

Adopted as follows:  
 Yeas — Council Members Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 8.  
 Nays — None.

**RESOLUTION**

By Council Member Benson:

WHEREAS, The Chief of the Detroit Police Department has identified that the items listed in Exhibit A are surplus to the Department's needs; and

WHEREAS, The Chief of Detroit Police Department has determined that continued storage of the items listed in Exhibit A would be burdensome and of no further benefit to the City; and

WHEREAS, The Detroit Police Department has determined that the costs associated with any attempt to re-sell the property would exceed any benefit to the City; and,

WHEREAS, Pursuant to the 2012 Detroit City Charter at Section 4-112, Control of Property, the City may not sell or in any way dispose of any property without the approval via resolution of the City Council; and

WHEREAS, Based upon the assessment of the needs of the department by the Chief of Police, and the corresponding determination that the items listed in Exhibit A are no longer needed nor useful to the City for departmental operations; and NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council approves the designation of items listed in Exhibit A, as surplus property of the City of Detroit; and BE IT FINALLY

RESOLVED, That such surplus property may be disposed of by the Detroit Police Department in accordance with all applicable laws.

**Exhibit A**

The property to be disposed of by the Detroit Police Department is specifically described as any of the following items that due to their age, size, shape, or condition are no longer compatible with the Department's current fleet or that can no longer be used in any meaningful fashion:

1. Push bumpers
2. Light bars
3. Skid plates
4. Fire extinguishers
5. Rear prisoner partitions.
6. Rear seats (factory grade or plastic prisoner seat)
7. Plexiglass for the rear partition
8. Equipment trays

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 8.  
 Nays — None.

**Department of Public Works  
City Engineering Division**

March 10, 2021

Honorable City Council:

Re: Petition No. 767 — DTE Energy on behalf of Blue Energy, request for encroachment on First Street between Beech and Grand River Avenue for the installation of Electric Vehicle Chargers.

Petition No. 767 DTE Energy on behalf of Blue Energy, request for encroachments with 4 Electric Vehicle Chargers with underground power supplies on west side of First Street, 60 feet wide, between Beech Street, 50 feet wide and Grand River Avenue, 100 feet wide.

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

The request is being made as part of Project Kinetic, a unique collaboration, and part of a pilot project to create a futuristic public space where people can socialize while fast charging their electric vehicles.

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

Detroit Water and Sewerage Department (DWSD) reports involvement, but 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 Benson:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Blue Energy or their assigns to install and maintain encroachments with 4 Electric Vehicle Chargers with underground power supplies on west side of First Street, 60 feet wide, between Beech Street, 50 feet wide and Grand River Avenue, 100 feet wide. The encroachments are east of and adjoining a parcel of land in the City of Detroit, Wayne County, Michigan, being: Lots 1 through 18 and vacated First Street & vacated alleys adjoining all in "Subdivision of Block 62 Cass Farm" as recorded in Liber 1 Page 110 Plats, Wayne County Records; Also Lots 1&2 Except Grand River as widened and Except 1st Street

as opened all in Block 58 "Cass Western Addition to the City of Detroit, between the Chicago and Grand River Roads by Lewis Cass 1851" as recorded in Liber 42 Pages 138-141 of Deeds, Wayne County Records. Encroachments are further described as follows:

1) Four (4) above grade electric vehicle chargers measuring 44 inches in length, 16 inches in width and 88 inches in height, with a clearance of 1.5 feet from the face of curb to the face of the charger. Location to center of chargers as follows: 1st charger being 24.3 ft. north from the southerly point of lot 1 and being 6.5 ft. easterly of said lot 1 of "Block 58 of Cass Western Addition" as recorded in Liber 42, Page 138-41, Wayne County Records. 2nd charger center point being 1.6 ft. south from the southerly point of lot 1 and being 6.5 ft. easterly of said lot 1 of "Block 58 of Cass Western Addition" as recorded in Liber 42, Page 138-41, Wayne County Records. 3rd charger center point being 27.6 ft. south from the southerly point of lot 1 and being 6.5 ft. easterly of said lot 1 of "Block 58 of Cass Western Addition" as recorded in liber 42, Page 138-41, Wayne County Records. 4th charger center point being 53.6 ft. south from the southerly point of lot 1 and being 6.5 ft. easterly of said lot 1 of "Block 58 of Cass Western Addition" as recorded in Liber 42, Page 138-41, Wayne County Records.

