



**DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
REGULAR BOARD OF DIRECTORS MEETING
WEDNESDAY, DECEMBER 1, 2021
4:00 PM**

BOARD MEMBERS PRESENT:

Juan Gonzalez
Maggie DeSantis
Donele Wilkins
Raymond Scott
Pamela McClain
Amanda Elias

BOARD MEMBERS ABSENT:

Sonya Mays
Stephanie Washington
John George

OTHERS PRESENT:

Jennifer Kanalos (DEGC/DBRA)
Brian Vosburg (DEGC/DBRA)
Cora Capler (DEGC/DBRA)
Malinda Jensen (DEGC/DBRA)
Paul Kako (DEGC)
Rebecca Navin (DEGC)
Jean Belanger (DEGC)
Tracy Daniel (FleishmanHillard)
Ngozi Nwaesei (Lewis & Munday)
Elizabeth Masserang (PM Environmental)
Michael Van Overbeke (Brush Park Properties, LLC)
Stephen Goodman (InDevelopment Partners)
Sam Sherman (Basco)
Sam Seimer (AKT Peerless)
Edward Carrington (Flux City, LLC)
Keyontay Humphries
Kirk Pinho
Chanel Stitt
David



**MINUTES OF THE DETROIT BROWNFIELD
REDEVELOPMENT AUTHORITY REGULAR MEETING
WEDNESDAY, DECEMBER 1, 2021
HELD VIA ZOOM VIRTUAL MEETING**

CALL TO ORDER

Chairperson Raymond Scott called the meeting to order at 4:04 PM.

Ms. Kanalos took a roll call of the DBRA Board Members present and a quorum was established.

GENERAL

Approval of Minutes:

Mr. Scott called for a motion approving the minutes of November 10, 2021 as presented. The Board took the following action:

Ms. McClain made a motion approving the minutes of the November 10, 2021 Board meeting, as presented. Mr. Gonzalez seconded the motion. A roll call vote was conducted with the following result:

Ayes: Ms. DeSantis, Mr. Gonzalez, Ms. McClain, Ms. Wilkins, and Mr. Scott.

Nays: None.

DBRA Resolution Code 21-12-02-302 was unanimously approved.

Ms. Elias joined the meeting at 4:08 pm.

Treasurer's Report – October 2021

Ms. Kanalos presented the October 2021 Treasurer's Report.

Ms. DeSantis asked for more information on the cash disbursement to Lafayette Park Land Owner, LLC. Ms. Kanalos stated that the cash disbursement to Lafayette Land Owner, LLC is in relation to an EGLE grant.

Mr. Scott called for a motion accepting the October 2021 Treasurer's Report as presented. The Board took the following action:

Ms. DeSantis made a motion accepting the October 2021 Treasurer's Report, as presented. Ms. Wilkins seconded the motion. A roll call vote was conducted with the following result:

Ayes: Ms. DeSantis, Ms. Elias, Mr. Gonzalez, Ms. McClain, Ms. Wilkins, and Mr. Scott.

Nays: None.

DBRA Resolution Code 21-12-03-217 was approved.

ADMINISTRATIVE

Expenditures Report Under Delegation of Authority

Mr. Vosburg presented the Expenditures Report Under Delegation of Authority to the DBRA Board.

In an effort to streamline the process for authorization of expenditures, the DBRA Board of Directors approved DBRA Resolution #18-10-01-204 on October 10, 2018. The resolution authorizes Officers and

Authorized Agents (“Designated Parties”) to review and approve contracts in an amount up to Fifty Thousand and 00/100 (\$50,000.00) Dollars and to approved change orders to contracts up to 25% of the original contract amount not to exceed Fifty Thousand and 00/100 (\$50,000.00) Dollars.

Attached for DBRA Board information only was the Delegation of Authority report of expenditures approved for the period of July through September of 2021.

Mr. Scott asked how long after a quarter end can the DBRA Board expect to receive the Delegation of Authority (DOA) Report for that quarter. Mr. Vosburg stated that the DBRA Staff likes to have the DOA Report to the DBRA Board within a month of a quarter end.

