

Adopted as follows:  
 Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Sheffield, and Spivey — 5.  
 Nays — Council President Jones — 1.

**Finance Department  
 Purchasing Division**

November 20, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firms or persons:

**2896853** — 100% City Funding — To provide a Medical Claims Audit — Contractor: Health Decisions, Inc., Location: 409 Plymouth Road, Suite 220, Plymouth, MI 48170 — Contract period: October 1, 2014 through October 1, 2015 with a (1) one-year renewal option — Contract amount: \$131,800.00. **Human Resources.**

Respectfully submitted,  
 BOYSIE JACKSON

Deputy Purchasing Director  
 Finance Dept./Purchasing Division  
 By Council Member Spivey:

Resolved, That Contract No. 2896853 referred to in the foregoing communication dated November 20, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Sheffield, Spivey, and President Jones — 6.  
 Nays — None.

**Finance Department  
 Purchasing Division**

November 20, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firms or persons:

**87021** — 100% City Funding — Municipal Adjuster — To provide a Liaison between the City and its Third Party Administrator to Facilitate the Resolution of Claims Filed and to adjust both Property and Personal Injury Claims — Contractor: Tyrone Butler, Location: 12171 Otsego, Detroit, MI 48204 — Contract period: October 15, 2014 through June 30, 2015 — \$25.00 per hour — Contract amount: \$40,000.00. **Law.**

Respectfully submitted,  
 BOYSIE JACKSON

Deputy Purchasing Director  
 Finance Dept./Purchasing Division  
 By Council Member Spivey:

Resolved, That Contract No. 87021 referred to in the foregoing communication dated November 20, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Sheffield, Spivey, and President Jones — 6.  
 Nays — None.

**Finance Department  
 Purchasing Division**

November 20, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firms or persons:

**87022** — 100% City Funding — Attorney — To provide Legal Services — Contractor: Sean Tate, Location: 18314 Stansbury, Detroit, MI 48235 — Contract period: October 20, 2014 through June 30, 2015 — \$30.00 per hour — Contract amount: \$52,320.00. **Law.**

Respectfully submitted,

BOYSIE JACKSON

Deputy Purchasing Director  
 Finance Dept./Purchasing Division  
 By Council Member Spivey:

Resolved, That Contract No. 87022 referred to in the foregoing communication dated November 20, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Sheffield, Spivey, and President Jones — 6.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**

November 5, 2014

Honorable City Council:

Re: Petition No. 239 — Giffels Webster, request to vacate certain public streets and alleys in the area bounded by Clifford, Woodward, Temple and the Fisher Freeway Southbound Service Drive. Request to vacate the south 5.0 feet of Sproat between Park and Woodward. Request to vacate and convert to utility easement Clifford between Sibley and Sproat and Sproat between Park and Woodward. Requesting easements be retained for vehicular and pedestrian traffic across Clifford and Sproat utility easements.

Petition No. 239, submitted by Giffels Webster, 28 W. Adams, Suite 1200, Detroit, Michigan 48226, on behalf of the City of Detroit Downtown Development Authority (DDA) whose address is 500 Griswold, Suite 2200, Detroit, Michigan 48226 and Olympia Development of Michigan, Inc., whose address is 2211 Woodward Avenue, Detroit, Michigan 48201, who respectfully request to vacate (outright):

- Sibley Street, 50 feet wide, between Clifford Street, 60 feet wide, and Woodward Avenue, 120 feet wide; Park Avenue, 60 feet wide, between Henry Street, 50 feet wide, and Sproat Street, 50 feet wide;
- The South 5.0 feet of Sproat Street, 50 feet wide, between Woodward Avenue, 120 feet wide, and Park Avenue, 60 feet wide.

- All of the north-south and east-west public alleys 15 and 20 feet wide, in the block bounded by Park Avenue, Woodward Avenue, Sproat Street and Temple Avenue, 60 feet wide;

- All of the north-south and east-west alleys 15 feet wide, in the area bounded by Clifford Street, Woodward Avenue, Henry Street and Sproat Street;

- All of the north-south and east-west public alleys, 15 feet wide, in the block bounded by Park Avenue, Fisher Freeway (I-75) South Bound Service Drive, Henry Street and Woodward Avenue.

