

Wayne County Commission



Edward A. Boike, Jr.
Chairman

John Pfeiffer
Director

OFFICE OF POLICY RESEARCH & ANALYSIS

COMMITTEE MEMBERS

October 22, 2010

Tim Killeen (Chair)
Joseph Palamara (Vice-Chair)
Jewel Ware

NOTICE OF MEETING OF THE

COMMITTEE ON ENVIRONMENT, DRAINS AND SEWERS

Tuesday, October 26, 2010 – 9:00 a.m.

Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226

Commissioner Tim Killeen, Chairman of the Committee on Environment, Drains and Sewers has scheduled the meeting of the Committee on **Tuesday, October 26, 2010 at 9:00 a.m.** in Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226 to consider the following:

- A. Roll Call.
- B. Approval of the minutes from the October 12, 2010 meeting.
- C. Old Business
- D. New Business
1. Communication dated September 20, 2010 (received October 14th) requesting Commission approval of a resolution for the relinquishment of jurisdiction and control of the Branch of Hawkins Drain Drainage District to the City of Livonia under the provisions of the Michigan Drain Code; the County Executive advises that the relinquishment relieves the County Drain Commissioner of maintenance, jurisdiction, control and operation of the drain; the City of Livonia agrees to the assignment of easements, to resolve any indebtedness and to pay all costs associated with the relinquishment of jurisdiction, transfer of easements and assume the maintenance, jurisdiction, control and operation of the Drain. (2010-70-029)

Notes: This meeting is called in accordance with provisions of the "Open Meetings Act", Act No. 267, Public Acts of 1976.

The County of Wayne will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the Commission meeting upon five days notice to the Clerk of the Commission. Individuals with disabilities requiring auxiliary aids or services should contact the Wayne County Commission by writing or calling to the address and number listed below or TDD (1-800-649-3777).

500 GRISWOLD STREET, DETROIT, MICHIGAN 48226 • PHONE: (313) 224-0909 • FAX: (313) 224-7484



2. Communication dated September 20, 2010 (received October 14th) requesting Commission approval of a resolution for the relinquishment of jurisdiction and control of the Hawkins Drain Drainage District to the City of Livonia under the provisions of the Michigan Drain Code; the County Executive advises that the relinquishment relieves the County Drain Commissioner of maintenance, jurisdiction, control and operation of the drain; the City of Livonia agrees to the assignment of easements, to resolve any indebtedness and to pay all costs associated with the relinquishment of jurisdiction, transfer of easements and assume the maintenance, jurisdiction, control and operation of the Drain. (2010-70-028)
- E. Such other matters as may be properly submitted before the Committee.
- F. Public Comments.
- G. Adjournment.

Respectfully submitted,
Julian Rainwater, Legislative Research Analyst (224-0856)
Darcel Brown, Legislative Research Assistant (224-0848)

Note :In accordance with the provisions of Rule 3, "The Chairperson of a Committee, when requested in advance of any given meeting, may permit a person making such request to address the Committee on any matter on the Agenda. Such address shall not be longer than the time allotted by the Chairperson, subject to the approval of the Committee".

COMMITTEE ON ENVIRONMENT, DRAINS AND SEWERS

October 26, 2010

B. Approval of the minutes from the October 12, 2010 meeting.

MINUTES
COMMITTEE ON ENVIRONMENT, DRAINS AND SEWERS
Tuesday, October 12, 2010 –9:00 a.m.
Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226

A. Roll Call – 9:00 a.m.

Tim Killeen (C) – Present
Joseph Palamara (VC) –Excused
Jewel Ware – Present

Others- See Sign-In Sheet

B. Minutes

Ware/Killeen **Approved** – Minutes from the September 28, 2010 meeting. Motion Carried.

C. Old Business

D. New Business

1. Ware/Killeen **Approved.** Amendment No. 3 to a three-year contract between the Charter County of Wayne and Tetra Tech of Michigan, P.C. (of Detroit) not to exceed \$91,455 to provide for additional construction administration and field engineering for the Solids Handling Project at the Downriver Wastewater Treatment Facility. (2007-37-092M3) Motion Carried.