PROJECTS

Land Assembly Project: Authorization to Enter into a Letter of Intent, Development Agreement and Land Transfer Agreement with Latimer Ashley Development Company, LLC for Approximately 30 Acre Site Located Between McGraw Ave & I-94, West of Warren

Ms. Belanger presented the Land Assembly Project: Authorization to Enter into a Letter of Intent, Development Agreement and Land Transfer Agreement with Latimer Ashley Development Company, LLC for Approximately 30 Acre Site Located Between McGraw Ave & I-94, West of Warren to the DBRA Board.

As the Board is aware, the City of Detroit (the “City”) administration has requested the assistance of the City of Detroit Brownfield Redevelopment Authority (“DBRA”) in industrial land assembly activities aimed at establishing market-ready industrial sites within City limits in order to attract manufacturing and logistics companies (the “Land Assembly Project”).

DBRA staff have identified a site consisting of approximately 30 acres located between McGraw Ave. and I-94, West of Warren, Detroit, MI and referenced as Junction McGraw (the “Property”), as a key site for industrial development. The Property consists of approximately 160 parcels, including the adjacent vacated rights of way, owned by the City, the Economic Development Corporation of the City of Detroit (the “EDC”) and the Detroit Land Bank Authority (the “DLBA”). The DBRA Board of Directors and the Detroit City Council approved the transfer of the Property to DBRA in 2019.

DBRA staff has identified Latimer Ashley Development Company, LLC (“Developer”) as a potential developer of the Property to undertake demolition of any existing structures, utility relocation, any necessary remediation, and construct one or more structures of at least 400,000 – 480,000 square feet for light industrial (including but not limited to automotive related activities), warehouse and distribution operations. DBRA staff has negotiated the letter of intent attached hereto as Exhibit A (the “LOI”) with the Developer for the sale and development of the Property pursuant to a development agreement (“Development Agreement”), the terms of which LOI are summarized below:

Purchase Price: \$3,113,040

Site Prep Credit: DBRA will provide Developer a credit at closing in an amount not to exceed \$1,500,000 for anticipated costs related to abandonment and/or relocation of the following utilities: Junction Ave. sewer line, DTE above ground electrical transmission lines, 33rd Street gas main, and structural reinforcement of the 32nd Street sewer line.

Due Diligence/Approvals: 120 days, subject to an extension equal to one day for everyday title work remains incomplete or required governmental authorities have not voted on re-zoning and/or vacations such extension not to exceed 120 days

Closing: 60 days following the expiration of the Due Diligence Period

Construction Commencement: 4th Quarter 2022

Construction Completion: Within the earlier of 24 months following commencement of construction or 30 months following closing

Conditions to Closing: Approval by the DLBA of the land transfer agreement; appropriate approvals for re-zoning of the Property; community engagement as required under applicable City ordinances.

DBRA staff sought the Board's approval of the LOI and the approval to negotiate and execute the Development Agreement consistent with the terms set forth in the LOI. A resolution was attached for the Board's consideration.

Ms. DeSantis asked if the Developer will perform the utility relocation during the due diligence period and receive the credit in the amount of the actual costs incurred. Ms. Navin added that the actual utility relocation will be performed after the closing and the Developer will not have access to the site to perform the work until after the closing but will be performing their environmental assessments on the Property and the Site Prep Credit will be given to the Developer based on the lowest bid received to perform the utility relocation.

Ms. DeSantis asked if the project is subject to the Community Benefits Ordinance. Ms. Belanger stated that the project does not reach the threshold to be subject to the Community Benefits Ordinance, but it is subject to the Community Outreach Ordinance because there will be a transfer of publicly owned land to the Developer and that the public meetings have been held in accordance with the Community Outreach Ordinance. Ms. Navin added that a rezoning of the land will be required and that additional public meetings will be held for the rezoning process.

Ms. DeSantis asked for more information on who the Developer is. Ms. Belanger stated that the Developers currently include Hiram Jackson, Ron Hall Jr., Carla Walker-Miller, Dennis Archer, Jr., and Ashley Capital.

