



**DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY  
REGULAR BOARD OF DIRECTORS MEETING  
WEDNESDAY, JULY 24, 2019  
4:00 PM**

**BOARD MEMBERS PRESENT:**

Pamela McClain  
John George  
Maggie DeSantis  
Matthew Walters  
Stephanie Washington  
Ray Scott

**BOARD MEMBERS ABSENT:**

Donele Wilkins  
Juan Gonzalez  
Sonya Mays

**OTHERS PRESENT:**

Jennifer Kanalos (DEGC/DBRA)  
Brian Vosburg (DEGC/DBRA)  
Cora Capler (DEGC/DBRA)  
Rebecca Navin (DEGC)  
Malinda Jensen (DEGC)  
Paul Kako (DEGC)  
Elizabeth Masserang (PM Environmental)  
Neal Check (RainCheck Development LLC)  
Julio Bateau (Nailah LLC)  
Wafa Dinero (Wayne County)  
Stephanie Cayce (Wayne County)



**MINUTES OF THE DETROIT BROWNFIELD  
REDEVELOPMENT AUTHORITY REGULAR MEETING  
WEDNESDAY, JULY 24, 2019  
DETROIT ECONOMIC GROWTH CORPORATION  
500 GRISWOLD SUITE 2200 DETROIT, MI – 4:00 PM**

**CALL TO ORDER**

Chair Matthew Walters called the meeting to order at 4:07 PM.

**GENERAL**

**Approval of Minutes:**

Mr. Walters called for a motion approving the minutes of July 10, 2019 as presented. The Board took the following action:

On a motion by Ms. DeSantis, seconded by Ms. McClain, DBRA Resolution Code 19-07-02-259 was unanimously approved.

**PROJECTS**

**40 Hague Brownfield Redevelopment Plan**

Ms. Capler presented the 40 Hague Brownfield Redevelopment Plan to the DBRA Board.

**Project Introduction**

RainCheck Development, LLC is the project developer (the “Developer”) for the Plan which entails the renovation of a two-story, 37,000 square-foot building into 38 residential apartments. Two studios, 32 one-bedroom units, and four two-bedroom units will be offered. Building amenities will include an interior courtyard and rooftop garden space. In addition, the parcel located to the west of the building will be curated into a private park for residents and a dog park. As for parking, the 40 Hague Development will provide on-site parking south of the building, at 59 East Philadelphia Street, at an already established lot, reconfigured to include a more efficient parking layout.

The total investment is estimated to be \$8.05 million. The Developer is requesting \$731,906.00 in TIF reimbursement.

There will be 18 temporary construction jobs and 1 FTE job. The 18 temporary construction jobs are expected to be created over an eighteen-month period once construction begins. The 1 FTE job will be related to property management.

**Property Subject to the Plan**

The eligible property (the “Property”) will consist of three (3) parcels roughly bounded by Hague Street to the north, residential properties to the east, Philadelphia Street to the south, and Woodward Avenue to the west, in Detroit’s North End neighborhood.

**Basis of Eligibility**

The Property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was previously utilized for industrial and commercial purposes; (b) it is located within the City of Detroit, a

qualified local governmental unit under Act 381; and (c) the Property is determined to be a “facility” as defined by Act 381 and/or adjacent and contiguous to a “facility.”

Eligible Activities and Projected Costs

The “eligible activities” that are intended to be carried out at the Property are considered “eligible activities” as defined by Sec 2 of Act 381, because they include Pre-Approved Activities (Environmental Assessments), Department Specific Activities, Demolition, Asbestos Activities, Infrastructure Improvements, Site Preparation and preparation and implementation of Brownfield Plan and/or 381 Work Plan. The eligible activities and budgeted costs are intended as part of the development of the Property and will be financed solely by the Developer. The Authority is not responsible for any costs of eligible activities and will incur no debt. The eligible activities are estimated to commence in fall 2019 and be completed within 18 months.

