Cost Center 240704 and Appropriation number 13833 in the amount of \$1,176,300.00 and a cash match of \$130,700.00 totaling \$1,307,000.00 from the Federal Emergency Management Agency (FEMA); therefore be it;

Resolved, That the Finance Director be and is hereby authorized to establish the necessary cost centers and appropriations, transfer funds and vouchers when presented, as necessary, for the operation of the program as outlined in the foregoing communication, and; be it further

Resolved That the Detroit Fire Department through the Executive Fire Commissioner or its Deputy Commissioners is authorized to enter into contract with FEMA and DHS to perform the needed grant functions.

U.S Department of Homeland Security
Washington, D.C. 20472

FEMA

Ms. Kellie Russell
Detroit (MI) Fire Department
2 Woodward Ave.
Detroit, Michigan 48226-4469
Re: Grant No. EMW-2013-FO-05188.
Dear Ms. Russell:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2013 Assistance to Firefighters Grant has been approved. FEMA’s Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$1,307,000.00. The Federal share is 90 percent or \$1,176,300.00 of the approved amount and your share of the costs is 10 percent or \$130,700.00.

Before you request and receive any of the Federal Grant funds awarded to you, you must establish acceptance of the Grant and Grant Agreement Articles through the Assistance to Firefighters Grant Programs’ (AFG) e-grant system. Please make sure you read and understand the articles as they outline the terms and conditions of your grant award. By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval, via amendment request, from FEMA. Maintain a copy of these documents for your official file.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.