Mr. Scott called for a motion to approve the Land Assembly Project: Authorization to Enter into a Letter of Intent, Development Agreement and Land Transfer Agreement with Latimer Ashley Development Company, LLC for Approximately 30 Acre Site Located Between McGraw Ave & I-94, West of Warren, as presented. The Board took the following action:

Ms. Wilkins made a motion to approve the Land Assembly Project: Authorization to Enter into a Letter of Intent, Development Agreement and Land Transfer Agreement with Latimer Ashley Development Company, LLC for Approximately 30 Acre Site Located Between McGraw Ave & I-94, West of Warren, as presented. Mr. Gonzalez seconded the motion. A roll call vote was conducted with the following result:

Ayes: Ms. DeSantis, Ms. Elias, Mr. Gonzalez, Ms. McClain, Ms. Wilkins, and Mr. Scott.

Nays: None.

DBRA Resolution Code 21-12-262-44 was approved.

Former Kettering School Site – Funding Agreements for Preliminary Engineering Design Services

Ms. Belanger presented the Former Kettering School Site – Funding Agreements for Preliminary Engineering Design Services to the DBRA Board.

As the Board is aware, the Detroit Brownfield Redevelopment Authority ("DBRA") purchased the former Kettering School site (the "Site") from Detroit Public Schools in November, 2019 and then sold the southern portion of the property to Dakkota Integrated Systems ("Dakkota") in January, 2020 for the development of a manufacturing facility on the Site. In connection with the redevelopment of the Site, the City's Department of Public Works ("DPW") applied for and received a grant from the Michigan Department of Transportation for certain road and traffic improvements to facilitate circulation around the Site (the "TEDA Grant").

In order to expedite the TEDA Grant activities, Dakkota contracted with Mannick Smith Group ("MSG") to complete certain preliminary design / engineering services for the improvements contemplated by the TEDA Grant (the "Design Services") with the understanding that the cost of such services would be reimbursed by the DPW.

The City and the Developer have requested that DBRA receive funding from DPW in the amount of \$157,000 (the “DPW Funds”) and then pay Dakota for the Design Services performed by MSG. Subject to City Council approval, DBRA seeks to enter into a funding agreement with DPW for the acceptance of the DPW Funds and a funding agreement with Dakota for the subsequent disbursement of the DPW Funds for the Design Services.

A resolution was attached for the Board’s consideration.

Ms. DeSantis asked for clarification on the transaction. Ms. Navin stated that the DBRA has been asked to be an intermediary between the State of Michigan and Dakota due to the policies of the City of Detroit.

Mr. Scott called for a motion to approve the Former Kettering School Site – Funding Agreements for Preliminary Engineering Design Services, as presented. The Board took the following action:

Ms. McClain made a motion to approve the Former Kettering School Site – Funding Agreements for Preliminary Engineering Design Services, as presented. Ms. DeSantis seconded the motion. A roll call vote was conducted with the following result:

Ayes: Ms. DeSantis, Ms. Elias, Mr. Gonzalez, Ms. McClain, Ms. Wilkins, and Mr. Scott.

Nays: None.

DBRA Resolution Code 21-12-262-45 was approved.

220 West Congress Brownfield Redevelopment Plan: Extension of Plan Duration Requirements

Mr. Vosburg presented the 220 West Congress Brownfield Redevelopment Plan: Extension of Plan Duration Requirements to the DBRA Board.

The 220 West Congress Brownfield Redevelopment Plan (the “Plan”) was approved by the DBRA Board of Directors on September 13, 2017 and by Detroit City Council (the “Council”) on October 10, 2017. The Reimbursement Agreement was executed on November 8, 2017.

220 W Congress Detroit, LLC is the developer (the “Developer”) for Plan which is located at 220 West Congress Street. Due to an extended renovation and construction period which is connected to the lease up of the building, which has been impacted by the COVID 19 pandemic, the Developer is requesting an almost twenty-three (23) month extension to complete all eligible activities by September 30, 2022.

DBRA staff recommended the approval of the extension.

A resolution granting the extension of the 220 West Congress Brownfield Redevelopment Plan duration requirements was attached for the DBRA Board’s review and approval.

Mr. Scott asked what work has been performed for the project to date. Mr. Sherman stated that about 3/5 of the building has been completed and that a ground-floor space that will be a restaurant was stalled due to Covid, but that it is now moving forward and that multiple floors have been leased to VentureX for co-working space that has attracted a lot of Detroit-owned startup businesses in need of work space and that he believes the project will be completed by next summer. Mr. Vosburg added that there have been no TIF reimbursements made to the Developer to date.