Tax Increment Financing (TIF) Capture

The Developer desires to be reimbursed for the costs of eligible activities. Tax increment revenue generated by the Property will be captured by the DBRA and used to reimburse the cost of the eligible activities completed on the Property after approval of this Plan pursuant to the terms of a Reimbursement Agreement with the DBRA.

**COSTS TO BE REIMBURSED WITH TIF**

1. Environmental Assessments	\$23,693.00
2. Department Specific Activities (EGLE)	\$114,500.00
3. Demolition	\$298,900.00
4. Asbestos Abatement	\$22,000.00
5. Infrastructure Improvements	\$68,000.00
6. Site Preparation	\$86,350.00
7. Brownfield Plan & Work Plan Preparation	\$20,000.00
8. Brownfield Plan & Work Plan Implementation	\$10,000.00
9. Contingency (15%)	\$88,463.00
<b>Total Reimbursement to Developer</b>	<b>\$731,906.00</b>
10. Authority Administrative Costs	\$189,903.00
11. State Brownfield Redevelopment Fund	\$41,917.00
12. Local Brownfield Revolving Fund	\$294,549.00
<b>TOTAL Estimated Costs</b>	<b>\$1,258,275.00</b>

The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues of the DBRA from the Property shall be governed by the terms of the Reimbursement Agreement.

Other Incentives

The Developer is seeking additional incentives, which will include local and/or state approval of an Obsolete Property Rehabilitation PA 146 Tax Abatement.

DBRA-CAC Letter of Recommendation

The DBRA-CAC recommended approval of the Plan at the July 10, 2019 CAC meeting. Attached was the DBRA-CAC’s letter of recommendation for the DBRA Board’s consideration.

Public Comments

The DBRA public hearing for the Plan was held on Thursday, July 18, 2019 at 5:30 pm at 40 Hague St., Detroit, Michigan. The results of the DBRA public hearing were attached.

Attached for the Board’s review and approval was a resolution approving the 40 Hague Brownfield Redevelopment Plan and its submittal to Detroit City Council.

Mr. Walters called for a motion approving the 40 Hague Brownfield Redevelopment Plan and its submittal to City Council, as presented. The Board took the following action:

On a motion by Ms. McClain, seconded by Ms. Washington, DBRA Resolution Code 19-07-271-02 was unanimously approved.

**Petit Bateau Brownfield Redevelopment Plan**

Mr. Vosburg presented the Petit Bateau Brownfield Redevelopment Plan to the DBRA Board.

**Project Introduction**

Petit Bateau LLC is the project developer (the “Developer”) for the Plan which entails the construction of a five-story mixed-use building, a four-story mixed-use building, and approximately twenty residential townhomes, with 3,200 square feet of commercial space along with associated site improvements. The project will develop one of the last development sites in Midtown and the Historic Art Center neighborhood. The Property (defined below) was historically occupied by residential, multi-family apartments, a church and an auto repair shop. The Property is currently vacant.

The total investment is estimated to be \$23 million. The Developer is requesting \$2,279,193.00 in TIF reimbursement.

There will be 100 temporary construction jobs and 2 FTE job. The 2 FTE jobs will be related to property management.

**Property Subject to the Plan**

The eligible property (the “Property”) will consist of seven (7) parcels bounded by Beaubien Street, Frederick Street, St. Antoine Street and the alleyway, in Detroit’s Historic Art Center neighborhood near Midtown.

**Basis of Eligibility**

The Property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was is currently utilized for a commercial, industrial, public, or residential purpose; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; and (c) the Property was determined to be a “facility” as defined by Act 381. 511 Frederick is adjacent and contiguous to parcels that are considered “eligible property”.