Also, requesting to vacate and convert to subsurface utility easement of Clifford Street, 60 feet wide, between Sibley Street, 50 feet wide, and Sproat Street, 50 feet wide; and Sproat Street, between Park and Woodward Avenue(s), with vehicular and pedestrian easement(s) retained for across said easements.

In December, 2013, the Detroit City Council has approved the transfer of certain city-owned parcels to the DDA to facilitate construction of a \$650 million Detroit Events Center and Entertainment District. As part of the coordinated efforts of the City of Detroit, the DDA and Olympia Development of Michigan, the requested rights-of-way changes are necessary to complete the land assemblage required for the Detroit Event Center.

This request has been reviewed by the appropriate City Departments. This is our report.

The request has been approved by the Solid Waste Division and the Street Design Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility clearance) and report.

The Traffic Engineering Division of DPW has no objection to the requested changes in public rights-of-way, provided the petitioner has 100% of the abutting property owners consent, and provided that plans are submitted and approved by the City Engineering and Traffic Engineering Divisions — DPW prior to construction of the vehicular and pedestrian easement areas.

The Planning and Development Department (P&DD) has no objection to the requested rights-of-way vacations, however, because the requested streets are adjacent to the Eddystone and Park Avenue Hotel Historic Districts, P&DD will require notification prior to any changes made to these properties.

The Detroit Water and Sewerage Department (DWSD) has no objection to the out-right vacation of the public rights-of-way or the conversion to subsurface utility easement, provided the petitioner relocates the sewer and provides a suitable easement to DWSD, that the petitioner owns all adjacent properties; and that when it becomes necessary to

reroute certain Water and Sewerage Department (DWSD) water main and sewer facilities, the petitioner agrees that all work is performed in accordance with plans and specifications approved by DWSD, constructed under the inspection and approval of DWSD, and all necessary work is to be at the petitioner's expense and at no costs to DWSD.

The Public Lighting Department (PLD) reports having manholes and underground fed street lighting circuits running in the area of the requested right-of-way changes. PLD has no objections to the requested changes in public rights-of-way. Any construction activities in the area must protect PLD installations per PLD specifications. Any structure, if proposed, must maintain clearances acceptable to the PLD. Any damage to PLD installations will be the liability of the contractor.

DTE Energy — Gas reports having an existing Gas Main Line that runs East and West in Sibley and another that runs North and South in Park. Satisfactory arrangements have been made for abandoning, removing, relocating and/or rerouting DTE Energy — Gas facilities.

Satisfactory arrangements have been made with a Customer Account Representative of DTE Energy — Electric for the cost and scope of work in order to remove or reroute its facilities.

AT&T reports having existing facilities within the area proposed to be vacated. However, arrangements have been made with the Customer Growth Group to re-route, remove or abandon the facilities and to provide new service to the future development.

All other city departments and privately-owned utility companies have reported no objections to the requested rights-of-way changes or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the 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:

Whereas, Your Honorable City Council has previously approved the "Funding Agreement" and "Transfer of Land Agreement" with the Detroit Downtown Development Authority (DDA) in order to facilitate the new \$650 million Detroit Events Center and Entertainment District Project; and

Whereas, As part of coordinated efforts of the City of Detroit, the DDA and Olympia Development of Michigan, it's critical that the requested rights-of-way changes take place in order to break ground and begin the phase of constructing the new 20,000-seat arena; and

Whereas, Because the requested streets are adjacent to the Eddystone and Park Avenue Hotel Historic Districts, the petitioner is required to notify the Planning and Development Department prior to any changes made to said properties; and

Whereas, Pedestrian and vehicular easements are hereby reserved over parts of Clifford and Sproat Streets; and

Whereas, Above ground utilities such as light poles, hydrants, guy poles or those above ground utility features usually found in a public street shall not be installed within the subsurface easement streets; and

Whereas, Detroit Events Center and Entertainment District Project represents an exciting opportunity to redevelop a significant portion of vacant and dormant land, generating jobs and economic opportunity for the City of Detroit; therefore be it

Resolved, All that part of Sibley Street, 50 feet wide, between Clifford Street, 60 feet wide and Woodward Avenue, 120 feet wide, lying Southerly of and abutting the South line of Lots 102 through 113, both inclusive, and lying Northerly of and abutting the North line of Lots 114 through 125, both inclusive; also, lying Northerly of and abutting the North line of Lots 26 through 37, both inclusive, and lying Southerly of and abutting the South line of Lots 40 through 51, both inclusive; Also, lying Northerly of and abutting the North line of Lot 5 and lying Southerly of and abutting the South line of Lot 6, all in the "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records.