Mr. Scott called for a motion to approve the 220 West Congress Brownfield Redevelopment Plan: Extension of Plan Duration Requirements, as presented. The Board took the following action:

Ms. McClain made a motion to approve the 220 West Congress Brownfield Redevelopment Plan: Extension of Plan Duration Requirements, as presented. Ms. DeSantis seconded the motion. A roll call vote was conducted with the following result:

Ayes: Ms. DeSantis, Ms. Elias, Mr. Gonzalez, Ms. McClain, Ms. Wilkins, and Mr. Scott.

Nays: None.

DBRA Resolution Code 21-12-247-05 was approved.

CODA Brush Park Brownfield Redevelopment Plan

Mr. Vosburg presented the CODA Brush Park Brownfield Redevelopment Plan to the DBRA Board.

Project Introduction

Brush Park Properties, LLC, is the project developer (“Developer”). The project includes the construction of an expansive addition to incorporate the existing carriage house building facade, built in 1890, into a 5-story modern, mixed-use development. The building will include approximately 84,000 square feet of commercial and residential spaces. Approximately ten (10) luxury condominium units will be provided for purchase, totaling an estimated 22,000 square feet of living space. Eight of the residential units will be located on floors 3-5 of the main carriage house building and the two remaining townhome units will be built along the Alfred Street façade of the development. It is anticipated that the remaining portion of the building will be occupied by a restaurant and bar and office space, totaling approximately 15,000 square feet. Additionally, the building will feature an integrated parking deck with approximately 105 total parking spaces. The parking structure will also serve as residential, commercial, and public parking, complete with multiple electric vehicle charging ports. The development will also feature alleyway improvements to serve as a community gathering space. It is currently anticipated that construction will begin in the Fall of 2021 and eligible activities will be completed in 2023.

The total investment is estimated to be \$25.8 million. The Developer is requesting \$4,807,400.00 in TIF reimbursement.

There will be approximately 218 temporary construction jobs and 37 permanent jobs are expected to be created by the project.

Property Subject to the Plan

The eligible property (the “Property”) consists of one (1) combined parcel bounded to the north by an alleyway, to the east by John R Street, to the south by Alfred Street, and to the west by the property line in the Brush Park 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 a commercial purpose; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; and (c) the Property parcel has been determined to be “functionally obsolete” 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 pre-approved activities, department specific activities, site demolition activities, infrastructure improvements, site preparation, and development, preparation and implementation of a brownfield plan and Act 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. Pre-Approved Activities	\$2,500.00
2. Demolition	\$138,400.00
3. Site Preparation	\$268,000.00
4. Infrastructure Improvements	\$3,674,600.00

5. Urban Storm Water Management System	\$45,000.00
6. Brownfield Plan & Work Plan	\$60,000.00
7. Contingency (15%)	\$618,900.00
Total Reimbursement to Developer	\$4,807,400.00*
8. Authority Administrative Costs	\$1,215,776.00
9. State Brownfield Redevelopment Fund	\$380,492.00
10. Local Brownfield Revolving Fund	\$1,280,803.00
TOTAL Estimated Costs	\$7,684,471.00

*Request is pro-rated to account for the portion of the parking structure related to residential and commercial operations, excluding valet

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.

DBRA-CAC Letter of Recommendation

The DBRA-CAC recommended approval of the Plan at the November 10, 2021 CAC meeting. Attached is the DBRA-CAC's letter of recommendation for the DBRA Board's consideration.

Public Comments

The DBRA public hearing for the Plan is scheduled to be held on Monday, November 22, 2021 at 4:30 pm via Zoom. The results of the DBRA public hearing will be added following the public hearing.

Attached for the DBRA Board's review and approval was a resolution approving the CODA Brush Park Brownfield Redevelopment Plan and its submittal to Detroit City Council.

Mr. Scott called for a motion to approve the CODA Brush Park Brownfield Redevelopment Plan and its submittal to Detroit City Council, as presented. The Board took the following action:

Ms. Wilkins made a motion to approve the CODA Brush Park Brownfield Redevelopment Plan and its submittal to Detroit City Council, as presented. Ms. McClain seconded the motion. A roll call vote was conducted with the following result:

Ayes: Ms. Elias, Mr. Gonzalez, Ms. McClain, Ms. Wilkins, and Mr. Scott.