**Eligible Activities and Projected Costs**

The “eligible activities” that are intended to be carried out at the Property are considered “eligible activities” as defined by Sec 2 of Act 381, because they include baseline environmental assessment activities, demolition, lead and asbestos abatement, department specific activities, site preparation, infrastructure improvements, and preparation and implementation of a brownfield plan and 381 work plan. The eligible activities and budgeted costs are intended as part of the development of the Property and will be financed solely by the Developer. The Authority is not responsible for any costs of eligible activities and will incur no debt. The eligible activities are estimated to commence within 18 months of approval of the Plan and be completed within 3 years.

**Tax Increment Financing (TIF) Capture**

The Developer desires to be reimbursed for the costs of eligible activities. Tax increment revenue generated by the Property will be captured by the DBRA and used to reimburse the cost of the eligible activities completed on the Property after approval of this Plan pursuant to the terms of a Reimbursement Agreement with the DBRA.

**COSTS TO BE REIMBURSED WITH TIF**

1. Baseline Environmental Assessment Activities	\$10,000.00
2. Due Care Activities	\$200,000.00
3. Demolition	\$2,620.00

4. Lead and Asbestos Abatement	\$2,500.00
5. Infrastructure Improvements	\$1,680,700.00
6. Site Preparation	\$60,000.00
7. Brownfield Plan & Work Plan Preparation	\$30,000.00
8. Contingency (15%)	\$293,373.00
<b>Total Reimbursement to Developer</b>	<b>\$2,279,193.00</b>
9. Authority Administrative Costs	\$474,063.00
10. State Brownfield Redevelopment Fund	\$163,677.00
11. Local Brownfield Revolving Fund	\$773,795.00
<b>TOTAL Estimated Costs</b>	<b>\$3,690,728.00</b>

The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues of the DBRA from the Property shall be governed by the terms of the Reimbursement Agreement.

Other Incentives

The Developer is seeking additional incentives, which will include local and/or state approval of a Neighborhood Enterprise Zone PA 147 Tax Abatement.

Attached for the Board's review and approval was a resolution authorizing the Petit Bateau Brownfield Plan for submittal to the Community Advisory Committee for consideration and comment within 30 days of their receipt of the proposed Plan. In addition, it authorizes the President of the Detroit Economic Growth Corporation or any person designated by him, as a representative of the DBRA, to conduct a public hearing in the area to which the Proposed Plan applies within the next 30 days. This public hearing may be held jointly with any public hearing conducted by the Community Advisory Committee.

Mr. Scott asked if the project had received grant funds from the EPA grant originally used for the Focus Hope project. Mr. Vosburg confirmed that the project had received grant funds from the EPA grant originally used for Focus Hope.

Mr. Walters asked for clarification on which building façade will face Peck Park. Mr. Bateau showed Mr. Walters which façade will face Peck Park and stated that the building will transition from a historic design on the west to a more modern design to the east.

Ms. DeSantis asked where the name of the project came from. Mr. Bateau stated that the project name came from his last name and means "small boat" in French.

Ms. DeSantis asked if the townhomes will be for rent or sale. Mr. Bateau stated that the townhomes will be for sale and the residential units in the two larger buildings will be for rent.

Ms. DeSantis asked if there will be residential units offered as affordable housing. Mr. Bateau stated that there will be approximately 17 units, or 20% of the total units, available at 80% of the Area Median Income (AMI). Mr. Bateau stated he would like to target a lower AMI, 60% to 65%, for the affordable units if he is able to secure funding from a lender for that purpose.

Ms. DeSantis asked for more information on the capital stack for the project and what percentage of that is equity from the Developer. Mr. Bateau stated that 15% of the capital stack of equity from the Developer which includes the land, and that the Developer has several Letters of Interest from lenders that it is considering.

Ms. DeSantis asked if there were any other subsidies for the project besides Tax Increment Financing and a potential Neighborhood Enterprise Zone tax abatement. Mr. Bateau stated that there are no other subsidies for the project at this time.

Mr. Walters asked what the total investment is for the project. Mr. Bateau stated that the total investment for the project is approximately \$23 million.