E. Such other matters as may be properly submitted before the Committee.

F. Public Comments

G. Killeen/Ware Adjournment – 9:15 a.m.

Respectfully Submitted,

Darcel Brown
Legislative Research Assistant

Wayne County Commission



Edward A. Boike, Jr.
Chairman

John Pfeiffer
Director

OFFICE OF POLICY RESEARCH & ANALYSIS

COMMITTEE MEMBERS

October 8, 2010

Tim Killeen (Chair)
Joseph Palamara (Vice-Chair)
Jewel Ware

NOTICE OF MEETING OF THE

COMMITTEE ON ENVIRONMENT, DRAINS AND SEWERS

Tuesday, October 12, 2010 – 9:00 a.m.
Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226

Commissioner Tim Killeen, Chairman of the Committee on Environment, Drains and Sewers has scheduled the meeting of the Committee on **Tuesday, October 12, 2010 at 9:00 a.m.** in Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226 to consider the following:

- A. Roll Call.
- B. Approval of the minutes from the September 28, 2010 meeting.
- C. Old Business
- D. New Business
1. Communication dated July 30, 2010 (received September 9th) requesting Commission approval of Amendment No. 3 to a three-year contract between the Charter County of Wayne and Tetra Tech of Michigan, P.C. (of Detroit) not to exceed \$91,455 to provide for additional construction administration and field engineering for the Solids Handling Project at the Downriver Wastewater Treatment Facility; the Downriver Joint Management Executive Committee approved this modification on July 22, 2010; the modification increases the total contract amount from \$1,420,642 to \$1,588,715; the term of the contract remains from June 21, 2007 through June 1, 2011; the cost of the modification will be charged to Account No. 590 55869 812000 (Downriver Sewage System). (2007-37-092M3)

Notes: This meeting is called in accordance with provisions of the "Open Meetings Act", Act No. 267, Public Acts of 1976.



Firm: Tetra Tech of Michigan, P.C.
Address: 65 Cadillac Square, Ste. 3400, Detroit, MI 48226
Contact: David Upmeyer (313) 964-0790

- E. Such other matters as may be properly submitted before the Committee.
- F. Public Comments.
- G. Adjournment.

Respectfully submitted,
Julian Rainwater, Legislative Research Analyst (224-0856)
Darcel Brown, Legislative Research Assistant (224-0848)

Note : In accordance with the provisions of Rule 3, "The Chairperson of a Committee, when requested in advance of any given meeting, may permit a person making such request to address the Committee on any matter on the Agenda. Such address shall not be longer than the time allotted by the Chairperson, subject to the approval of the Committee".

COMMITTEE ON ENVIRONMENT, DRAINS AND SEWERS

October 26, 2010

**D.1. – A resolution for the relinquishment of jurisdiction and control of the
Hawkins Drain Drainage District.**

(2010-70-029)



Robert A. Ficano
County Executive

Wayne County Commission
October 14, 2010 9:50 a.m.

Environment, Drains and Sewers
2010-70-029
10-22-2010

September 20, 2010

The Honorable Edward Boike
Chairman, Wayne County Commission
500 Griswold, 7th Floor
Detroit, Michigan, 48226

RE: Resolution Approving the County Drain Commissioner's Relinquishment of Jurisdiction and Control of the Branch of Hawkins Drain Drainage District

DAF # 10-70-029

Dear Chairman Boike:

The Department of Public Services respectfully requests the approval of the Wayne County Commission for the relinquishment of jurisdiction and control of the Branch of Hawkins Drain Drainage District to the City of Livonia.

Chapter 17, Section 395 of the Michigan Drain Code allows the County Drain Commissioner to relinquish jurisdiction and control of a drainage district to a municipality as long as there is no outstanding indebtedness or contractual liability and the district is located within the boundaries of the requesting municipality. The relinquishment requires the approval of both parties, the Wayne County Commission and the City of Livonia. The city has passed the required resolution requesting this action.

The relinquishment relieves the County Drain Commissioner of maintenance, jurisdiction, control and operation of the drain. The city has agreed to the assignment of easements and will pay all costs associated with the relinquishment of jurisdiction and the assignment of easements.