Nays: None.

Abstentions: Ms. DeSantis

DBRA Resolution Code 21-12-306-02 was approved.

The Ribbon Brownfield Redevelopment Plan

Ms. Capler presented the Ribbon Brownfield Redevelopment Plan to the DBRA Board.

Project Introduction

Flux City, LLC, is the project developer ("Developer"). The project includes the redevelopment of the property into a mixed-use commercial retail and residential development with on-site parking and site improvements. The Developer will redevelop the currently vacant, one-story, former bank building into a 3-story mixed-use building that will include a café/restaurant and market on the ground floor, and two residential floors above. The project is being envisioned as a one-story noncombustible podium, with the residential construction above being light-frame wood construction. The Developer is projecting 30 total parking places between the main parking lot west of the building, and the secondary parking lot on the Eastside of Kensington Ave (directly across from the building). The first-floor retail space is estimated to be a total of 7,320 square feet. The two residential floors are each estimated to be 6,925 square feet and will

include some affordable residential units that will range from 50-80% AMI, with 9 units on both the second and third floors, for a total of 18 residential units.

The total investment is estimated to be \$6 million. The Developer is requesting \$1,036,154.00 in TIF reimbursement.

There will be approximately 40 temporary construction jobs and 27 permanent jobs are expected to be created by the project.

Property Subject to the Plan

The eligible property (the "Property") consists of four (4) parcels bounded by East Warren Avenue to the north, Yorkshire Road to the east, Cornwall Street to the south, and Outer Drive East to the west in the East English Village neighborhood of Detroit.

Basis of Eligibility

The Property is considered "eligible property" as defined by Act 381, Section 2 because (a) the Property was previously utilized for a commercial purpose; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; and (c) the Property parcel has been determined to be "functionally obsolete," a "Facility," or adjacent and contiguous to a parcel that has been determined to be Functionally Obsolete or a Facility 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 department specific activities, due care activities, demolition, asbestos and hazardous materials abatement activities, site preparation, infrastructure improvements, interest, and development, preparation and implementation of a brownfield plan and Act 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. Pre-Approved Activities	\$20,075.00
2. Due Care Activities	\$11,000.00
3. Demolition	\$173,397.00
4. Asbestos and Hazardous Materials Abatement	\$23,000.00
5. Site Preparation	\$209,000.00
6. Infrastructure Improvements	\$226,263.00
7. Brownfield Plan & Work Plan	\$52,500.00
8. Contingency (15%)	\$96,399.00
9. Interest	\$224,520.00
Total Reimbursement to Developer	\$1,036,154.00
10. Authority Administrative Costs	\$240,482.00
11. State Brownfield Redevelopment Fund	\$73,838.00
12. Local Brownfield Revolving Fund	\$230,539.00
TOTAL Estimated Costs	\$1,581,013.00

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 Act (PA 146) Tax Abatement.

Attached for the DBRA Board's review and approval was a resolution authorizing the Ribbon 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. Carrington provided more information about the project including the community engagement conducted through the RFP process by the City of Detroit and the Developer to receive feedback on what the community would like to see included in the project, particularly the ground floor commercial space, and that the Developer hosted a weekly farmers market on the Property to have a chance to talk to local residents to receive their input. Mr. Carrington added that a commercial tenant has been identified for the project and the goal is to make the majority of the residential units available at affordable rates but that those rates have not yet been finalized.

Ms. Seimer provided more information about the project including more details on the Eligible Activities to be performed on the Property and the proposed timeline of TIF reimbursements under the Plan.

Ms. McClain stated that she is excited for this project because it is located in her neighborhood and asked for clarification on the Property location. Mr. Carrington stated that the Property is where the former Charter One Bank branch was located.

Ms. DeSantis asked if there is a loan from the Affordable Housing Fund included in the project. Mr. Carrington stated that there is a grant and loan from LISC included in the project and that there are requirements for the affordability of the residential units in connection with the financing which are currently being met and exceeded by the project.

