



**APPROVAL OF MINUTES OF FEBRUARY 14, 2017 MEETING**

RESOLVED, that the minutes of the Regular meeting of February 14, 2017 are hereby approved and all actions taken by the Directors present at such meeting, as set forth in such minutes, are hereby in all respects ratified and approved as actions of the Economic Development Corporation.

March 7, 2017

**ECONOMIC DEVELOPMENT CORPORATION  
BOARD OF DIRECTORS REGULAR MEETING  
TUESDAY, FEBRUARY 14, 2017 – 8:30 A.M.**

**BOARD MEMBERS PRESENT:** Marsha Bruhn  
Kimberly Clayson  
Chris Jackson  
Jonathan Quarles  
William Ritsema  
Matthew Roling  
Thomas Stallworth

**BOARD MEMBERS ABSENT:** Maurice Cox (Ex-Officio)  
Monique Claiborne  
Linda Forte  
John Naglick (Ex-Officio)

**SPECIAL DIRECTORS  
PRESENT:** None

**SPECIAL DIRECTORS  
ABSENT:** None

**OTHERS PRESENT:** Cleveland Daily (DEGC/EDC)  
John Gallagher (Free Press)  
Lily Hamburger (DEGC/EDC)  
Chris Heaton (MCCI)  
Malinda Jensen (DEGC/EDC)  
Jennifer Kanalos (DEGC/EDC)  
Sharon McMurray (MCCI)  
Rebecca Navin (DEGC/EDC)  
Michael Rafferty (DEGC/EDC)  
Will Tamminga (DEGC/EDC)  
Adrienne Zeigler (DEGC/EDC)



Economic Development Corporation of the City of Detroit

**MINUTES OF THE ECONOMIC DEVELOPMENT CORPORATION  
BOARD OF DIRECTORS REGULAR MEETING  
TUESDAY, FEBRUARY 14, 2017  
DETROIT ECONOMIC GROWTH CORPORATION  
500 GRISWOLD, SUITE 2200 - 8:30 A.M.**

**CALL TO ORDER**

Noting that a quorum was present, William Ritsema, Secretary and Acting Chair, called the Regular meeting of the Economic Development Corporation Board of Directors to order at 8:34 a.m.

**GENERAL**

**Approval of Minutes**

Mr. Ritsema asked if there were any additions, deletions or corrections to the minutes of the January 10, 2017 Regular Board meeting. Hearing none, the Board took the following action:

On a motion by Ms. Bruhn, seconded by Mr. Roling, Resolution Code EDC 17-02-02-276 was unanimously approved.

**Receipt of Treasurer's Report**

Ms. Kanalos reviewed the Treasurer's Reports of Receipts and Disbursements for the month of December, 2016 for the benefit of the Board and responded to questions.

Subsequent to the discussion, the Board took the following action:

On a motion by Mr. Jackson, seconded by Mr. Roling, Resolution Code EDC 17-02-03 210 was unanimously approved.

Mr. Jackson requested an update on the disbursements from the Casino Loan fund at the next meeting.

**PROJECTS**

**Small Business and Commercial Corridor Revitalization Program: Neighborhood Market Retail and Opportunity Study**

Ms. Hamburger advised that the Economic Development Corporation (EDC) of the City of Detroit currently administers programs to revitalize Detroit's commercial corridors and grow neighborhood business investment using Community Development Block Grant

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("CDBG") funds from the City of Detroit. The EDC entered into a subrecipient agreement with the City (Contract #2899173) to manage and implement these programs for a term ending December 31, 2017.

Programs aim to provide four core activities in order to increase economic activity and physical revitalization of commercial areas throughout the City of Detroit:

1. Attract new small businesses and real estate investment
2. Retain and expand existing small businesses
3. Improve the physical environment along commercial corridors
4. Develop new tools to support business attraction, retention and expansion, and physical investments

The first part of this initiative is Motor City Match, which connects new or expanding businesses with Detroit's vacant commercial real estate. The program provides competitive grants, loans and counseling to both building owners and businesses through a quarterly application process.

In 2017, the EDC anticipates launching a new façade improvement program to grow and retain Detroit's existing businesses while improving the physical condition of commercial corridors. The EDC anticipates that the new program will follow a format similar to Motor City Match.