Therefore, the Department of Public Services respectfully requests the Wayne County Commission approval of a resolution relinquishing jurisdiction and control of the Branch of Hawkins Drain Drainage District.

Respectfully Submitted,

Butler Benton Jr.
Wayne County Drain Commissioner

APPROVAL FOR SUBMISSION:

for Robert Ficano
Wayne County Executive

DOCUMENT APPROVAL FORM

Primary Control Number 10-70-029	Commission Approval Required <input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Related Control Number	Department Code
Document Code	Requesting Contact Person and Department Butler Benton, Jr., Department of Public Services
Individual or Organization Department of Public Services	Phone Number 313-224-6937
Address 415 Clifford Street	City Detroit State MI Zip 48226

Description
Resolution approving the relinquishment of jurisdiction and control of the Branch of Hawkins Drain Drainage District

to the City of Livonia under the provisions of the Michigan Drain Code.

Fund	Business Unit	Object	Subsidiary	Subledger/Type	Amount
N/A	N/A	N/A			

Federal Funding Source YES NO State Funding Source YES NO Local Funding Source YES NO

WAYNE COUNTY BUDGET
MANAGEMENT AND FINANCE
2010 SEP 23 AM 9:21

Budget Adjustment Required <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Budget Adjustment Number	Matching Funds <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Match %	Match
Begin Date Upon Approval	Ending Date	Fiscal Year Amount Total:		

TOTAL APPROVALS REQUIRED ARE: 4

(Check x only required signatures)

<input checked="" type="checkbox"/> <u><i>[Signature]</i></u> <u>9/20/10</u> Department Authorization Date <input checked="" type="checkbox"/> <u><i>James Gray</i></u> <u>9/20/10</u> Budget Date <input type="checkbox"/> _____ Grants and Contracts Date	Approved as to form: <input checked="" type="checkbox"/> <u><i>[Signature]</i></u> <u>10/4/10</u> Corporation Counsel Date <input type="checkbox"/> _____ Personnel and Human Resources Date <input checked="" type="checkbox"/> <u><i>Charles Perry</i></u> <u>10-13-10</u> Chief Financial Officer Date
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CEO AUTHORIZATION:
Jay Mashiee 10-13-10
 ROBERT A. FICANO, Wayne County Executive Date Approved
 Res: _____
 Date: _____
 WAYNE COUNTY

**A RESOLUTION APPROVING RELINQUISHMENT OF
THE BRANCH OF HAWKINS DRAIN DRAINAGE DISTRICT
BY THE DRAIN COMMISSIONER TO THE CITY OF LIVONIA**

WAYNE COUNTY BOARD OF COMMISSIONERS

Date

WHEREAS the Michigan Drain Code MCL 280.395 allows for relinquishment of drainage districts by a county Drain Commissioner to a municipality upon receipt of a resolution by the governing body of the municipality and approval of the board of commissioners, provided that there is no outstanding indebtedness or contract liability, and

WHEREAS, the City of Livonia has submitted a resolution to the Drain Commissioner requesting relinquishment of jurisdiction and control of the Branch of Hawkins Drain Drainage District located in the City of Livonia and

WHEREAS, the Drain Commissioner has reviewed this request and has determined that jurisdiction and control of the said drainage district may be relinquished to the City of Livonia without detriment to the drainage district, and

NOW THEREFORE BE IT RESOLVED that the Wayne County Board of Commissioners hereby approves relinquishment of jurisdiction and control of the Branch of Hawkins Drain Drainage District to the City of Livonia.