Also, all that part of Park Avenue, 60 feet wide, between Henry Street, 50 feet wide, and Sproat Street, 50 feet wide, lying Westerly of and abutting the West line of Lots 25, 26, 51 and 52; and lying Easterly of and abutting the East line of Lots 101, 102, 125 and 126, all in the "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records.

Also, all that part of the South 5.0 feet of Sproat Street, 50 feet wide, between Woodward Avenue, 120 feet wide, and Park Avenue, 60 feet wide, lying Northerly of and abutting the North line of Lot 10 and Lots 52-63, both inclusive, and the north-south alley, 15.00 feet wide, in the "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records.

Also, all of the public alleys in the block bounded by Park Avenue, 60 feet wide,

Woodward Avenue, 120 feet wide, Henry Street, 50 feet wide and Sibley Street, 50 feet wide; being the north-south public alley, 15.00 feet wide, lying Westerly of and abutting the West line of Lots 1 through 5, both inclusive, and lying Easterly of and abutting the East line of Lots 14 and 37; also all that part of the east-west public alley, 15 feet wide, lying Northerly of and abutting the North line of Lots 14 through 25, both inclusive, and lying Southerly of and abutting the South line of Lots 26 through 37" both inclusive, of said "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records.

Also, all of the public alleys in the block bounded by Park Avenue, 60 feet wide, Woodward Avenue, 120 feet wide, Sibley Street, 50 feet wide and Sproat Street, 50 feet wide; being the north-south public alley, 15.00 feet wide lying Westerly of and abutting the West, line of Lots 6 through 10, both inclusive, and lying Easterly of and abutting the East line of Lots 40 and 63; also, all that part of the east-west alley 15.00 feet wide, lying Northerly of an abutting the North line of Lots 40 through 51 both inclusive, and lying Southerly of and abutting the South line of Lots 52 through 63, both inclusive, of said "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records.

Also, all of the east-west public alley, 15.00 feet wide, in the block bounded by Clifford Street, 60 feet wide, Park Avenue, 60 feet wide, Sibley Street, 50 feet wide and Sproat Street, 50 feet wide; lying Southerly of and abutting the South line of Lots 90 through 101, both inclusive, and lying Northerly of and abutting the North line of Lots 102 through 113, both inclusive, of said "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records.

Also, all of the east-west public alley, 15.00 feet wide, in the block bounded by Clifford Street, 60 feet wide, Park Avenue, 60 feet wide, Henry Street, 50 feet wide and Sibley Street, 50 feet wide; lying Southerly of and abutting the South line of Lots 114 through 125, both inclusive, and lying Northerly of and abutting the North line of Lots 126 through 137, both inclusive, of said "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records.

Also, all of the public alleys, in the block bounded by Park Avenue, 60 feet wide, Woodward Avenue, 120 feet wide, Sproat

Street, 50 feet wide, and Temple Avenue, 60 feet wide; described as being the north-south public alley, 15.00 feet wide, lying Westerly of and abutting the West line of Lot 12, Block 75, and lying Easterly of and abutting the East line of Lots 13-18, both inclusive, Block 75, also, lying Westerly of and abutting the West line of Lot 12, Block 76, and lying Easterly of and abutting the East line of Lots 13-18, both inclusive, Block 76, and, the north-south public alley, 15.00 feet wide, lying Easterly of and abutting the East line of Lot 4, Block 76, and lying Westerly of and abutting the West line of Lots 1, 2, 3 and 11, Block 76, and the east-west public alley, 20.00 feet wide, lying Southerly of and abutting the South line of Lots 5-12, both inclusive, Block 75, and lying Northerly of and abutting the North line of Lots 4-10, both inclusive, and Lot 12, Block 76, all in the "Plat of the Subdivision of Park Lots 72, 73, 74, 75 and 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 53, Page 196 Deeds, Wayne County Records; also, all that part of the north-south public alley, 15.00 and 30.00 feet wide, lying westerly of and abutting the West line of Lots 1-4, both inclusive, and lying Easterly and Southerly of and abutting the East and South line of Lot 5, of the "Subdivision of Lots 1, 2, 3 and 4 of the Subdivision of Park Lot 75", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 22, Page 14 Plats, Wayne County Records;