Mr. Walters asked how many buildings are planned for the project. Mr. Bateau stated that there are seven buildings planned for the project.

Mr. Walters asked what materials will be used for the façade of the buildings. Mr. Bateau stated that the façade will be different colors of brick.

Ms. DeSantis asked if this was the Developer's first project in Detroit. Mr. Bateau stated that this was not his first project in Detroit and that he has been doing development in Detroit for over 3 decades.

Mr. Scott stated that he has worked with Mr. Bateau for about 20 years through environmental assessments and removal of underground storage tanks for other projects and he has always done a good job with his projects.

Mr. Walters called for a motion authorizing a public hearing for the Petit Bateau Brownfield Redevelopment Plan and its referral to the Community Advisory Committee, as presented. The Board took the following action:

On a motion by Mr. Scott, seconded by Ms. McClain, DBRA Resolution Code 19-07-272-01 was unanimously approved.

#### **Broadway Lofts Brownfield Redevelopment Plan: Assignment and Assumption Agreement**

Mr. Vosburg presented the Broadway Lofts Brownfield Redevelopment Plan: Assignment and Assumption Agreement to the DBRA Board.

The Brownfield Plan for Broadway Lofts Redevelopment Project (the "Plan") was approved by the City of Detroit Brownfield Redevelopment Authority ("DBRA") Board of Directors on March 13, 2019 and by Detroit City Council (the "Council") on April 16, 2019.

In connection with the Plan, the DBRA and Broadway Detroit Properties, LLC executed that certain Reimbursement Agreement dated June 25, 2019 (the "Reimbursement Agreement").

Broadway Detroit Development II, LLC is the project developer under the Plan due to the ability of the developer to obtain Opportunity Zone funding and as such, wishes to acquire any and all rights of Broadway Detroit Properties, LLC under the Reimbursement Agreement and other underlying brownfield plan related documents.

Attached for the Board's review and approval as Exhibit A was an Assignment and Assumption Agreement between Broadway Detroit Properties, LLC and Broadway Detroit Development II, LLC and a resolution authorizing its execution.

Mr. Walters asked what an Assignment and Assumption Agreement means. Ms. Navin stated that another entity is accepting and assuming the rights and obligations under the Reimbursement Agreement for the Plan.

Mr. Walters called for a motion approving the Broadway Lofts Brownfield Redevelopment Plan: Assignment and Assumption Agreement, as presented. The Board took the following action:

On a motion by Mr. George, seconded by Ms. DeSantis, DBRA Resolution Code 19-07-266-04 was unanimously approved.

### **Marston and Morrow Brownfield Redevelopment Plan: Reimbursement Agreement**

Mr. Vosburg presented the Marston and Morrow Brownfield Redevelopment Plan Reimbursement Agreement to the DBRA Board.

On June 26, 2019, the Detroit Brownfield Redevelopment Authority (the "DBRA") Board of Directors recommended approval to City Council of the Brownfield Plan for the Marston and Morrow Redevelopment Project (the "Plan"). The City Council public hearing for the Plan was held July 18, 2019 and City Council approved the Plan on July 23, 2019. A requirement for Tax Increment Financing reimbursement pursuant to the Plan is that a Reimbursement Agreement (the "Agreement") be entered into between the DBRA and Tiberina Detroit Inc. The Agreement has been prepared between the DBRA and Tiberina Detroit Inc. and is presented to the DBRA for review and approval.

#### **Project Introduction**

Tiberina Detroit Inc. is the project developer (the "Developer") for the Plan which entails the construction of an industrial building on the property in each phase. It is anticipated that an approximately 74,350 square-foot industrial building will be constructed on the eastern side of the Property (defined below) as part of the first phase of the project. The second phase is anticipated to include the construction of an approximately 63,750 square-foot industrial building on the western side of the Property.

