

WHEREAS, After decades of repressive laws and policies that continue to punish offenders well after they have completed their sentences, even hard line law and order advocates are finally admitting, that discriminatory policies, make reentry to the community extremely difficult for someone previously incarcerated. But most importantly, they are recognizing the potential cost savings to government by reforming this system; and

WHEREAS, On September 7, 2018, then Governor Snyder signed an executive directive instructing all state departments and agencies to remove the felony question box; and

WHEREAS, The Detroit City Council is committed to welcoming returning citizens into the community by implementing ordinances that remove barriers for housing and employment, in an effort to decrease rates of recidivism:

- In 2010, the City enacted the “Ban the Box” ordinance, which limits questioning applicants about criminal convictions until after they are determined to be qualified for hiring; and
- Further, in 2012 the City also asked its vendor and contractors to remove the conviction history question from job applications; and
- Council Member Ayers, introduced the *Fair Chance Access to Rental Housing Ordinance*, affords citizens with criminal records a fair opportunity to secure housing by regulating the use of criminal background checks as part of the tenant screening process. The ordinance will become effective in July 2019.

WHEREAS, House Bill 4326, known as the *Job Applicant Criminal History Act* is sponsored by the *Honorable Cynthia A. Johnson, Michigan State Representative, 5th House District*, if enacted, would prohibit public and private employers from inquiring about an applicant’s criminal history during the application process before making a conditional offer of employment;

NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council endorses passage of House Bill 4326;

BE IT FINALLY

RESOLVED, That copies of this resolution be forwarded to the mayor, City’s lobbyist, the Detroit delegation in the House and Senate, the Committee on Commerce and Tourism and the Governor.

Adopted as follows:

Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 23), per motions before adjournment.

**Department of Public Works  
City Engineering Division**

May 16, 2019

Honorable City Council:

Re: Petition No. 644 — Michigan War of 1812 Bicentennial Commission, request City Council to authorize the replacement of a Historic Marker describing a War of 1812 Burial Ground near the Westin Book Cadillac.

Petition No. 644 — Michigan War of 1812 Bicentennial Commission, request for an encroachment with a Historic Marker on the median of Washington Boulevard, 195 feet wide, 134 feet North of Michigan Avenue, 100 feet wide (21 feet north of the base of the Macomb Monument).

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

The request was approved by the Solid Waste Division — DPW and City Engineering Division — DPW and Traffic Engineering Division — DPW (TED).

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment provisions protecting all utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW  
By Council Member Castaneda-Lopez,  
joined by Council President Jones:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Michigan War of 1812 Bicentennial Commission or their assigns to install and maintain an encroachment with a Historic marker on the median of Washington Boulevard, 195 feet wide, 134 feet North of Michigan Avenue, 100 feet wide (21 feet north of the base of the Macomb Monument), and being land in the City of Detroit, Wayne County, Michigan: median of Washington Boulevard, 195 feet wide, lying between 131 feet and 137 feet northerly of the northerly line of Michigan Avenue, and lying between 96 feet and 99 feet westerly of the westerly line of Lot 1 “Plan of Section numbered Eight in the territory of Michigan confirmed unanimously by the Governor and Judges on the 27th day of April 1807 and ordered to be a record and to be signed

by the Governor and attested to by the Secretary of the Board" as recorded in Liber 34, Page 543 of Deeds, Wayne County Records. The sign dimensions are within a box which is 6 feet long north-south, 3 feet wide east-west, with two posts 36 inches below grade, and 7 feet 5 inches in height above grade.

Provided, That if there is any 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, That 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 times, 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, Michigan War of 1812 Bicentennial Commission or their 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 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; and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Michigan War of 1812 Bicentennial Commission or their 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 Michigan War of 1812 Bicentennial Commission or their assigns. Should damages to utilities occur, Michigan War of 1812 Bicentennial Commission or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; 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 property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

Provided, That Michigan War of 1812 Bicentennial Commission or their assigns shall file with the Department of Public Works — City Engineering Division 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 of Michigan War of 1812 Bicentennial Commission or their assigns of the terms thereof. Further, Michigan War of 1812 Bicentennial Commission or their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further

Provided, This resolution or part thereof is revocable at the will, whim or caprice of the City Council, and Michigan War of 1812 Bicentennial Commission acquires