The EDC solicited bid proposals on December 16, 2016 for a retail market analysis and neighborhood opportunity study to inform planning and implementation of the small business development and commercial corridor revitalization programs. This includes a citywide and commercial corridor retail market analysis, commercial real estate opportunity study, pre-development activities for priority properties and blocks, marketing and promotional materials for neighborhood commercial corridors, and robust community engagement throughout the process. The basis for EDC contract awards were based on federal procurement policies set forth in 24 CFR 85.36. The scope of work was presented in Exhibit A attached to the memorandum (the "Work").

EDC staff received eight (8) proposals. Staff has reviewed all proposals and recommends Streetsense, LLC. to provide the Work, as the most responsive bidder. Streetsense brings national expertise in retail market analysis and internationally recognized urban architecture, real estate, and branding/marketing experience. Highlights of their previous work include a grocery strategy for Flint, MI, a retail analysis for Montgomery County, Maryland, and the development of a "Vibrant Streets Toolkit" for several neighborhoods in Washington, DC, where Streetsense was active in community education and implementation of the toolkit strategies as well. Streetsense offered the best combination of technical expertise, experience, and price, as well as a spirit of collaboration and communication that bodes well for the complexity of the work. Streetsense proposed a lump sum fee of Four Hundred Sixty-One Thousand Five Hundred and 00/100 (\$461,500).

The EDC staff requested authorization from the Board to enter into a Professional Services Agreement between Firm and EDC for a base contract amount not-to-exceed

Four Hundred Sixty-One Thousand Five Hundred and 00/100 (\$461,500) to provide the proposed Work in accordance with the EDC's Request for Proposal dated December 16, 2016. Further, the EDC staff recommended an owner's contingency of 15% of the contract amount to manage unforeseen conditions or additional work for the term of the agreement. The Board questioned the need for a 15 percent contingency and requested that the contingency be reduced to 5 to 10 percent, leaving that up to staff. Ms. Navin stated that 5 percent should be enough and will amend the resolution.

The resolution was included for the Board's review and approval.

Following a lengthy discussion, the Board requested that they be provided a list of the names and business addresses of the other seven consultants who responded to the RFP.

The Board also requested a quarterly update on the progress of this Study until completion.

Subsequent to the discussion, the Board took the following action:

On a motion by Mr. Jackson, seconded by Mr. Stallworth, Resolution Code EDC 17-02-91-39 was unanimously approved, as amended.

Mr. Stallworth stated that he would like to hear from the DEGC President on the roles of the various entities and how all this fits together. Ms. Jensen replied that she would ask Rod Miller to speak to the Board at a future meeting.

**For Information Only: Motor City Match: Personal Services Contract for Michael Forsyth 2017 Consultant Services**

Mr. Rafferty reported that the Economic Development Corporation (EDC) of the City of Detroit currently administers programs to revitalize Detroit's commercial corridors and grow neighborhood business investment using Community Development Block Grant ("CDBG") funds from the City of Detroit. The EDC entered into a sub-recipient agreement with the City (Contract #2899173) to manage and implement these programs for a term ending December 31, 2017.

The first part of this initiative is Motor City Match, which connects new or expanding businesses with Detroit's vacant commercial real estate. The program provides competitive grants, loans and counseling to both building owners and business owners through a quarterly application process.

To date Motor City Match has generated over 2,500 applications through seven rounds of the program including 620 building owner applications and over 1,880 business owner applications. The tremendous interest in the program is due in large part to the clarity and efficacy of the program's design.

In 2017, the EDC anticipates launching a new façade improvement program to grow and retain Detroit's existing businesses while improving the physical condition of commercial corridors. The EDC anticipates that the new program will follow a format similar to Motor City Match and foresees significant program design and advisory services to sustain the

success of both programs. EDC Staff seeks to contract the program design and advisory services provided by Michael Forsyth for 2017.

On February 1, 2017 the EDC entered into a Personal Service Agreement (“PSA”) with Michael Forsyth to provide program design and advisory services as further described in Exhibit A to the memorandum pursuant to EDC 03-09-01-82. The PSA provided a contract value of Thirty-Four Thousand Sixty 00/100 (\$34,060.00) Dollars for a total of 262 hours at an hourly rate of \$130.00/hour.

This report was for information only and no Board action was taken.