The total investment is estimated to be \$18.4 million for Phase 1 and \$17 million for Phase 2, for a total of approximately \$35.4 million. The Developer is requesting \$7,697,003.00 in TIF reimbursement.

It is estimated that approximately 204 temporary construction jobs and new 63 FTE jobs will be created as a result of the project.

#### **Property Subject to the Plan**

The eligible property (the "Property") will consist of two (2) parcels located north of the intersection of Marston and Morrow Streets, west of St. Aubin near Detroit's Milwaukee Junction neighborhood.

#### **Basis of Eligibility**

The Property is considered "eligible property" as defined by Act 381, Section 2 because (a) the Property was is currently utilized for an industrial purpose; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; and (c) the parcels that compose the Property are facilities as defined by Act 381.

#### **Eligible Activities and Projected Costs**

The "eligible activities" that are intended to be carried out at the Property are considered "eligible activities" as defined by Sec 2 of Act 381, because they include site assessment and baseline environmental assessment (BEA) activities, due care activities, response activities, environmental insurance, demolition activities, asbestos, lead, and mold abatement, infrastructure improvements, site preparation activities, land bank title clearing, and preparation and implementation of a brownfield plan and 381 work plan. The eligible activities and budgeted costs are intended as part of the development of the Property and will be financed solely by the Developer. The Authority is not responsible for any costs of eligible activities and will incur no debt. The eligible activities are estimated to commence within 18 months of approval of the Plan and be completed within 3 years.

#### **Tax Increment Financing (TIF) Capture**

The Developer desires to be reimbursed for the costs of eligible activities. Tax increment revenue generated by the Property will be captured by the DBRA and used to reimburse the cost of the eligible activities completed on the Property after approval of this Plan pursuant to the terms of a Reimbursement Agreement with the DBRA.

#### **COSTS TO BE REIMBURSED WITH TIF**

1. Environmental Assessments	\$97,000.00
2. Due Care and Other Response Activities	\$2,656,768.00

3. Demolition	\$628,000.00
4. Mold, Lead and Asbestos Activities	\$25,000.00
5. Infrastructure Improvements	\$817,600.00
6. Site Preparation	\$1,403,189.00
7. Brownfield Plan & Work Plan Preparation	\$30,000.00
8. Brownfield Plan & Work Plan Implementation	\$65,000.00
9. Contingency (15%)	\$829,583.00
10. Interest (5% simple)	\$1,417,863.00
<b>Total Reimbursement to Developer</b>	<b>\$7,697,003.00</b>
11. Authority Administrative Costs	\$1,733,739.00
12. State Brownfield Redevelopment Fund	\$612,496.00
13. Local Brownfield Revolving Fund	\$3,293,213.00
<b>TOTAL Estimated Costs</b>	<b>\$13,336,451.00</b>

The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues of the DBRA from the Property shall be governed by the terms of the Reimbursement Agreement.

#### Other Incentives

The Developer is seeking additional incentives, which will include local and/or state approval of an Industrial Facilities PA 198 Tax Abatement.

The Agreement and a resolution approving the Agreement and its subsequent execution were attached for the Board's review and approval.

Mr. Vosburg stated that the Developer has requested an additional year to finish the project.

Mr. Walters called for a motion approving the Marston and Morrow Brownfield Redevelopment Plan Reimbursement Agreement, as presented. The Board took the following action:

On a motion by Mr. George, seconded by Ms. Washington, DBRA Resolution Code 19-07-270-03 was unanimously approved.

#### **ADMINISTRATIVE**

##### **Election of Officers (FY 2019-2020)**

Ms. Kanalos presented the Election of Officers (FY 2019-2020) to the DBRA Board.

The DBRA Bylaws state that the Officers of the Board of Directors shall be elected annually.

The current DBRA Board officer positions are as follows: Matthew Walters-Chairperson, Maggie DeSantis-Vice Chairperson, Donele Wilkins-Secretary and Sonya Mays-Treasurer of the Board of Directors of the Detroit Brownfield Redevelopment Authority.