OFFICE OF THE CITY CLERK
CITY OF LIVONIA

The undersigned, Terry A. Marecki, City Clerk of the City of Livonia, does hereby certify that at a Regular Meeting of the Council of the City of Livonia, held on July 19, 2010, at 33000 Civic Center Drive, Livonia, Michigan, at which time and place the following members of the Council were present: Joe Laura, Laura Toy, Conrad Schwartz, John Pastor, Brian Meakin, and James McCann; Absent: Maureen Miller Brosnan; the following resolution was duly made and adopted:

#257-10 WHEREAS, the City of Livonia hereby petitions the Wayne County Drain Commissioner to transfer jurisdiction to the City of Livonia, under the provision of Act No. 40 of the Public Acts of 1956, as amended, the Branch of Hawkins Drain; and

WHEREAS, the City of Livonia agrees to the assignment of easements, to resolve any indebtedness and to pay all costs associated with the relinquishment of jurisdiction and transfer of easements. In addition, the City also agrees to assume the maintenance, jurisdiction, control and operation of the Drain; and

NOW THEREFORE BE IT RESOLVED, that the City of Livonia hereby petitions to the Wayne County Drain Commissioner to transfer jurisdiction to the City of Livonia under the provision of Act No. 40 of the Public Acts of 1956, as amended, the Branch of Hawkins Drain.

BE IT FURTHER RESOLVED, that the Mayor and the City Clerk are hereby authorized to execute the petition on behalf of the City Council.


A roll call vote was taken on the foregoing resolution with the following result:

AYES: Laura, Toy, Schwartz, Pastor, Meakin, and McCann.

NAYS: None.

The President declared the resolution adopted.

IN WITNESS WHEREOF, the undersigned has hereunto affixed her signature on this 21st day of July, 2010.



Terry A. Marecki, City Clerk
City of Livonia, Wayne County, Michigan

TAM/llm

RECEIVED
JUL 22 2010
CITY OF LIVONIA
ENGINEERING DEPARTMENT

BOARD ACTION REQUESTED:

Approval of transfer of jurisdiction of the Branch of Hawkins Drain Drainage District to the City of Livonia.

BACKGROUND:

Chapter 17, section 395 of the Michigan Drain Code allows the County Drain Commissioner to relinquish jurisdiction and control of a drainage district to a municipality as long as there is no outstanding indebtedness or contract liability and if the district is located within the boundaries of said municipality, provided that a majority of the county board of commissioners approve and a resolution is passed by a governing body of the municipality in which the drain is located.

DISCUSSION:

The City of Livonia wishes to assume responsibility for the Branch of Hawkins Drain Drainage District located in the City of Livonia and has submitted a resolution requesting relinquishment of jurisdiction and control of this drainage district. (See attached resolution.) There is no outstanding indebtedness or contract liability. The City of Livonia has agreed to the assignment of easements and to pay all costs associated with the relinquishment of jurisdiction and assignment of easements. The City of Livonia also agrees to assume the maintenance, jurisdiction, control and operation of the drain.

Request for transfer of jurisdiction has been reviewed by my staff and has been discussed with City of Livonia representatives. All requirements have been met. I therefore recommend Board approval of the request by the City of Livonia.

ATTACHMENTS/APPENDICES:

Proposed Resolution
Resolution from the City of Livonia Requesting Jurisdiction.

DRAFT

RESOLUTION

No. 2010

By Commissioner

RESOLVED, by the Wayne County Commission this 4th day of November, 2010 that approval be, and is hereby, granted authorizing a resolution for the relinquishment of jurisdiction and control of the Branch Hawkins Drain Drainage District to the City of Livonia under the provisions of the Michigan Drain Code, as recommended by the Chief Executive Officer.

(2010-70-029)

COMMITTEE ON ENVIRONMENT, DRAINS AND SEWERS

October 26, 2010

**D.2. – A resolution for the relinquishment of jurisdiction and control of the
Branch of Hawkins Drain Drainage District.**

(2010-70-028)



Robert A. Ficano
County Executive

Wayne County Commission
October 14, 2010 9:50 p.m.

Environment, Drains and Sewers
2010-70-028
10-22-2010

September 20, 2010

The Honorable Edward Boike
Chairman, Wayne County Commission
500 Griswold, 7th Floor
Detroit, Michigan, 48226

RE: Resolution Approving the County Drain Commissioner's Relinquishment of Jurisdiction and Control of the Hawkins Drain Drainage District

DAF # 10-70-028

Dear Chairman Boike:

The Department of Public Services respectfully requests the approval of the Wayne County Commission for the relinquishment of jurisdiction and control of the Hawkins Drain Drainage District to the City of Livonia.