Ms. Bruhn commented about the proposed guidelines for the new façade improvement program and indicated that previous similar programs that required the applicant to cover the costs of improvements was problematic for many who didn’t have the available resources. Mr. Rafferty indicated that he would take her concerns under advisement.

### **Small Business and Commercial Corridor Revitalization Program: Marketing and Communications Services**

Mr. Rafferty stated that at the request of the City of Detroit (the “City”) Mayor’s Office, the Economic Development Corporation of the City of Detroit (“EDC”), has developed a small business and commercial corridor revitalization program (the “Program”) in collaboration with the City’s Jobs and Economy Team, Planning and Development, Department of Neighborhoods and other key city and neighborhood stakeholders. The Program provides four core activities in order to increase economic activity and physical revitalization of commercial areas throughout the City of Detroit:

1. Attract new small businesses and real estate investment
2. Retain and expand existing small businesses
3. Improve the physical environment along commercial corridors
4. Develop new tools to support business attraction, retention and expansion, and physical investments

The EDC solicited bid proposals on November 21, 2016 for marketing and communications services for the small business development and commercial corridor revitalization program, Motor City Boost. The basis for EDC contract awards were based on federal procurement policies set forth in 24 CFR 85.36. More specifically, this solicitation is being made pursuant the “competitive proposal” method of procurement per 24 CFR 85.36(d)3.

EDC staff received six (6) proposals. Staff has reviewed all proposals and recommends Mort Crim Communications Inc (“MCCI”) to provide the Work, as the most responsive bidder. Overall, MCCI offered the best combination of approach, experience and price. MCCI proposed a lump sum fee of \$222,400.00.

The lump sum fee is allocated as follows:

- \$122,400.00 Communications planning and execution
- \$100,000.00 Paid media placement, which includes an industry standard 15% commission on advertising placed through the firm. This advertising budget was recommended by EDC staff in the Request for Proposals.
- **\$222,400.00 Lump Sum Total**

MCCI proposed a contract structure based on monthly retainer. The retainer would total \$10,200.00 per month. The monthly retainer is calculated based on the sum total of the communications planning and execution budget of \$122,400.00, which is then equally divided over the course of an approximately 12-month contract term. The paid media or advertising budget would be managed by MCCI and accessed on a monthly basis as needed. MCCI proposed a strategic approach for advertising that allows for constant evaluation, specific targeting of resources and flexibility to reallocate or reduce advertising expenditures based on measured success.

The EDC staff requested authorization from the Board to enter into a Professional Services Agreement between Firm and EDC monthly retainer contract in the amount of Ten Thousand Two Hundred and 00/100 (\$10,200.00) dollars per month and a gross advertising budget of One Hundred Thousand 00/100 (\$100,000.00) dollars for an annual not-to-exceed amount of Two Hundred Twenty-Two Thousand Four Hundred and 00/100 dollars (\$222,400.00) to provide the proposed Work in accordance with the EDC's Request for Proposal dated November 21, 2016. Work performed will include:

1. Communications plan and implementation
2. Event planning
3. Social media engagement
4. Photo documentation
5. Communication advisory services

A resolution was included for the Board's review and approval.

The Board questioned Mr. Rafferty regarding the other finalists that were considered for this contract and asked him to provide the names and addresses of the other five finalists.

The Board also requested that staff include in future contract awards brought to the Board for approval the names and business addresses of all other bids that were received in response to the RFP.

Mr. Rafferty stated that he would do a follow-up report on this contract that would include milestones.

Subsequent to the discussion, the Board took the following action:

On a motion by Mr. Stallworth, seconded by Mr. Roling, Resolution Code EDC 17-02-91-40 was unanimously approved.

### **Funding Agreements with DPW and Trident-Checker, LLC to Reimburse Right of Way Improvements**

Mr. Daily reported that Trident-Checker, LLC, a Michigan limited liability company ("Developer") is undertaking a mixed-use development project on certain property it owns bounded generally by Trumbull Avenue, Plum Street, Brooklyn Street, Elizabeth Street, and 8<sup>th</sup> Street, as further depicted on Exhibit A which was included in the Board material (the "Development Site"). Developer has agreed to implement improvements to certain of the rights-of-way adjacent to the Development Site (the "ROW Improvements"). The City, through Department of Public Works ("DPW") has available to it certain funds pursuant to Act 41 of 1951, as amended ("Act 51"), which funds may be used to pay for certain right of way improvements ("Act 51 Eligible Costs") and, subject to City Council approval, has agreed to allocate up to \$1,000,000.00 of funds received pursuant to Act 51 (the "Funds") towards the ROW Improvements that are Act 51 Eligible Costs.