DBRA staff proposes that the Board Chair open the floor to nominations, followed by a vote of the Board.

Mr. Scott made a motion that unless there is objection from the current officers, to nominate the current slate of officers for reelection for FY 2019-2020.

Ms. Washington stated that she would like to nominate Mr. Walters as Chair and Ms. DeSantis as Vice Chair and would like to consider other nominations for Secretary and Treasurer.

Ms. McClain asked what the duties are for the Secretary and the Treasurer. Ms. Kanalos stated that, acting as staff to the DBRA, the Accounting department of the Detroit Economic Growth Corporation traditionally oversees the Treasurer's Reports so the ongoing duties of the Treasurer are limited. The Secretary certifies all DBRA resolutions for each meeting



Mr. Scott withdrew his previous motion to nominate the current slate of officers for reelection for FY 2019-2020.

Ms. Washington made a motion to nominate Pamela McClain as Secretary for FY 2019-2020. Ms. DeSantis seconded the motion.

Ms. DeSantis made a motion to nominate Stephanie Washington as Treasurer for FY 2019-2020. Ms. McClain seconded the motion.

Mr. Walters called for a motion approving the officers for the DBRA Board for FY 2019-2020, as nominated. The Board took the following action:

On a motion by Mr. Scott, seconded by Mr. George, DBRA Resolution Code 19-07-01-215, electing Mr. Walters as Chair, Ms. DeSantis as Vice Chair, Ms. McClain as Secretary, and Ms. Washington as Treasurer for FY 2019-2020, was unanimously approved.

### **OTHER**

Mr. Scott asked if it would be possible for the DBRA Board meetings to be held earlier in the day. Ms. Kanalos stated that the DBRA staff could send a survey to the Board to see if there is a day and time that would work better for the Board.

Ms. Washington excused herself from the meeting at 4:35 pm.

Ms. McClain asked if Opportunity Zones funds are something that the DBRA handles. Mr. Walters stated that the DBRA does not handle Opportunity Zone funds. Mr. Vosburg stated that there have been other brownfield plans that have Opportunity Zone funds as part of their financing and that the Real Estate Investment Services staff at the Detroit Economic Growth Corporation can provide assistance with Opportunity Zone funds.

Ms. DeSantis asked if any other brownfield projects have obtained Opportunity Zone funding. Mr. Vosburg stated that several projects previously before the Board did have Opportunity Zone funds as part of their capital stack, but they were able to secure that funding before coming to the DBRA so there was no additional action that needed to be taken by the DBRA.

### **PUBLIC COMMENT**

Ms. Dinaro stated that she is from Wayne County and will be handling brownfield plans on behalf of the County and may be attending future DBRA meetings.

### **ADJOURNMENT**

Citing no further business, Mr. Walters called for a motion to adjourn the meeting.

On a motion by Mr. George, seconded by Ms. DeSantis the meeting was unanimously adjourned at 4:38 PM.



**CODE DBRA 19-07-02-259**

**APPROVAL OF MINUTES JULY 10, 2019**

RESOLVED, that the minutes of the regular meeting of July 10, 2019 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 Detroit Brownfield Redevelopment Authority.

July 24, 2019



**CODE DBRA 19-07-271-02**

**40 HAGUE BROWNFIELD REDEVELOPMENT PLAN**

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (the “DBRA”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of environmentally distressed areas in the City of Detroit; and

WHEREAS, under Act 381 the DBRA is authorized to develop and propose for adoption by City Council a brownfield plan for one or more parcels of eligible property; and

WHEREAS, in accordance with the policies, procedures and bylaws governing the DBRA, the DBRA has submitted a proposed Brownfield Plan for the **40 Hague Redevelopment Project** (the “Plan”) to the Community Advisory Committee for its consideration and comment and has solicited comments by the public by publication of notice stating that the proposed Plan has been submitted to the Community Advisory Committee and by conducting a public hearing in the area to which the proposed Plan applies; and