2) Below grade electrical conductors from a manhole in the intersection of First and Beech Streets to the west across the greenbelt along Beech Street. Additionally, electrical conductors from the west side of the First Street sidewalk in an easterly direction, perpendicular, more or less, to the west line of First Street, then easterly, directly to each of the four above described electrical vehicle chargers.

3) Bollards, numbering eight total, placed on both sides, measuring 1 ft. away, of each charging station. Said bollards measure at 3 ft. above grade, 3 ft. below grade, and being 18 inches square.

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 access is maintained to all fire department connections, and Be It Further

Provided, That the remaining sidewalk width meets minimum ADA requirements and all City standards and policies are met; 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, Blue Energy 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 Blue Energy 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 Blue Energy or their assigns. Should damages to utilities occur Blue Energy 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 Blue Energy 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 Blue Energy or their assigns of the terms thereof. Further, Blue Energy 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, That filing of said indemnity agreement shall be construed as acceptance of this Resolution by the "permittee"; and Further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Management Services, LLC, or their assigns; and Further

Provided, That construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and Be It Further

Provided, This resolution or part thereof is revocable at the will, whim or caprice of the City Council, and Blue Energy acquires no implied or other privileges hereunder not expressly stated herein; and Further

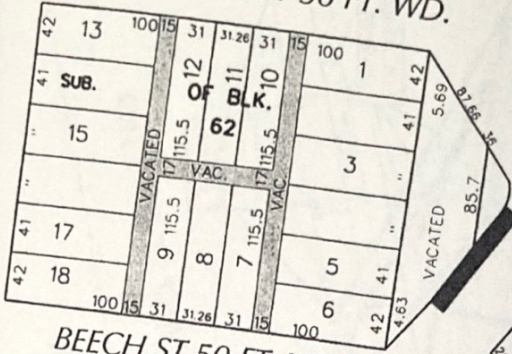
Provided, That the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and Be It Further

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

PETITION NO. 767

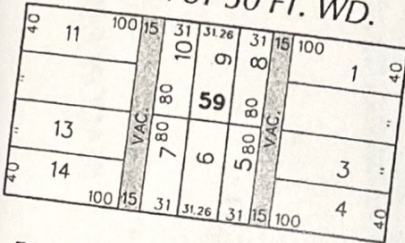


ELIZABETH ST WEST 50 FT. WD.

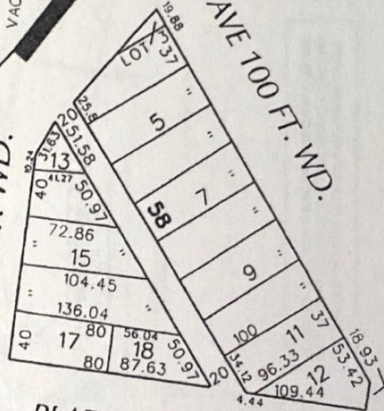


GRAND RIVER AVE 100 FT. WD.

BEECH ST 50 FT. WD.



FIRST ST 60 FT. WD.



PLAZA DRIVE 40 FT. WD.

