

such as the newest 6 members of Council, as well as members of the general public, is part of the emergency preparedness process; and

WHEREAS, Especially after the bloody explosion of nationwide crimes of May 2022, this will be an appropriate time to assess the measures and legal authorities currently in place, to adequately educate all those who could potentially be affected by the possible calamities, and if necessary, upgrade and improve these measures; and

WHEREAS, One current need of the City's emergency preparedness officials is a designated Seat of Government plan and facility for continuity of government operations, in the event of a disaster that rendered the Coleman A. Young Municipal Center (CAYMC) temporarily uninhabitable; and

WHEREAS, Council fully recognizes that the City's police and homeland security officials work very closely with other local, state and federal partners to create, equip and staff a designated emergency preparedness center. But much more should be done to fully inform the public of these efforts; and THEREFORE BE IT

RESOLVED, Detroit City Council strongly urges the Duggan Administration to initiate and involve Council in a series of annual emergency preparedness informational discussions in each of the seven City Council districts to adequately advise and educate the general public of its efforts to safeguard the City and its people from known or foreseeable public health or mass casualty events that could occur in the City and region.

Approved as to form:

Adopted as follows:

Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 8.

Nays — None.

Department of Public Works City Engineering Division

August 31, 2022

Honorable City Council:

Re: Petition No. x2022-271 — St. Agnes Lofts LLC, request for encroachment into the sidewalk on the side of South LaSalle Gardens, adjacent to the parcel commonly known as 7601 Rosa Parks.

Petition No. x2022-271 — St. Agnes Lofts LLC, request for encroachment into the sidewalk on the side of South LaSalle Gardens, 60 ft. wide, adjacent to the parcel commonly known as 7601 Rosa Parks.

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

The request is being made to bring the current owners into compliance regarding

concrete steps constructed within the public right of way.

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

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 Santiago-Romero:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to St. Agnes Lofts LLC or their assigns to install and maintain encroachment within South LaSalle Gardens, further described as: Land in the City of Detroit, Wayne County, Michigan;

Concrete steps, to occupy the southerly 2.7 ft. of South LaSalle Gardens, 60 ft. wide, northerly of and adjacent to lot 6 of "McGregor's Subdivision" as recorded in Liber 30, Page 39 of Plats, Wayne County Records.

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 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, St. Agnes Lofts LLC 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 St. Agnes Lofts LLC 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 St. Agnes Lofts LLC or their assigns. Should damages to utilities occur St. Agnes Lofts LLC 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 St. Agnes Lofts LLC 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 St. Agnes Lofts LLC or their assigns of the terms thereof. Further, St. Agnes Lofts LLC 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 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 is revocable at the will, whim or caprice of the City Council, and St. Agnes Lofts LLC 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 ID MAP-22-55

VACATED
1/25/1916 JCC PG 65

CARTO 21 A

(FOR OFFICE USE ONLY)

B													
A	DESCRIPTION	DRAWN	CHECKED	APPROVED	DATE	<p>DOCUMENTING EXISTING ENCROACHMENT INTO S LA SALLE GARDENS (60 FT. WD.) ROW</p>				<p>CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU</p>			
REVISIONS										<p>JOB NO.</p>			
DRAWN BY MC													
DATE 07-26-22 APPROVED JD													

Adopted as follows:
 Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 8.
 Nays — None.

**Department of Public Works
City Engineering Division**

August 31, 2022

Honorable City Council:

Re: Petition No. x2022-273 — 1274 Library, LLC, request for encroachment within the southerly part of East Grand River Avenue and the easterly part of Library Avenue, adjacent to the parcel commonly known as 1274 Library Avenue, for the purpose of installing planter boxes.

Petition No. x2022-273 — 1274 Library, LLC, request for encroachment within the southerly part of East Grand River Avenue, 60 ft. wide, and the easterly part of Library Avenue, 71 ft. wide, adjacent to the parcel commonly known as 1274 Library Avenue, for the purpose of installing planter boxes.

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

The request is being made to add street scape elements for the opening of the Gucci retail store at 1274 Library Avenue.

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