WHEREAS, the Community Advisory Committee has considered the proposed Plan and approved a resolution recommending the approval of the proposed Plan by the DBRA and the City Council as presented by the DBRA; and

WHEREAS, in accordance with the provisions of Act 381, the Board of Directors of the DBRA has considered the proposed Plan and desires to approve the proposed Plan and to request that City Council call a public hearing to consider and adopt a resolution approving the proposed Plan.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of the DBRA has determined that the adoption of the Brownfield Plan for the **40 Hague Redevelopment Project** is in keeping with the purposes of Act 381 and recommends submittal of the Plan to City Council for approval.
2. The Board of Directors of the DBRA approves the Plan substantially in the form attached hereto and on file with the Secretary of the DBRA.
3. Any Authorized Agent of the DBRA is authorized and directed to submit a certified copy of this Resolution and the Plan to the City Clerk, together with a request that the City Council call a public hearing concerning the Plan and to take all other actions required to approve the Plan in accordance with Act 381.
4. That any one of the officers and any one of the Authorized Agents of the DBRA or any two of the Authorized Agents of the DBRA shall hereafter have the authority to negotiate and execute 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 DBRA.

5. That all of the acts and transactions of any officer or authorized agent of the DBRA, in the name and on behalf of the DBRA, 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.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

July 24, 2019



**CODE DBRA 19-07-272-01**

**PETIT BATEAU BROWNFIELD REDEVELOPMENT PLAN – TRANSMITTAL OF BROWNFIELD PLAN TO THE COMMUNITY ADVISORY COMMITTEE**

WHEREAS, pursuant to 381 PA 1996 (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (the “DBRA”) has been established by resolution of the City Council of the City of Detroit (the “City”) for the purpose of promoting the revitalization of environmentally distressed areas in the City; and

WHEREAS, under Act 381 the DBRA is authorized to develop and propose for adoption by City Council a brownfield plan for one or more parcels of eligible property; and

WHEREAS, under the resolution establishing the DBRA and the bylaws of the DBRA requires the DBRA, prior to the approval of a brownfield plan, submit the proposed brownfield plan to the Community Advisory Committee for consideration and comment and solicit comments by publication of notice that the proposed brownfield plan has been submitted to the Community Advisory Committee and by conducting a public hearing in the area to which the proposed Plan applies.

NOW, THEREFORE, BE IT RESOLVED:

1. The City of Detroit Brownfield Redevelopment Authority acknowledges receipt of the proposed Brownfield Plan for the **Petit Bateau Brownfield Redevelopment Plan** (the “Proposed Plan”) and authorizes and directs the Chairperson to cause the Proposed Plan to be transmitted to the Community Advisory Committee for consideration and comment within 30 days of their receipt of the Proposed Plan.

2. The President of the Detroit Economic Growth Corporation or any person designated by him, as a representative of the DBRA, shall conduct a public hearing in the area to which the Proposed Plan applies within the next 30 days. This public hearing may be held jointly with any public hearing conducted by the Community Advisory Committee.

3. The Chairperson is authorized and directed to cause there to be published notice that the Proposed Plan has been submitted to the Community Advisory Committee and of the public hearing to be held pursuant to this resolution.

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

July 24, 2019



**CODE DBRA 19-07-266-04**

**BROADWAY LOFTS BROWNFIELD REDEVELOPMENT PLAN: ASSIGNMENT AND ASSUMPTION AGREEMENT**

WHEREAS, on March 13, 2019, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") Board of Directors adopted a resolution recommending approval of that certain Brownfield Plan for the Broadway Lofts Redevelopment Project (the "Plan") by the Detroit City Council; and

WHEREAS, on April 16, 2019, the Detroit City Council approved the Plan; and

WHEREAS, in connection with the Plan, the DBRA and Broadway Detroit Properties, LLC entered into that certain Reimbursement Agreement dated June 25, 2019 (the "Reimbursement Agreement"); and