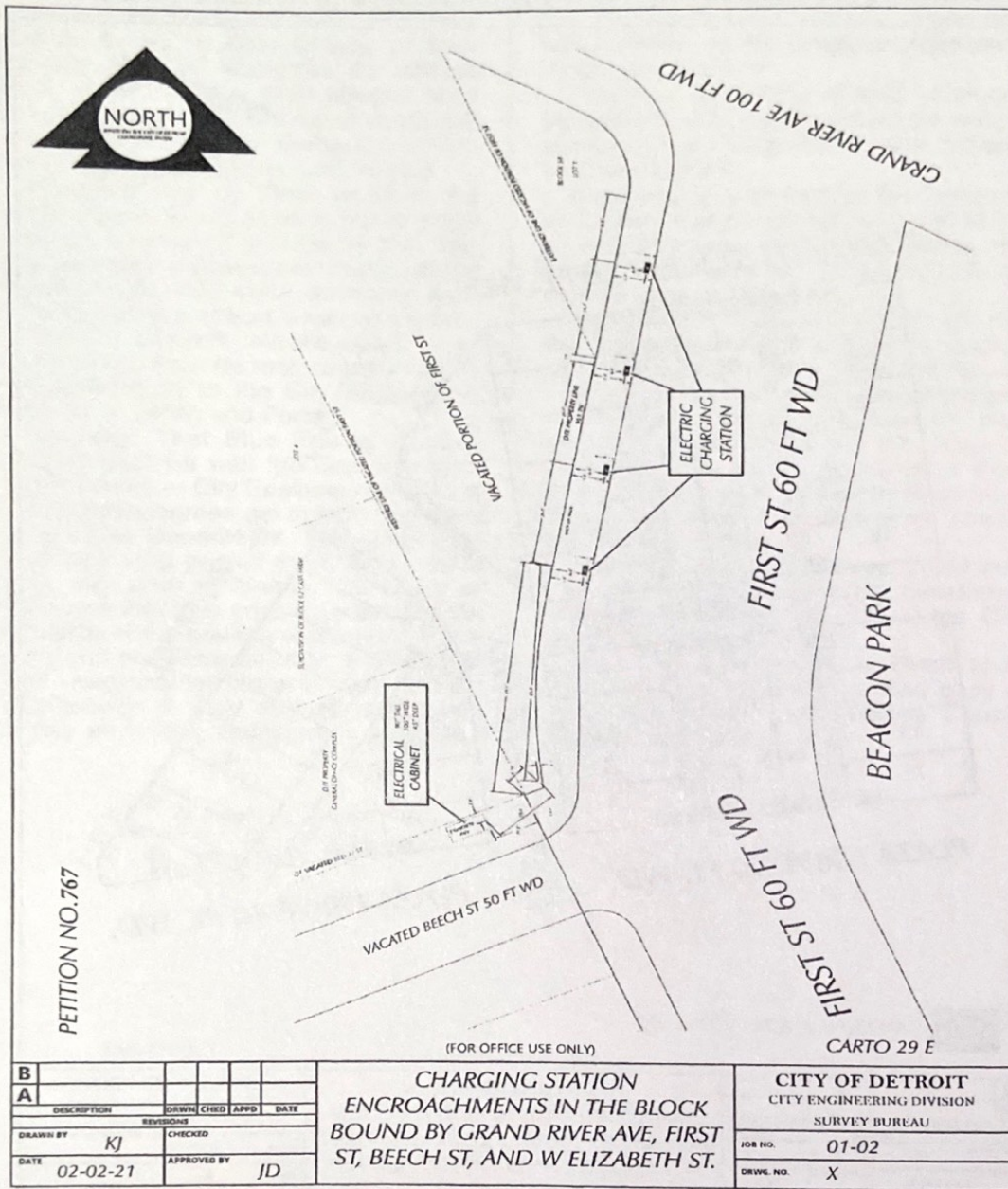
PLAZA DRIVE 40 FT. WD.

■ - MULTIPLE ENCROACHMENTS

(FOR OFFICE USE ONLY)

CARTO 29 E

<b>B</b>										<b>CHARGING STATION ENCROACHMENTS IN THE BLOCK BOUND BY GRAND RIVER AVE, FIRST ST, BEECH ST, AND W ELIZABETH ST.</b>		<b>CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU</b>	
<b>A</b>													
DESCRIPTION		DESIGN	CHECK	APPROV	DATE	DRAWN BY		CHECKED		JOB NO.		01-01	
		REFERENCES				DRAWN BY		CHECKED		JOB NO.		01-01	
						DATE		APPROVED BY		JOB NO.		X	
						02-02-21		JD					