DPW has requested the EDC's assistance in disbursing the Funds and monitoring the construction of the ROW Improvements, which such assistance shall include, but not be limited to, receiving and reviewing reimbursement requests from the Developer, making reimbursement requests to the City, receiving from DPW and transferring to the Developer the Funds, and engaging a construction engineering and inspection firm (the "Contractor") to monitor and report on the construction of the ROW Improvements.

EDC staff recommended Board approval of EDC's assistance as requested above, to be evidenced by a funding agreement between EDC and DPW (the "DPW Funding Agreement") and a funding agreement (or similar agreement) between EDC and the Developer (the "Developer Funding Agreement"), subject to (i) City Council approval, and (ii) agreement by DPW and/or the Developer to fund the cost of the Contractor and a reasonable administrative fee payable to the EDC for its services.

A resolution was included for the Board's consideration.

Subsequent to a discussion, the Board took the following action:

On a motion by Mr. Roling, seconded by Ms. Clayson, Resolution Code EDC 17-02-16-05 was approved, with Mr. Ritsema abstaining.

### **Beltline Greenway: Professional Services Agreement for Environmental Consulting Services with AKT Peerless**

Ms. Zeigler advised that the City of Detroit by and through its Housing and Revitalization Department, (the "City") has been awarded a Community Development Block Grant for Declared Disaster Recovery (CDBG-DDR) from the U.S. Department of Housing and Urban Development (HUD) in the amount of Eight Million Nine Hundred Thousand and 00/100 Dollars (\$8,900,000.00). The CDBG Discretionary Award from HUD is in response to the presidentially declared disaster level flooding of August 2014. The CDBG-DDR grant is designed to ameliorate future flooding and support the market through a number of projects and planning exercises.

With EDC board approval (#16-06-95-01), the EDC executed a sub-recipient agreement with the City and was awarded \$2,593,500.00 from the City's CDBG-DDR grant. The City



has requested that the EDC undertake construction management services with respect to the Beltline Greenway project. The federal funds will be used for project activities as it relates to the Beltline Greenway.

As part of project execution, the EDC solicited cost proposals on January 5, 2017 for environmental consulting services for the Beltline Greenway project. The basis for EDC contract awards were based on federal procurement policies set forth in 24 CFR 85.36. More specifically, this solicitation was made pursuant the "small purchase procedure" method of procurement per 24 CFR 85.36(d)1. EDC staff received three cost proposals to the original solicitation along with an additional amendment.

EDC staff members reviewed all the cost proposals and selected AKT Peerless to provide the work. AKT Peerless was selected as the lowest priced and most qualified firm. As required, EDC staff recommends approval of a Professional Services Agreement with AKT Peerless. The proposed scope of services is attached as Attachment A.

EDC staff recommended the Board of Directors authorize the execution of a Professional Service Agreement with the AKT Peerless for Environmental Consulting Services, not to exceed Seventy-One Thousand Seven Hundred Seventy-Five Dollars (\$71,775.00), to be paid out of the funds.

A resolution was included for the Board's consideration and approval.

Subsequent to a discussion, the Board took the following action:

On a motion by Mr. Stallworth, seconded by Mr. Roling, Resolution Code EDC 17-02-88-08 was unanimously approved.

## **ADMINISTRATION**

### **Freedom of Information Act Procedures and Guidelines**

Ms. Navin advised that pursuant to 2015 amendments to Michigan's Freedom of Information Act (MCL 15.231 et seq.) ("FOIA"), the EDC is required to establish procedures and guidelines to implement FOIA (the "Guidelines") and a written public summary of the Guidelines written in a way to be easily understood by the public.

Staff and counsel have prepared proposed Guidelines which comport to the requirements of FOIA and describe the manner in which the EDC will comply with FOIA, including but not limited to the acceptance of and response to FOIA requests, fee calculations, deposit requirements, and appeals and challenges. Notably, the proposed Guidelines provide that the DEGC's Vice President of Board Administration will act as the FOIA Coordinator and be responsible for FOIA compliance.