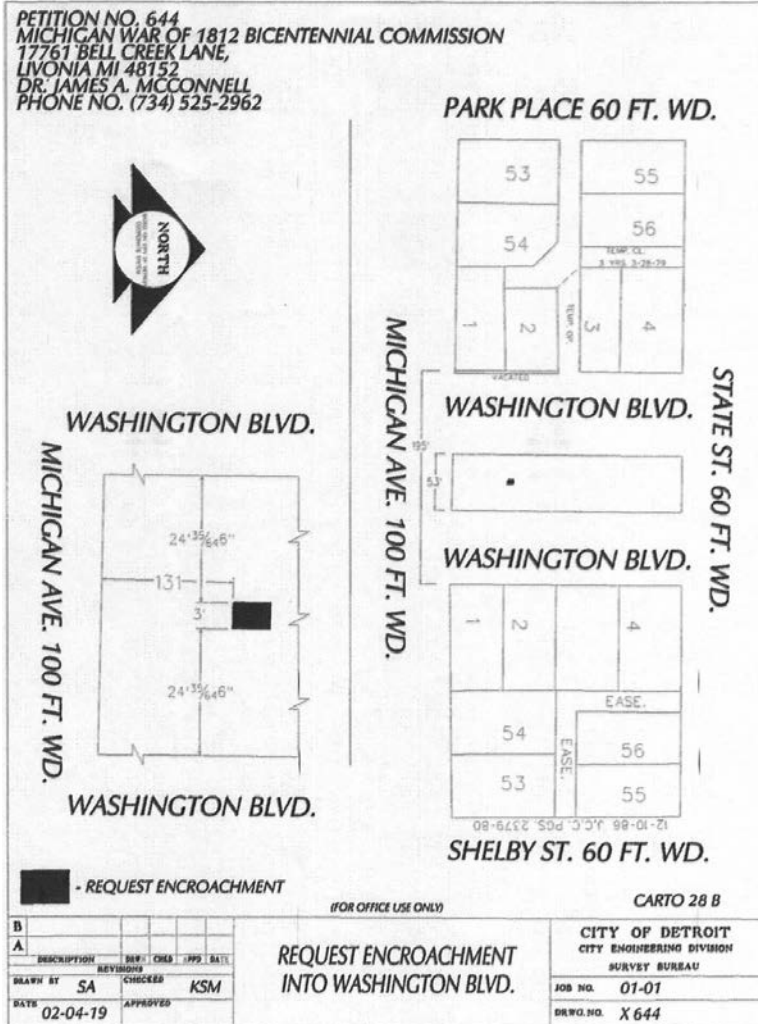
no implied or other privileges hereunder not expressly stated herein; and further

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

Provided, That the permits for the old Historical Marker at the southwest corner Michigan Avenue and Washington Boulevard are hereby revoked, and the

petitioner shall make the necessary arrangements to remove the old Historical Marker and restore the property to a condition satisfactory to the Department of Public Works — City Engineering Division, 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 Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Tate, and President Jones — 8.  
 Nays — None.  
 \*WAIVER OF RECONSIDERATION (No. 22), per motions before adjournment.

**PRESIDENT'S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS**

**BUDGET, FINANCE AND AUDIT STANDING COMMITTEE**

By ALL COUNCIL MEMBERS:  
 THE FOLLOWING ITEMS ARE TO BE REFERRED TO THE BUDGET, FINANCE AND AUDIT STANDING COMMITTEE:

**OFFICE OF CONTRACTING AND PROCUREMENT**

1. Submitting reso. autho. **Contract No. 6002147** — 100% City Funding — To Provide Funding Agreement for the Decommissioning/Demolition of Joe Louis Arena — Contractor: Detroit Building Authority — Location: 1301 Third, Detroit, MI 48226 — Contract Period: Upon City Council Approval through March 20, 2022 — Total Contract Amount: \$10,000,000.00. **Office of the Chief Financial Officer.**

Adopted as follows:  
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.  
 Nays — None.

**INTERNAL OPERATIONS STANDING COMMITTEE**

By ALL COUNCIL MEMBERS:  
 THE FOLLOWING ITEMS ARE TO BE REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE:

**HUMAN RESOURCES/LABOR RELATIONS DIVISION**

1. Submitting reso. autho. Implementation of the 2019-2023 Labor Agreement between the City of Detroit and the employees Represented by Services Employees International Union, Local 517M, (Non-Supervisory Unit) **(The Labor Relations Division is recommending your Honorable Body's official approval of the 2019-2023 Master Agreement between the City of Detroit and the Service Employees International Union, Local 517M, (Non-Supervisory Unit). (The Master Agreement covers wages, hours and other basic conditions of employment from January 1, 2019 through June 30, 2023. It has been signed by all parties concerned and meets with the approval of the Labor Relations Division.)**

Adopted as follows:  
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.  
 Nays — None.

**NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE**

By ALL COUNCIL MEMBERS:  
 THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE:

**OFFICE OF THE CHIEF FINANCIAL OFFICER/OFFICE OF DEVELOPMENT AND GRANTS**

1. Submitting reso. autho. Request to Accept and Appropriate the Strategic Neighborhood Fund Agreement to Support the Revitalization of Certain Parks. **(The Invest Detroit Foundation has applied for and been awarded, or expects to be awarded, grants in a cumulative amount of \$56,000,000.00 from various corporations and foundations for the Strategic Neighborhood Fund, of which up to \$14,000,000.00 is budgeted for the purpose of improving catalytic parks and greenways within the Strategic Neighborhood Fund neighborhoods. Invest Detroit has also been awarded Civic Commons grant as part of the Strategic Neighborhood Fund initiative in Livernois-McNichols, up to \$400,000.00 of which is budgeted for catalytic park and greenway improvements in that neighborhood.)**

Adopted as follows:  
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.  
 Nays — None.

**PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE**

By ALL COUNCIL MEMBERS:  
 THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE:

**PLANNING AND DEVELOPMENT DEPARTMENT**

1. Submitting reso. autho. On-Premises Liquor Licenses within the City of Detroit Redevelopment Project Area. **(On September 11, 2018, the Detroit City Council adopted a resolution establishing a Redevelopment Project Area in the City of Detroit ("City") as allowed under the State law to provide for the issuance of certain public on-premises liquor licenses for qualified establishments that are engaged in dining, entertainment or recreation activities.)**