Chapter 17, Section 395 of the Michigan Drain Code allows the County Drain Commissioner to relinquish jurisdiction and control of a drainage district to a municipality as long as there is no outstanding indebtedness or contractual liability and the district is located within the boundaries of the requesting municipality. The relinquishment requires the approval of both parties, the Wayne County Commission and the City of Livonia. The city has passed the required resolution requesting this action.

The relinquishment relieves the County Drain Commissioner of maintenance, jurisdiction, control and operation of the drain. The city has agreed to the assignment of easements and will pay all costs associated with the relinquishment of jurisdiction and the assignment of easements.

Therefore, the Department of Public Services respectfully requests the Wayne County Commission approval of a resolution relinquishing jurisdiction and control of the Hawkins Drain Drainage District.

Respectfully Submitted,

Butler Benton Jr.
Wayne County Drain Commissioner

APPROVAL FOR SUBMISSION:

for Robert Ficano
Wayne County Executive

DOCUMENT APPROVAL FORM

Primary Control Number <div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 30px; text-align: center; margin: 5px auto;">10-70-028</div>	Commission Approval Required <input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Related Control Number	Department Code
Document Code	Requesting Contact Person and Department Butler Benton, Jr., Department of Public Services
Individual or Organization Department of Public Services	Phone Number 313-224-6937
Address 415 Clifford Street	City: Detroit State: MI Zip: 48226

Description
 Resolution approving the relinquishment of jurisdiction and control of the Hawkins Drain Drainage District

to the City of Livonia under the provisions of the Michigan Drain Code.

Fund	Business Unit	Object	Subsidiary	Subledger/Type	Amount
N/A	N/A	N/A			

Federal Funding Source YES NO
 State Funding Source YES NO
 Local Funding Source YES NO

WAYNE COUNTY
 MANAGER AND BUDGET
 BOB FINANCE
 2010 SEP 23 AM 8:21

Budget Adjustment Required Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Budget Adjustment Number	Matching Funds Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Match %	Match
Begin Date Upon Approval	Ending Date	Fiscal Year Amount Total:		

(Check x only required signatures)

TOTAL APPROVALS REQUIRED ARE: 4

Approved as to form:

- | | |
|--|--|
| <input checked="" type="checkbox"/> <u><i>[Signature]</i></u> <u>9/20/10</u>
Department Authorization Date | <input checked="" type="checkbox"/> <u><i>[Signature]</i></u> <u>10/4/10</u>
Corporation Counsel Date |
| <input checked="" type="checkbox"/> <u><i>James Benz</i></u> <u>10-8-10</u>
Budget Date | <input type="checkbox"/> _____
Personnel and Human Resources Date |
| <input type="checkbox"/> _____
Grants and Contracts Date | <input checked="" type="checkbox"/> <u><i>Charmey</i></u> <u>10-13-10</u>
Chief Financial Officer Date |

CEO AUTHORIZATION:

Jay Marshall 10-13-10
 ROBERT A. FICANO, Wayne County Executive Date Approved

Res:
Date:

WAYNE COUNTY

**A RESOLUTION APPROVING RELINQUISHMENT OF
THE HAWKINS DRAIN DRAINAGE DISTRICT
BY THE DRAIN COMMISSIONER TO THE CITY OF LIVONIA .**

WAYNE COUNTY BOARD OF COMMISSIONERS

Date

WHEREAS the Michigan Drain Code MCL 280.395 allows for relinquishment of drainage districts by a county Drain Commissioner to a municipality upon receipt of a resolution by the governing body of the municipality and approval of the board of commissioners, provided that there is no outstanding indebtedness or contract liability, and

WHEREAS, the City of Livonia has submitted a resolution to the Drain Commissioner requesting relinquishment of jurisdiction and control of the Hawkins Drain Drainage District located in the City of Livonia and

WHEREAS, the Drain Commissioner has reviewed this request and has determined that jurisdiction and control of the said drainage district may be relinquished to the City of Livonia without detriment to the drainage district, and

NOW THEREFORE BE IT RESOLVED that the Wayne County Board of Commissioners hereby approves relinquishment of jurisdiction and control of the Hawkins Drain Drainage District to the City of Livonia.