The proposed Guidelines were included with the memorandum and resolution as Exhibit A. Staff requested the board's approval of the Guidelines in the substantial form included and authority to prepare the written public summary of the Guidelines as required by FOIA. A resolution was included for the Board's consideration.

Subsequent to a discussion, the Board took the following action:

On a motion by Mr. Stallworth, seconded by Ms. Bruhn, Resolution Code EDC 17-02-01-188 was unanimously approved.

### **Restructuring of Disclosure and Committee Practices**

Ms. Navin stated that in light of the Mayor's commitment to transparency in decisions made by his administration, including but not limited to those public authorities under his oversight and/or appointment power, the Mayor's administration asked EDC staff to consider proposing guidelines that the EDC Board that would ensure that the EDC's procedures and practices conform to similar transparency standards.

#### ***Disclosure Practices***

Historically, Board agendas and meeting minutes are made available to the public upon request, and Board agendas are also made available at Board meetings, but such materials have not been consistently posted on the EDC's or the DEGC's website. Staff proposes website publication of all EDC meeting agendas and meeting minutes as soon as practicable following the release of an agenda to the Board or the approval of minutes by the Board, but in any event within 5 business days after such release or approval.

#### ***Committee Practices***

Article III of the EDC's bylaws provides that by resolution adopted by the EDC's Board, the Board may appoint one or more committees to assist the Board in the discharge of its duties, provided that all actions of a committee shall be subject to approval by the Board. In light of the limited power of the EDC's committees, such committees have not been subject to the Open Meetings Act (PA 267 of 1976, as amended) (the "OMA") since their establishment.

As an additional measure of promoting transparency, Staff recommends that the Board adopt a practice whereby, except where permitted under Section 8 of the OMA, all committee meetings shall be held in accordance with OMA, whether or not required by OMA. However, in the event that a matter which would normally be reviewed by a committee prior to consideration by the Board is not able to review at a committee meeting because compliance with OMA was not practicable, it may, at the discretion of the chair of the Board or the chair of such committee, be considered by the Board without prior review by the committee.

A resolution was included in the Board material for consideration.

Subsequent to a discussion, the Board took the following action:

On a motion by Ms. Bruhn, seconded by Mr. Stallworth, Resolution Code EDC 17-02-01-189 was unanimously approved

### **GENERAL**

### **OTHER MATTERS**

**PUBLIC COMMENT**

**ADJOURNMENT**

With there being no other business to come before the Board, Mr. Quarles adjourned the Regular meeting at 10:04 a.m.



**APPROVAL OF MINUTES OF JANUARY 10, 2017 MEETING**

RESOLVED, that the minutes of the Regular meeting of January 10, 2017 are hereby approved and all actions taken by the Directors present at such meeting, as set forth in such minutes, are hereby in all respects ratified and approved as actions of the Economic Development Corporation.

February 14, 2017



**ACCEPTANCE OF TREASURER'S REPORT FOR DECEMBER 2016**

RESOLVED, that the Treasurer's Report of Receipts and Disbursements for the period ending December 31, 2017, as presented at this meeting, is hereby in all respects accepted as action of the Economic Development Corporation.

February 14, 2017



Economic Development Corporation of the City of Detroit

**CODE EDC 17-02-91-39**

(Amended at the Table)

**SMALL BUSINESS AND COMMERCIAL CORRIDOR REVITALIZATION PROGRAM:  
NEIGHBORHOOD MARKET RETAIL AND OPPORTUNITY STUDY**

**WHEREAS**, The Economic Development Corporation of the City of Detroit ("EDC"), has developed a small business and commercial corridor revitalization program (the "Program") at the request of the City of Detroit (the "City") Mayor's Office.

**WHEREAS**, the EDC entered into a subrecipient agreement with the City (Contract #2899173) to administer and implement the Program for a term ending December 31, 2017; and

**WHEREAS**, the EDC solicited bid proposals on December 16, 2016, for services necessary to provide market retail analysis and neighborhood opportunity study to inform the Program, the scope of which is attached hereto as Exhibit A (the "Work"); and

**WHEREAS**, EDC staff received eight (8) proposals. Staff has reviewed all proposals and recommends Streetsense, LLC (the "Firm") to provide the Work, as the most responsive bidder; and

**WHEREAS**, the EDC Board of Directors has determined that Staff's recommendation is appropriate and within the best interests of the Program.