Also, all of the public alleys, in the block bounded by Park Avenue, 60 feet wide, Woodward Avenue, 120 feet wide, Fisher Freeway South Bound Service Drive and Henry Street, 50 feet wide, described as being the east-west alley, 15.00 feet wide, lying Southerly of and abutting the South line of Lots 47-53, both inclusive, and lying Northerly of and abutting the North line of Lot 54-60, both inclusive, and the north-south public alley, 15.00 feet wide, lying Easterly of and abutting the East line of Lot 53, in "Duffields's Subdivision", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 1, Page 249, Plats, Wayne County Records.

Be and the same are hereby vacated as public streets and alleys to become part and parcel of the abutting property.

Provided, That the petitioner relocates the Detroit Water and Sewerage Department (DWSD) sewer and provides a suitable easement to DWSD; and

Provided, That when it becomes necessary to reroute certain DWSD water main and sewer facilities, all work is performed in accordance with plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; also

Provided, All necessary work is to be at the petitioner's expense and at no costs to DWSD; and

Provided, Any construction activities in the area shall be done protecting Public Lighting Department (PLD) installations per PLD specifications; also

Provided, Any structure, if proposed, shall maintain clearances acceptable to the PLD and any damage to PLD installations will be the liability of the contractor; and be it further

Resolved, All that part of Clifford Street, 60 feet wide, between Sibley Street, 50 feet wide, and Sproat Street, 50 feet wide, (except that part platted for the opening of Cass Avenue) lying Westerly of and abutting the West line of Lot 90 and 113, of the "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records; and lying Easterly of and abutting the East line of a triangular parcel of land as platted in said "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records; said Westerly line of a Northerly portion of Clifford Street also abutting the East line of Private Claim 55, said line also being the East line of Cass Avenue, 80 feet wide; and

All that part of Sproat Street, 50 feet wide, (except the south 5.0 feet requested to be vacated) between Woodward Avenue, 120 feet wide, and Park Avenue, 60 feet wide, lying Northerly of and abutting the North line of Lot 10 and Lots 52-63, both inclusive, and the north-south alley, 15.00 feet wide, in the "Plan of the Subdivision of Park Lots 77, 78, 79 and a part of 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 43, Page 260 Deeds, Wayne County Records; and lying Southerly of and abutting the South line of Lots 4-10, both inclusive, Lots 11, 12 and 18, Block 76, "Plat of the Subdivision of Park Lots 72, 73, 74, 75 and 76", City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 53, Page 196 Deeds, Wayne County Records;

Be and the same are hereby vacated as public streets and are hereby converted into a private subsurface easement(s) for public utilities inclusive of easement reserved for vehicular and pedestrian traffic of the full width of the street(s), (except the south 5.0 feet of Sproat Street requested to be vacated) which easement(s) shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observe by the owners of the lots abutting on said streets and by their heirs, executors, administrators and assigns, forever to wit;

First, said owners hereby grant to and for the use of the public subsurface easements or rights-of-way over said vacated



public street herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed in underground in a public street in the City of Detroit, with the right to ingress and egress at any time to and over said easement(s) for the purpose above set forth,

Second, Said subsurface utility easement(s) or right(s)-of-way in and over said vacated street(s) herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, or any utility facility placed or installed in the utility easement(s) or right(s)-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said subsurface utility easement(s) with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said subsurface easement(s), nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated street(s) shall request the removal and/or relocation of any existing poles or other utilities in said easement(s), such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and further

Provided, That prior to the design and construction of the vehicular and pedestrian easement area, plans are submitted and approved by the City Engineering and Traffic Engineering Divisions of the Department of Public Works (DPW); and further

Provided, That the appropriate traffic control devices are installed and maintained and vehicular and pedestrian traffic is not interrupted without written approval from the Traffic Engineering Division — DPW; and further