Ms. DeSantis asked who the other lenders are for the project. Mr. Carrington stated that Capital Impact Partners and Invest Detroit are providing financing for the project.

Ms. DeSantis asked if the Developer could disclose who the future commercial tenant is for the project. Mr. Carrington stated that he does not want to disclose who the future commercial tenant is at this point out of caution.

Ms. DeSantis asked where the name of the project came from and if it was in connection with the ribbon farms that were present in Detroit. Mr. Carrington stated that the name "The Ribbon" is in connection with the former ribbon farms that were in Detroit and to honor the history of the area.

Ms. DeSantis asked if the Developer was comfortable with the feedback that he has received from the community regarding the project. Mr. Carrington stated that he has received positive feedback for the project. Ms. McClain added that she is very excited for the project and happy to see development happening in her neighborhood.

Mr. Scott called for a motion to authorize a public hearing for the CODA Brush Park Brownfield Redevelopment Plan and its referral to the Community Advisory Committee, as presented. The Board took the following action:

Ms. McClain made a motion to authorize a public hearing for the CODA Brush Park Brownfield Redevelopment Plan and its referral to the Community Advisory Committee, as presented. Mr. Gonzalez seconded the motion. A roll call vote was conducted with the following result:

Ayes: Ms. DeSantis, Ms. Elias, Mr. Gonzalez, Ms. McClain, Ms. Wilkins, and Mr. Scott.

Nays: None.

DBRA Resolution Code 21-12-307-01 was approved.

ADMINISTRATIVE

None.

OTHER

None.

PUBLIC COMMENT

None.

ADJOURNMENT

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

On a motion by Ms. DeSantis, seconded by Ms. Wilkins, the meeting was unanimously adjourned at 4:50 PM.



CODE DBRA 21-12-02-301

APPROVAL OF MINUTES OF NOVEMBER 10, 2021

RESOLVED, that the minutes of the regular meeting of November 10, 2021 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.

December 1, 2021



DBRA 21-12-03-217

ACCEPTANCE OF TREASURER'S REPORT FOR OCTOBER 2021

RESOLVED, that the Treasurer's Report of Receipts and Disbursements for the period October 1 through October 31, 2021, as presented at this meeting is hereby in all respects accepted as actions of the Detroit Brownfield Redevelopment Authority.

December 1, 2021



CODE DBRA 21-12-262-44

LAND ASSEMBLY PROJECT: AUTHORIZATION TO ENTER INTO A LETTER OF INTENT, DEVELOPMENT AGREEMENT AND LAND TRANSFER AGREEMENT WITH LATIMER ASHLEY DEVELOPMENT COMPANY, LLC FOR APPROXIMATELY 30 ACRE SITE LOCATED BETWEEN MCGRAW AVE & I-94, WEST OF WARREN

WHEREAS, the City of Detroit (the "City") administration has requested the assistance of the City of Detroit Brownfield Redevelopment Authority ("DBRA") in industrial land assembly activities aimed at establishing market-ready industrial sites within City limits in order to attract manufacturing and logistics companies (the "Land Assembly Project"); and

WHEREAS, in 2019, the DBRA Board and Detroit City Council approved the transfer to DBRA of approximately 30 acres located between McGraw Ave. and I-94, West of Warren, Detroit, MI and referenced as Junction McGraw (the "Property") in furtherance of the Land Assembly Project, which Property consists of approximately 160 parcels, including the adjacent vacated rights of way, owned by the City, the Economic Development Corporation of the City of Detroit and the Detroit Land Bank Authority (the "DLBA"); and

WHEREAS, DBRA staff has identified Latimer Ashley Development Company, LLC ("Developer") as a potential developer of the Property to undertake demolition of any existing structures, utility relocation, any necessary remediation, and construct one or more structures of at least 400,000 – 480,000 square feet for light industrial, warehouse and distribution operations; and

WHEREAS, DBRA staff has negotiated the letter of intent attached hereto as **Exhibit A** (the "LOI") with the Developer for the sale and development of the Property pursuant to a development agreement ("Development Agreement") to be negotiated by the parties; and

WHEREAS, the transactions contemplated herein are consistent with the DBRA's purposes of promoting the revitalization and reuse of certain properties and is otherwise consistent with its powers and purposes.