**NOW THEREFORE BE IT RESOLVED**, that the EDC Board of Directors hereby authorizes the negotiation and execution of a professional services contract with the Firm to provide the Work for the not-to-exceed amount of Four Hundred Sixty-One Thousand Five Hundred and 00/100 (\$461,500).

**BE IT FURTHER RESOLVED**, that the EDC Board of Directors hereby authorizes an owner's contingency of 5% of the contract value to manage unforeseen conditions or additional work for the term of the agreement.

**BE IT FURTHER RESOLVED**, that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the EDC's Authorized Agents shall hereafter have the authority to negotiate and execute all documents, contracts, or other papers and to take such actions as are necessary to implement the provisions and intent of this resolution.

**BE IT FINALLY RESOLVED**, that all of the acts and transactions of any Officer or Authorized Agent of the EDC, in the name and on behalf of the EDC, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

February 14, 2017



**SMALL BUSINESS AND COMMERCIAL CORRIDOR REVITALIZATION PROGRAM:  
MARKETING AND COMMUNICATIONS SERVICES**

**WHEREAS**, The Economic Development Corporation of the City of Detroit ("EDC"), has developed a small business and commercial corridor revitalization program (the "Program") at the request of the City of Detroit (the "City") Mayor's Office.

**WHEREAS**, the EDC entered into a subrecipient agreement with the City (Contract #2899173) for CDBG funding to manage administer and implement the Program for a term ending December 31, 2017 pursuant to EDC Board approval on October 14, 2014 (Resolution # 14-10-91-01); and

**WHEREAS**, the EDC solicited bid proposals on November 21, 2016 for services necessary to provide marketing and communications services for the Program (the "Work"); and

**WHEREAS**, EDC staff received six (6) proposals. Staff has reviewed all proposals and recommends Mort Crim Communications Inc (the "Firm") to provide the Work, as the most responsive bidder; and

**WHEREAS**, the EDC Board of Directors has determined that Staff's recommendation is appropriate and within the best interests of the Program.

**NOW THEREFORE BE IT RESOLVED**, that the EDC Board of Directors hereby authorizes the negotiation and execution of a professional services contract with the Firm to provide the requested services for an approximately one (1) year monthly retainer contract in the amount of Ten Thousand Two Hundred and 00/100 (\$10,200.00) dollars per month and a gross advertising budget of One Hundred Thousand 00/100 (\$100,000.00) for an annual not-to-exceed amount of Two Hundred Twenty Two Thousand Four Hundred and 00/100 dollars (\$222,400.00) .

**BE IT FURTHER RESOLVED**, that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the EDC's Authorized Agents shall hereafter have the authority to negotiate and execute all documents, contracts, or other papers and to take such actions as are necessary to implement the provisions and intent of this resolution.

**BE IT FINALLY RESOLVED**, that all of the acts and transactions of any Officer or Authorized Agent of the EDC, in the name and on behalf of the EDC, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

February 14, 2017



**NORTH INDUSTRIAL PARK II: RESOLUTION APPROVING FUNDING AGREEMENTS WITH DPW AND TRIDENT-CHECKER, LLC TO REIMBURSE RIGHT OF WAY IMPROVEMENTS**

**WHEREAS**, Trident-Checker, LLC, a Michigan limited liability company ("Developer") is undertaking a mixed-use development project on certain property it owns bounded generally by Trumbull Avenue, Plum Street, Brooklyn Street, Elizabeth Street, and 8<sup>th</sup> Street, as further depicted on **Exhibit A** attached hereto (the "Development Site"); and

**WHEREAS**, Developer has agreed to implement improvements to certain of the rights-of-way adjacent to the Development Site (the "ROW Improvements"); and

**WHEREAS**, the City, through Department of Public Works ("DPW") has available to it certain funds pursuant to Act 41 of 1951, as amended ("Act 51"), which funds may be used to pay for certain right of way improvements ("Act 51 Eligible Costs") and, subject to City Council approval, has agreed to allocate up to \$1,000,000.00 of funds received pursuant to Act 51 (the "Funds") towards the ROW Improvements that are Act 51 Eligible Costs; and