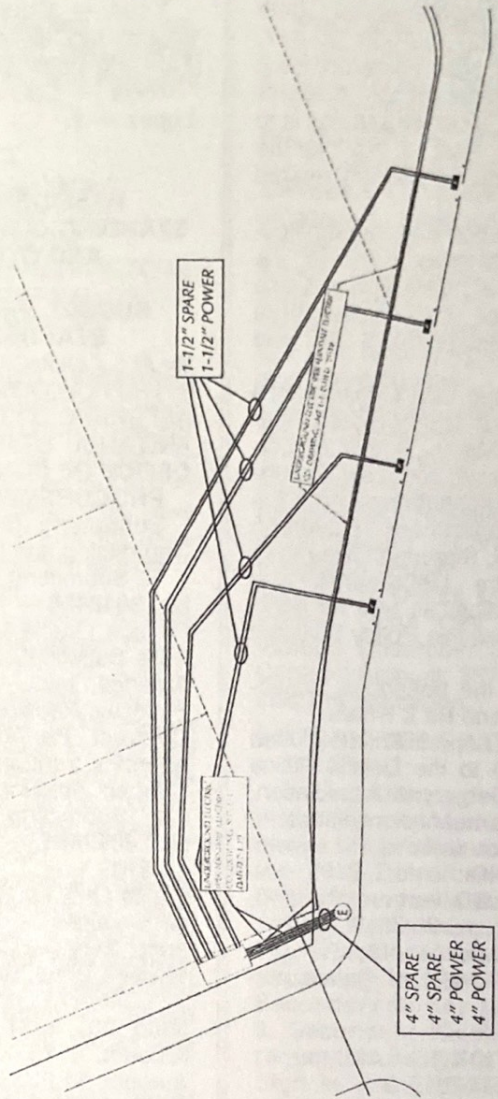


B				
A				
DESCRIPTION	DRAWN	CHEK	APPD	DATE
REVISIONS				
DRAWN BY	CHECKED			
DATE	APPROVED BY			
	KJ			
02-02-21			JD	

(FOR OFFICE USE ONLY)

**CHARGING STATION  
ENCROACHMENTS IN THE BLOCK  
BOUND BY GRAND RIVER AVE, FIRST  
ST, BEECH ST, AND W ELIZABETH ST.**

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	01-02
DRAWG. NO.	X



FOUR 2-1/2" CONDUITS AND FOUR 1" CONDUITS RUN IN GREENBELT ONE 2-1/2" CONDUIT AND ONE 1" CONDUIT SPLIT OFF TO EACH CHARGER. CONDUITS RUN 24" DEEP MINIMUM.

CONDUITS ARE DRAWN DIAGRAMMATICALLY AND ARE NOT SHOWN AS ACTUAL ROUTING. ROUTE CONDUITS IN GREENBELT BETWEEN SIDEWALK AND LANDSCAPING.

PETITION NO. 767

(FOR OFFICE USE ONLY)

CARTO 29 E

B					
A					
DESCRIPTION	DESIGN	CHECK	APPROV	DATE	
REVISIONS					
DRAWN BY	KJ		CHECKED		
DATE	02-02-21		APPROVED BY	JD	

**CHARGING STATION**  
**ENCROACHMENTS IN THE BLOCK**  
**BOUND BY GRAND RIVER AVE, FIRST**  
**ST, BEECH ST, AND W ELIZABETH ST.**

**CITY OF DETROIT**  
 CITY ENGINEERING DIVISION  
 SURVEY BUREAU  
 JOB NO. 01-03  
 DRAWN NO. X

Adopted as follows:  
 Yeas — Council Members Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 8.  
 Nays — None.  
 \*WAIVER OF RECONSIDERATION (No. 22), per motions before adjournment.

**Required Hearings Regarding Representation and Indemnification of Certain Members of the Detroit Police Department**  
 By Council Member McCalister, Jr:  
 Whereas, Section 7.5-203, *Civil Litigation*, of the 2012 Detroit City Charter provides, in relevant part, that “[upon request, the Corporation Counsel may

represent any officer or employee of the city in any action or proceeding involving official duties[.]” and,  
 Whereas, Section 13-1 1-5, *Civil Service and Personnel Regulations*, of the 1984 Detroit City Code provides, in pertinent part, that “the city council shall consider and determine whether the corporation counsel shall represent the officer or employee in the matter and find and determine whether or not the claim, demand or suit arises out of or involves the performance in good faith of the official duties of such officer or employee[.]” and,  
 Whereas, Arbitration awards issued by the Voluntary Labor Arbitration Tribunal recognize the past practice of City Coun-