NOW, THEREFORE, BE IT RESOLVED, that the DBRA Board of Directors hereby approves the LOI.

BE IT FURTHER RESOLVED, 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 execute the LOI, and negotiate and execute the Development Agreement on terms and conditions consistent with the LOI and this resolution, together with such changes that are reasonably required for the project and are approved by DBRA Authorized Agents and counsel, which changes are not inconsistent with the intent of this resolution, and 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.

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.

December 1, 2021



CODE DBRA 21-12-262-46

FORMER KETTERING SCHOOL SITE – FUNDING AGREEMENTS FOR PRELIMINARY ENGINEERING DESIGN SERVICES

WHEREAS, the Detroit Brownfield Redevelopment Authority (“**DBRA**”) purchased the former Kettering School site (the “**Site**”) from Detroit Public Schools in November, 2019 and then sold the southern portion of the property to Dakkota Integrated Systems (“**Dakkota**”) in January, 2020 for the development of a manufacturing facility on the Site; and

WHEREAS, in connection with the redevelopment of the Site, the City’s Department of Public Works (“**DPW**”) applied for and received a grant from the Michigan Department of Transportation for certain road and traffic improvements to facilitate circulation around the Site (the “**TEDA Grant**”); and

WHEREAS, in order to expedite the TEDA Grant activities, Dakkota contracted with Mannick Smith Group (“**MSG**”) to complete certain preliminary design / engineering services for the improvements contemplated by the TEDA Grant (the “**Design Services**”) with the understanding that the cost of the Design Services would be reimbursed by the DPW; and

WHEREAS, the City and the Developer have requested that DBRA receive funding from DPW in the amount of \$157,000 (the “**DPW Funds**”) and then pay Dakkota for the Design Services performed by MSG pursuant to a funding agreement with DPW for the acceptance of the DPW Funds and a funding agreement with Dakkota for the subsequent disbursement of the DPW Funds for the Design Services; and

WHEREAS, the DBRA Board of Directors has determined that the proposed funding agreements with respect to the acceptance and disbursement of the DPW Funds for the Design Services (collectively, the “**Funding Agreements**”) is in the best interests of the DBRA and otherwise consistent with DBRA’s statutory purposes.

NOW, THEREFORE, BE IT RESOLVED, 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 the Funding Agreements on terms and conditions consistent with this resolution, the TEDA Grant, and DPW policies and are approved by DBRA Authorized Agents and counsel, and 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.

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.

December 1, 2021



CODE DBRA 21-12-247-05

220 W CONGRESS BROWNFIELD REDEVELOPMENT PLAN: EXTENSION OF PLAN DURATION REQUIREMENTS

WHEREAS, pursuant to 381 PA 1996 (“Act 381”), the 220 West Congress Brownfield Redevelopment Plan (the “Plan”) was approved by the Detroit Brownfield Redevelopment Authority (the “DBRA”) on September 13, 2017 and Detroit City Council (the “Council”) on October 10, 2017; and

WHEREAS, 220 W Congress Detroit, LLC is the developer (the “Developer”) for the Plan located in Detroit at 220 West Congress Street that entails the renovation of a mixed-use commercial building in downtown; and

WHEREAS, due to an extended renovation and construction period which is connected to the lease up of the building, which has been impacted by the COVID 19 pandemic, the Developer is requesting an almost twenty-three (23) month extension to complete all eligible activities by September 30, 2022; and

WHEREAS, DBRA staff recommends the approval of the Plan duration extension based upon the Developers ability to complete the eligible activities within the timeframe of the extension.

NOW, THEREFORE, BE IT RESOLVED, that the DBRA Board of Directors approves the Plan duration extension as follows: 1) one extension for completion of all eligible activities by September 30, 2022.

BE IT FINALLY RESOLVED, that a DBRA Authorized Agent shall hereafter have the authority to negotiate and execute any Letter(s) of Support to implement the provisions and intent of this resolution on behalf of the DBRA.

December 1, 2021



CODE DBRA 21-12-306-02

CODA BRUSH PARK 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 **CODA Brush Park 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 **CODA Brush Park 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.

December 1, 2021



CODE DBRA 21-12-307-01

THE RIBBON 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 **Ribbon 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.

December 1, 2021