**WHEREAS**, DPW has requested the EDC's assistance in disbursing the Funds and monitoring the construction of the ROW Improvements, which such assistance shall include, but not be limited to, receiving and reviewing reimbursement requests from the Developer, making reimbursement requests to the City, receiving from DPW and transferring to the Developer the Funds, and engaging a construction engineering and inspection firm (the "Contractor") to monitor and report on the construction of the ROW Improvements (the "EDC Activities"); and

**WHEREAS**, EDC staff recommends Board approval of EDC's assistance as requested above, subject to, the negotiation of a mutually acceptable funding agreement between EDC and DPW (the "DPW Funding Agreement") and funding agreement (or similar agreement) between EDC and the Developer (the "Developer Funding Agreement"), (ii) City Council approval of the DPW Funding Agreement, and (iii) agreement by DPW and/or the Developer to fund the cost of the Contractor and a reasonable administrative fee payable to the EDC for performance of the EDC Activities; and

**WHEREAS**, the EDC has the authority to complete the requested activities under Section 2 and Section 27 of the EDC's enabling statute, Michigan Public Act 338 of 1974, as amended, ("Act 338"); and

**WHEREAS**, the EDC Board has reviewed the matter and believes it is in the best interests of the promotion of economic development in the City of Detroit and consistent with its statutorily mandated purposes.



**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors hereby approves the undertaking by the EDC of the EDC Activities, subject to, the negotiation of a mutually acceptable funding agreement between EDC and DPW (the "DPW Funding Agreement") and funding agreement (or similar agreement) between EDC and the Developer (the "Developer Funding Agreement"), (ii) City Council approval of the DPW Funding Agreement, and (iii) agreement by DPW and/or the Developer to fund the cost of the Contractor and a reasonable administrative fee payable to the EDC for performance of the EDC Activities.

**BE IT FURTHER RESOLVED**, that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the EDC's Authorized Agents, shall hereafter have the authority to negotiate and execute the DPW Funding Agreement and Developer Funding Agreement, any and all documents, contracts or other papers, and take such other actions necessary or appropriate to implement the provisions and intent of this resolution on behalf of the EDC.

**BE IT FINALLY RESOLVED** that all of the acts and transactions of any officer or authorized agent of the EDC, in the name and on behalf of the EDC, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

February 14, 2017



**INNER CIRCLE GREENWAY PROJECT: BELTLINE GREENWAY--PROFESSIONAL SERVICES AGREEMENT FOR ENVIRONMENTAL CONSULTING SERVICES WITH AKT PEERLESS.**

**WHEREAS**, the City of Detroit, by and through its Housing and Revitalization Department, (the "City") has been awarded a Community Development Block Grant for Declared Disaster Recovery (CDBG-DDR) from the U.S. Department of Housing and Urban Development (HUD) in the amount of Eight Million, Nine Hundred Thousand and 00/100 Dollars (\$8,900,000.00); and

**WHEREAS**, CDBG-DDR is designed to ameliorate future flooding and support market recovery through a comprehensive approach to resiliency; and

**WHEREAS**, with EDC board approval (#16-06-95-01), the EDC executed a sub-recipient agreement with the City and was awarded \$2,593,500.00 from the City's CDBG-DDR grant to undertake construction management services with respect to the Beltline Greenway project; and

**WHEREAS**, the EDC staff has solicited cost proposals from qualified environmental consulting firms in accordance with the Department of Housing and Urban Development's "small purchase procedure" method of procurement per 24 CFR 85.36(d); and

**WHEREAS**, Board of Directors has determined the engagement of AKT Peerless for these services is appropriate and within the powers of the EDC; and.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of The Economic Development Corporation of the City of Detroit hereby authorizes the execution of a Professional Services Agreement with AKT Peerless for the provision of the services described in Exhibit A attached hereto for the aggregate amount not to exceed Seventy-One Thousand Seven Hundred Seventy-Five Dollars (\$71,775.00).

**BE IT FURTHER RESOLVED**, that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the EDC's Authorized Agents, shall hereafter have the authority to negotiate and execute any and all documents, contracts or other papers and take such other actions necessary or appropriate to implement the provisions and intent of this resolution on behalf of the EDC.

