



# Detroit Water and Sewerage Department Meeting Minutes - Final Board of Water Commissioners

735 Randolph  
Detroit, Michigan 48226

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Wednesday, September 23, 2015

2:00 PM

5th Floor Board Room, Water Board Building

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## Regular Meeting

### 1. CALL TO ORDER

Chairman Fausone called the meeting to order at 2:00 PM.

### 2. ROLL CALL

**Present:** 5 - Commissioner James Fausone, Commissioner Fred Barnes, Commissioner John Henry Davis, Commissioner Michael Einheuser and Commissioner Jody Caldwell

**Excused:** 2 - Commissioner Mary Blackmon and Commissioner Linda Forte

### 3. APPROVAL OF AGENDA

Chairman Fausone requested approval of the agenda.

A closed session was added as "OTHER MATTERS," Item 12, on the agenda. No action will be taken after the closed session.

**A motion was made by Commissioner Barnes, seconded by Commissioner Einheuser that this be approved as amended. The motion carried by the following vote:**

**approved as amended**

**Aye:** 5 - Commissioner Fausone, Commissioner Barnes, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

**Excused:** 2 - Commissioner Blackmon and Commissioner Forte

### 4. APPROVAL OF MINUTES

Chairman Fausone requested approval of the minutes of August 26, 2015.

**A motion was made by Commissioner Einheuser, seconded by Commissioner Barnes that this be approved. The motion carried by the following vote:**

**approved**

**Aye:** 4 - Commissioner Fausone, Commissioner Barnes, Commissioner Davis and Commissioner Einheuser

**Excused:** 2 - Commissioner Blackmon and Commissioner Forte

**Abstain:** 1 - Commissioner Caldwell

**5. PUBLIC COMMENTS (3 minutes per speaker)**

Commissioners Blackmon and Forte joined the meeting at 2:03 PM.

Cindy Darrah, on behalf of Saul Simolunas, President of the Chemist Union argued that members of the National Register for Environmental Chemists are being kicked out and the ones without credentials are being retained.

Mable Mays, 5044 Kensington, stated the Department owes her \$370.00 from fourteen months ago. Ms. Mays was referred to a customer care representative.

Kelly Kade and Mike D'Agostino, Banyan Investments, 8109 E Jefferson, claimed water was shut off at their property on a Saturday without notification. He argued his account is in current status. They have three commercial spaces and two residential tenants. Ms. Kade and Mr. D'Agostino were referred to the Manager of the Customer Service Group.

Nick Delicata, ND Property Management Inc, 205-211 W Congress, argued against the Department's change in policy regarding Fenkell lines. Darryl Latimer, Chief Customer Service Officer, replied that Fenkell lines have multiple accounts feeding off one water line. If a bill becomes delinquent (in shut off status), the Department has to discontinue service for multiple dwellings - the tenant and everyone on that water line. The Department does not allow tenants on Fenkill lines to enter into landlord-tenants agreements - the landlord is responsible because there is only one point of access. Mr. Delicata was referred to a customer care representative.

Brigitte Howard, 9561 Bryden, argued the commercial building she owns has high sewer charges. Ms. Howard was referred to a customer care representative.

Haider Aljeborj, 17245 Mount Elliott, stated he purchased a lot December 13, 2013 from Wayne County. Mr. Ajeborj asked for help to minimize his \$30,000.00 bill in order to sale the lot versus letting the property revert back to Wayne County, which would not benefit the city. Mr. Ajeborj was referred to a customer care representative.

Behrouz Rashidinejad, 20200 Clark Rd in Belleville, stated a building he owns at 9260 Freeland in Detroit has a water bill of \$42,015.00. Each month, he said, the sewer portion is \$1,980.00. He requested help lowering charges. Mr. Rashidinejad was referred to a customer care representative.

**6. ITEMS FROM THE COMMISSIONERS**

A. Followup Items - None

B. Wendy Barrott, General Manager of the Wastewater Treatment Plant submitted and provided a verbal update of the biosolids.

C. BOWC Committee Update

Commissioner Einheuser reported that the Finance Committee met on September 16, 2015. The Committee's main focus was the impact of the rate simplification initiative. Nicolette Bateson, CFO was asked to report the highlights of the sewage disposal system and wholesome water supply system.