WHEREAS, Broadway Detroit Development II, LLC is the project developer under the Plan and as such, wishes to acquire any and all rights of Broadway Detroit Properties, LLC under the Reimbursement Agreement and other underlying brownfield plan related documents; and

WHEREAS, an Assignment and Assumption Agreement (the "Assignment") between Broadway Detroit Properties, LLC and Broadway Detroit Development II, LLC shall be drafted in a form and substance to the satisfaction of DBRA staff and legal counsel; and

WHEREAS, the DBRA Board of Directors desire to acknowledge and approve the actions contemplated by the Assignment and authorize its execution and delivery on behalf of the DBRA.

NOW THEREFORE BE IT RESOLVED, by the DBRA Board of Directors as follows:

1. The Assignment and Assumption Agreement (the "Assignment"), to be drafted in a form and substance to the satisfaction of DBRA staff and legal counsel, is hereby approved.
2. Any two (2) Officers or Designated Authorized Agents or any one (1) Officer and one (1) Designated Authorized Agent of the DBRA is hereby authorized and directed to execute and deliver the Assignment.
3. All resolutions or parts of resolutions or other proceedings in conflict herewith shall be repealed insofar as such conflict arises.
4. This Resolution shall take effect immediately upon its adoption.

BE IT FINALLY RESOLVED that all of the acts and transactions of any officer or authorized agent of the DBRA, in the name and on behalf of the DBRA, 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.

July 24, 2019



CODE DBRA 19-07-270-03

**MARSTON AND MORROW BROWNFIELD REDEVELOPMENT PLAN: REIMBURSEMENT AGREEMENT**

WHEREAS, on June 26, 2019, the Detroit Brownfield Redevelopment Authority (the "DBRA") Board of Directors adopted a resolution recommending approval by the Detroit City Council of the Brownfield Plan (the "Plan") for a project captioned Harmonie Social Club Redevelopment (the "Project"); and

WHEREAS, on July 23, 2019, the Detroit City Council approved the Plan; and

WHEREAS, a condition to reimbursing the developer for eligible activities under the Plan is that a Reimbursement Agreement (the "Agreement") be entered into between the DBRA and Tiberina Detroit Inc. as developer of the Project; and

WHEREAS, the Agreement has been drafted, approved as to form by DBRA legal counsel; and

WHEREAS, the Board of Directors desires to approve the Agreement and authorize its execution and delivery on behalf of the DBRA; and

NOW THEREFORE, BE IT RESOLVED, by the DBRA Board of Directors as follows:

1. The Agreement, in substantially the form attached to this Resolution as Exhibit A, is hereby approved, with such necessary or desirable modifications additions, deletions or completions as are approved by DBRA legal counsel and the Officers or designated Authorized Agents of the DBRA executing the Agreement.
2. Any two Officers or designated Authorized Agents or one Officer and one designated Authorized Agent of the DBRA are authorized and directed to execute and deliver the Agreement.
3. All resolutions or parts of resolutions or other proceedings in conflict herewith shall be and the same hereby are repealed insofar as such conflict arises.
4. This Resolution shall take effect immediately upon its adoption.

BE IT FINALLY RESOLVED that all of the acts and transactions of any officer or authorized agent of the DBRA, in the name and on behalf of the DBRA, 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.

July 24, 2019



CODE DBRA 19-07-01-215

**ADMINISTRATION: ELECTION OF OFFICERS FOR FY 2019-2020**

RESOLVED, that the following are hereby elected as Officers of the Board of Directors of the Detroit Brownfield Redevelopment Authority:

<u>Matthew Walters</u>	Chairperson
<u>Maggie DeSantis</u>	Vice Chairperson
<u>Pamela McClain</u>	Secretary
<u>Stephanie Washington</u>	Treasurer

July 24, 2019