**BE IT FINALLY RESOLVED** that all of the acts and transactions of any officer or authorized agent of the EDC, in the name and on behalf of the EDC, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

February 14, 2017



**FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES**

**WHEREAS**, pursuant to 2015 amendments to Michigan's Freedom of Information Act (MCL 15.231 et seq.) ("FOIA"), the EDC is required to establish procedures and guidelines to implement FOIA (the "Guidelines") and a written public summary of the Guidelines written in a way to be easily understood by the public; and

**WHEREAS**, staff and counsel have prepared proposed Guidelines which comport to the requirements of FOIA and describe the manner in which the EDC will comply with FOIA, including but not limited to the acceptance of and response to FOIA requests, fee calculations, deposit requirements, and appeals and challenges; and

**WHEREAS**, the Board of Directors has reviewed proposed Guidelines attached hereto as **Exhibit A**, has determined that the proposed Guidelines are consistent with the requirements of FOIA and with the intents and purposes of the EDC.

**NOW, THEREFORE, BE IT RESOLVED** that the EDC Board of Directors hereby approves and adopts the Guidelines in the substantial form attached hereto as **Exhibit A**.

**BE IT FURTHER RESOLVED** that the EDC Board of Directors hereby authorizes staff and counsel to prepare the written public summary of the Guidelines as required by FOIA.

**BE IT FURTHER RESOLVED** that the EDC Board of Directors hereby authorizes any two of its Officers or any two of its Authorized Agents or one Officer and any one Authorized Agent to take any other actions and execute any documents necessary or appropriate to implement the provisions and intent of this resolution.

**BE IT FINALLY RESOLVED** that all of the acts and transactions of any Officer or Authorized Agent of the EDC, in the name and on behalf of the EDC, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

February 14, 2017



**ADMINISTRATION: RESTRUCTURING OF DISCLOSURE AND COMMITTEE PRACTICES**

**WHEREAS**, the Mayor of the City of Detroit, has expressed a commitment to transparency in decisions made by his administration, including but not limited to those public authorities under his oversight and/or appointment power; and

**WHEREAS**, in light of this commitment, staff proposed guidelines that the Board could consider that would ensure that the EDC's procedures and practices conform to similar transparency standards; and

**WHEREAS**, although not legally required, staff proposes website publication of all EDC meeting agendas and meeting minutes as soon as practicable following the release of an agenda to the Board or the approval of minutes by the Board, but in any event within 5 business days after such release or approval; and; and

**WHEREAS**, Article III of the EDC's bylaws provides that by resolution adopted by the EDC's Board of Directors, the Board may appoint one or more committees to assist the Board in the discharge of its duties, provided that all actions of a committee shall be subject to approval by the Board; and

**WHEREAS**, in light of the limited power of the EDC's committees, such committees have not been subject to the Open Meetings Act (PA 267 of 1976, as amended) (the "OMA") since their establishment; and

**WHEREAS**, as an additional measure of promoting transparency, staff recommends that the Board adopt a practice whereby, except where permitted under Section 8 of OMA, any matters to be reviewed by a committee established by the EDC Board shall be reviewed at a meeting of such committee held in accordance with OMA, whether or not so required by OMA; and

**WHEREAS**, the Board has reviewed the proposed disclosure and committee practices, has determined that they are in the best interest of the EDC and promote appropriate transparency standards for a public agency.

**NOW, THEREFORE BE IT RESOLVED**, as soon as practicable, that all EDC meeting agendas and meeting minutes shall be published via the EDC or DEGC website, as soon as practicable following the release of an agenda to the Board or approval of meeting minutes by the Board, but in any event within 5 business days after such release or approval.

**BE IT FURTHER RESOLVED**, that effective immediately, except where permitted under Section 8 of OMA, any matters to be reviewed by a committee established by the EDC Board shall be reviewed at a meeting of such committee held in accordance with OMA, whether or not so required by OMA.

**BE IT FURTHER RESOLVED** that in the event that a matter which would normally be reviewed by a committee prior to consideration the Board is not able to be reviewed at a committee meeting because compliance with OMA was not practicable, it may, at the discretion of the chair of the Board or the chair of such committee, be considered by the Board without prior review by the committee.

**BE IT FURTHER RESOLVED** that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the Authorized Agents of the EDC, shall hereafter have the authority to take such further actions, necessary or appropriate to implement the provisions and intent of this resolution on behalf of the EDC.

**BE IT FINALLY RESOLVED** that all of the acts and transactions of any Officer or Authorized Agent of the EDC, in the name and on behalf of the EDC, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

February 14, 2017