**7. OLD BUSINESS**

None.

**8. NEW BUSINESS****[15-1114](#)**

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **approve the July 16, 2015 and August 13, 2015 recommendation of the Claims Committee for payment and settlement of claims for \$5,000.00 and over**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Porter

**Attachments:** [DamageClaims\\_attachments\\_pkg\\_15-1114](#)

**A motion was made by Commissioner Blackmon, seconded by Commissioner Forte that this Claim, Water, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

**[15-1115](#)**

The Board of Water Commissioners authorizes the Director to **grant a contract increase not-to-exceed \$3,331,715.33 for Change Order No. 1 to Contract No. 2904951, "Commercial Janitorial Services", GDI Omni Incorporated.**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Glavin

**A motion was made by Commissioner Barnes, seconded by Commissioner Blackmon that this Procurement be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1116](#)

The Board of Water Commissioners authorizes the Director to **grant a contract increase not-to-exceed \$48,412.00 for Change Order No. 1 to Contract No. 2911106, “Grounds Maintenance Services”, Premier Group & Associates**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Glavin

**Attachments:** [Acreage Cost Increase Revised](#)  
[50100 Sites with Additional Acreage](#)

**A motion was made by Commissioner Einheuser, seconded by Commissioner Caldwell that this Procurement be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1117](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **enter into Fed Bid Buy No. 726923\_03 “Phosphoric Acid, Technical Grade, 75% Concentration” with PVS Nolwood Chemicals, Inc., in the amount of \$2,545,494.84 for a duration of two (2) years, with two (2) - one (1) year renewal options at a cost of \$1,272,747.42 for each renewal option**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Porter and Daniel

**Attachments:** [Bid Tabulation phosphoric acid](#)

ORCAP recommends looking at the dosage issue.

**A motion was made by Commissioner Forte, seconded by Commissioner Davis that this Contract be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1118](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **enter into Contract No. SP-570, “Miscellaneous Concrete Crack Repair and Restoration at Springwells Water Treatment Plant” with Toolles Contracting Group, LLC (Contractor), at a cost not to exceed \$587,260.75 for a duration of 300 calendar days**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Porter and Daniel

**A motion was made by Commissioner Caldwell, seconded by Commissioner Davis that this Contract be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1121](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **secure a contract from The Detroit Salt Company, LLC, for Bulk Salt for one (1) year at a cost not to exceed \$321,181.00 Central Services Facility 4,000 tons \$215,920.00, Waste Water Treatment Plant 700 tons \$37,786.00, West Yard 750 tons \$40,485.00 and Detroit Marine Terminal 500 tons \$26,990.00**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Johnson

**Attachments:** [Salt Contract FY15-16 Bid Tabulation & Evaluation Pages 1 & 2.pdf](#)

Approved, based upon the revised Board letter language.

**A motion was made by Commissioner Davis, seconded by Commissioner Forte that this Procurement, Goods and Services, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1123](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **execute an Agreement and Grant of Easement for Water Mains and Sewers with the Michigan Humane Society, 30300 Telegraph Rd. Suite 220, Bingham Farms, MI 48025**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Wolfson

**Attachments:** [15-02 Michigan Humane Society Exhibit A](#)

**A motion was made by Commissioner Forte, seconded by Commissioner Caldwell that this Contract, Real Estate (Other), be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1125](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **implement the New Customer Service Fee Schedule policy, effective October 1, 2015**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Latimer

**Attachments:** [Fee Calculation Detail-M&R](#)  
[Calculation Water Used for Demolition](#)  
[Fees&Charges Schedule effective 2015oct01](#)  
[Proposed FE&I fees-1](#)  
[FEE Calculations Details-MO\\_09\\_03\\_15](#)

**A motion was made by Commissioner Blackmon, seconded by Commissioner Barnes that this Policy be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1127](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **secure Public Officials and Employment Practices Liability Insurance for a premium amount not to exceed \$316,675.00 for a period of one (1) year**, and also authorizes the Director to take such other actions as may be necessary to accomplish the intent of this vote.