OFFICE OF THE CITY CLERK
CITY OF LIVONIA

The undersigned, Terry A. Marecki, City Clerk of the City of Livonia, does hereby certify that at a Regular Meeting of the Council of the City of Livonia, held on July 19, 2010, at 33000 Civic Center Drive, Livonia, Michigan, at which time and place the following members of the Council were present: Joe Laura, Laura Toy, Conrad Schwartz, John Pastor, Brian Meakin, and James McCann; Absent: Maureen Miller Brosnan; the following resolution was duly made and adopted:

#256-10 WHEREAS, the City of Livonia hereby petitions the Wayne County Drain Commissioner to transfer jurisdiction to the City of Livonia, under the provision of Act No. 40 of the Public Acts of 1956, as amended, the Hawkins Drain, and

WHEREAS, the City of Livonia agrees to the assignment of easements, to resolve any indebtedness and to pay all costs associated with the relinquishment of jurisdiction and transfer of easements. In addition, the City also agrees to assume the maintenance, jurisdiction, control and operation of the Drain; and

NOW THEREFORE BE IT RESOLVED, that the City of Livonia hereby petitions to the Wayne County Drain Commissioner to transfer jurisdiction to the City of Livonia under the provision of Act No. 40 of the Public Acts of 1956, as amended, the Hawkins Drain.

BE IT FURTHER RESOLVED, that the Mayor and the City Clerk are hereby authorized to execute the petition on behalf of the City Council.

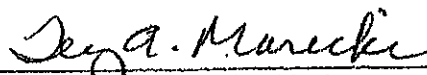
A roll call vote was taken on the foregoing resolution with the following result:

AYES: Laura, Toy, Schwartz, Pastor, Meakin, and McCann.

NAYS: None.

The President declared the resolution adopted.

IN WITNESS WHEREOF, the undersigned has hereunto affixed her signature on this 21st day of July, 2010.



Terry A. Marecki, City Clerk
City of Livonia, Wayne County, Michigan

TAM/llm

RECEIVED
JUL 22 2010
CITY OF LIVONIA
ENGINEERING DEPT.

BOARD ACTION REQUESTED:

Approval of transfer of jurisdiction of the Hawkins Drain Drainage District to the City of Livonia.

BACKGROUND:

Chapter 17, section 395 of the Michigan Drain Code allows the County Drain Commissioner to relinquish jurisdiction and control of a drainage district to a municipality as long as there is no outstanding indebtedness or contract liability and if the district is located within the boundaries of said municipality, provided that a majority of the county board of commissioners approve and a resolution is passed by a governing body of the municipality in which the drain is located.

DISCUSSION:

The City of Livonia wishes to assume responsibility for the Hawkins Drain Drainage District located in the City of Livonia and has submitted a resolution requesting relinquishment of jurisdiction and control of this drainage district. (See attached resolution.) There is no outstanding indebtedness or contract liability. The City of Livonia has agreed to the assignment of easements and to pay all costs associated with the relinquishment of jurisdiction and assignment of easements. The City of Livonia also agrees to assume the maintenance, jurisdiction, control and operation of the drain.

Request for transfer of jurisdiction has been reviewed by my staff and has been discussed with City of Livonia representatives. All requirements have been met. I therefore recommend Board approval of the request by the City of Livonia.

ATTACHMENTS/APPENDICES:

Proposed Resolution
Resolution from the City of Livonia Requesting Jurisdiction.

DRAFT

RESOLUTION

No. 2010

By Commissioner

RESOLVED, by the Wayne County Commission this 4th day of November, 2010 that approval be, and is hereby, granted authorizing a resolution for the relinquishment of jurisdiction and control of the Hawkins Drain Drainage District to the City of Livonia under the provisions of the Michigan Drain Code, as recommended by the Chief Executive Officer.

(2010-70-028)