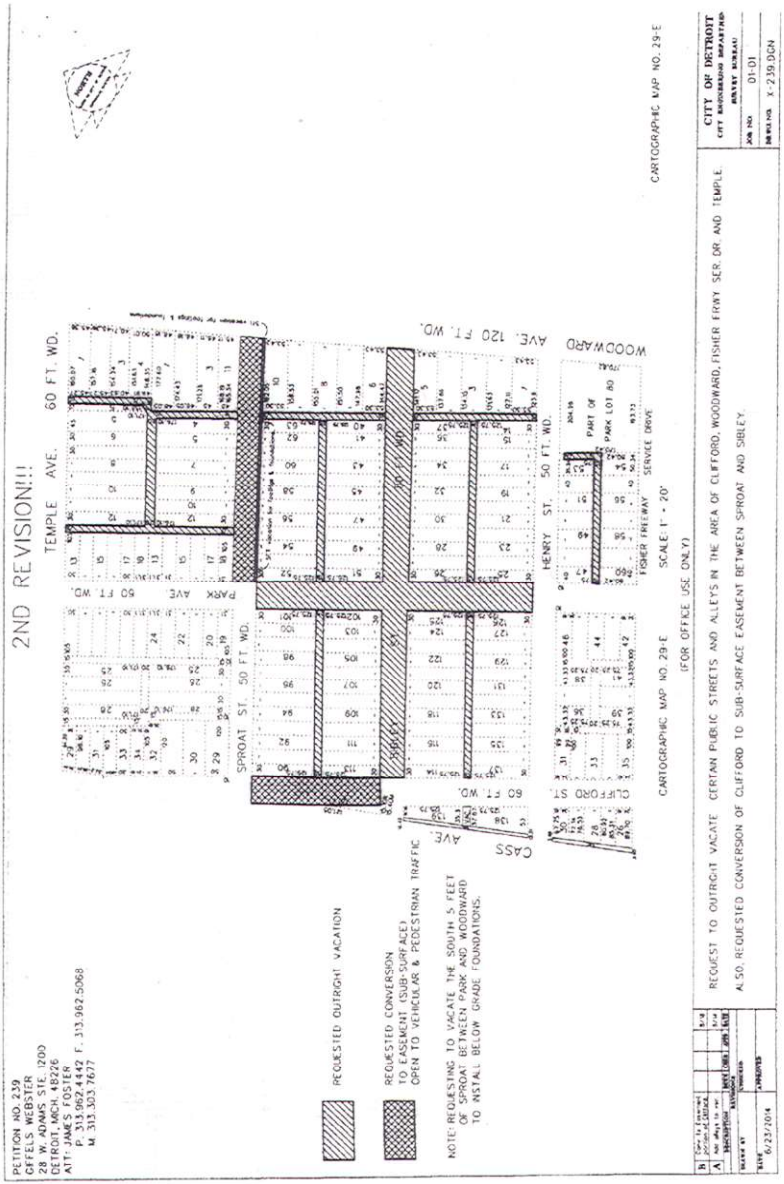
Provided, That free and easy access to the sewers and water mains within the easement(s) is reserved for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and further

Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easement(s), or that no grade changes or storage of materials shall be made within said easement(s) without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That if any time in the future, the owners of any lots abutting on said vacated street(s) shall request the removal and/or relocation of the aforementioned utilities in said easement(s), such owners shall pay all costs incidental to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement(s) shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incidental to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his/her action; and further

Provided, That if it becomes necessary to remove the paved return at the entrance(s), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; 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 Benson, Castaneda-Lopez, Cushingberry, Jr., Sheffield, Spivey, and President Jones — 6.  
 Nays — None.

**Finance Department  
 Purchasing Division**  
 November 6, 2014

Honorable City Council:  
 The Purchasing Division of the Finance Department recommends a Contract with the following firms or persons:

**2898978** — No Funding provided by the City — To provide Operational, Programming, Capital Improvements and Maintenance Services at the Evans Recreation Center, located at 13950 Joseph Campau St., Detroit, Michigan. Contractor will reopen Evans Recreation Center and provide all improvements stated. That Contract will provide daily operation and management of the Center and shall pay for electricity, heat, phone, air conditioning, snow removal, grounds maintenance, etc. — Contractor: New Life