**Sponsors:** Wolfson

**Attachments:** [Public Officials Insurance Renewal Proposal](#)

**A motion was made by Commissioner Einheuser, seconded by Commissioner Blackmon that this Procurement, Services, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis , Commissioner Einheuser and Commissioner Caldwell

[15-1128](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **settle this matter in the amount of NINETY THOUSAND, Dollars and NO CENTS (\$90,000.00) by issuance of a draft in that amount payable to Gregory V. Green and his attorney Paul S. Rosen, to be delivered upon receipt of a properly executed Redemption Order approved by the State of Michigan, Department of Workers Compensation**, and also authorizes the Director to take such other actions as may be necessary to accomplish the intent of this vote.

**Sponsors:** Wolfson

**Attachments:** [Gregory Green Comp Settlement Letter](#)

Green, Gregory - Settlement Memo

**A motion was made by Commissioner Caldwell, seconded by Commissioner Barnes that this Case Settlement, Other, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis , Commissioner Einheuser and Commissioner Caldwell

[15-1129](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **settle this matter in the amount of ONE HUNDRED AND FIFTEEN THOUSAND, Dollars and NO CENTS (\$115,000.00) by issuance of a draft in that amount payable to Albert Mitchell and his attorney John P. Charters, to be delivered upon receipt of a properly executed Redemption Order approved by the State of Michigan, Department of Workers Compensation,** and also authorizes the Director to take such other actions as may be necessary to accomplish the intent of this vote.

**Sponsors:** Wolfson

**Attachments:** [mitchell Albert - City law settlement cover letter](#)  
Settlement memo - Albert mitchell

**A motion was made by Commissioner Blackmon, seconded by Commissioner Barnes that this Case Settlement, Water, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis , Commissioner Einheuser and Commissioner Caldwell

[15-1131](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **settle this matter in the amount of NINETY FIVE THOUSAND, Dollars and NO CENTS (\$95,000.00) by issuance of a draft in that amount payable to Eric Rivers and his attorney John P. Charters, to be delivered upon receipt of a properly executed Redemption Order approved by the State of Michigan, Department of Workers Compensation,** and also authorizes the Director to take such other actions as may be necessary to accomplish the intent of this vote.

**Sponsors:** Wolfson

**Attachments:** settlement memo - eric rivers comp  
[Rivers, Eric - City law Cover letter](#)

**A motion was made by Commissioner Davis, seconded by Commissioner Caldwell that this Case Settlement, Water, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis , Commissioner Einheuser and Commissioner Caldwell



9. DIRECTOR'S REPORT

[15-1132](#)

Attachments: [Director's Report - September 23 , 2015](#)

10. COMMENTS BY COMMISSIONERS

Commissioner Caldwell introduced himself to the Board. He is a registered professional civil engineer, involved in the Technical Advisory Committee (TAC) and Steering Committee (SC); involved with DWSD/GLWA transition in relation to operations; a member of the North Oakland County Water Authority (NOCWA) representing the City of Pontiac. "I hope to work as hard as possible to benefit the customers throughout the region," he said.

11. COMMENTS BY THE CHAIR

The September 30, 2015 meeting time change from 1:00 PM to 12:00 PM.

12. OTHER MATTERS

Commissioner Blackmon was excused from the meeting at 3:33 PM.

13. CLOSED SESSION

Chairman Fausone requested a motion to enter into closed session at 3:35 PM.

**A motion was made by Commissioner Einheuser, seconded by Commissioner Barnes that this be approved. The motion carried by the following vote:**

**approved**

**Aye:** 6 - Commissioner Fausone, Commissioner Barnes, Commissioner Forte, Commissioner Davis , Commissioner Einheuser and Commissioner Caldwell

**Excused:** 1 - Commissioner Blackmon

Chairman Fausone requested a motion to return from closed session at 4:25 PM.

**A motion was made by Commissioner Davis, seconded by Commissioner Barnes to return from Closed Session. The motion carried by the following vote:**

**approved**

**Aye:** 6 - Commissioner Fausone, Commissioner Barnes, Commissioner Forte, Commissioner Davis , Commissioner Einheuser and Commissioner Caldwell

**Excused:** 1 - Commissioner Blackmon

The only matters discussed were United States v City of Detroit Case No. 77-71100.

**14. ADJOURNMENT**

**A motion was made by Commissioner Forte, seconded by Commissioner Caldwell that this be adjourned. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

There being no further business, the meeting adjourned at 4:25P.M.