



**ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS REGULAR MEETING
TUESDAY, JUNE 28, 2022 – 9:00 A.M.**

BOARD MEMBERS PRESENT: Marsha Bruhn
Linda Forte
Damon Hodge
Chris Jackson (arrived at 10:05)
Kwaku Osei
Thomas Stallworth

BOARD MEMBERS ABSENT: Clifford Brown
Antoine Bryant (Ex-Officio)
Kimberly Clayson
John Naglick (Ex-Officio)
Jonathan Quarles

SPECIAL DIRECTORS PRESENT: None

SPECIAL DIRECTORS ABSENT: Emily Black (I-94 Industrial Park Project)
Sharon Malinowski (Tiger Stadium Site)
Jon Newton (Waterfront East Development)
Lisa Randon (Tiger Stadium Site)
Frank Taylor (Waterfront East Development)
Marvin Thomas (I-94 Industrial Park Project)

OTHERS PRESENT: Cora Capler (DEGC/EDC)
Mike Ession (American Community Developers)
Gay Hilger (DEGC/EDC)
David Howell (DEGC/EDC)
Kevin Johnson (DEGC/EDC)
Jennifer Kanalos (DEGC/EDC)
Glen Long, Jr. (DEGC/EDC)
Monika McKay-Polly (DEGC/EDC)
Rebecca Navin (DEGC/EDC)
Luke Polcyn (Mayor's Office)
Orza Robertson (DEGC/EDC)
Kelly Shovan (DEGC/EDC)



**MINUTES OF THE ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS REGULAR MEETING
DETROIT ECONOMIC GROWTH CORPORATION
500 GRISWOLD, SUITE 2200, DETROIT, MI 48226
TUESDAY, JUNE 28, 2022 – 9:00 A.M.**

GENERAL

Call to Order

Chairperson Forte called the regular meeting of the Economic Development Corporation Board of Directors to order at 9:26 a.m. Roll call was conducted, and a quorum was established. Ms. Forte noted that Board Member Bruhn was attending remotely. Ms. Navin added that EDC was making an ADA accommodation for Ms. Bruhn and permitting remote attendance.

Approval of Minutes

Ms. Forte asked if there were any additions, deletions, or corrections to the minutes of the May 24, 2022 regular Board meeting. Hearing none, Ms. Forte called for a motion.

Mr. Stallworth made a motion approving the minutes of the May 24, 2022 regular Board meeting, as written. Mr. Hodge seconded the motion. All were in favor with none opposed.

EDC Resolution Code 22-06-02-361 was unanimously approved.

Receipt of Treasurer's Report

Ms. Shovan reviewed the Treasurer's Report of Receipts and Disbursements for the month of May 2022. With there being no questions, Ms. Forte called for a motion.

Mr. Stallworth made a motion to approve the May 2022 Treasurer's Report, as presented. Mr. Hodge seconded the motion. All were in favor with none opposed. EDC Resolution Code 22-06-03-275 was unanimously approved.

Ms. Forte advised that we did not have our sixth Board member for a quorum for the first four project items on the agenda and that we were skipping to Project Item V.



PROJECTS

Corktown: Infrastructure Innovation Zone Improvement Project-- Funding Agreements with DPW and Ford Motor Company (or its Affiliate) for the Transfer of Act 51 Funds for Right of Way Improvements

Ms. Navin advised that in December 2020, the City and 20th Street Properties LLC, an entity affiliated with the Ford Motor Company (the “Company”), entered into that certain Transfer Agreement (the “Transfer Agreement”) pursuant to which the Company agreed to transfer certain real property in furtherance of the City’s obligations under its Choice Neighborhoods Implementation Grant from the U.S. Department of Housing and Urban Development and, in return, the City agreed to complete certain public infrastructure improvements described in the Transfer Agreement and further described in **Exhibit A** attached to the resolution (the “Public Improvements”) in an amount not to exceed Four Million Five Hundred Thousand and 00/100 (\$4,500,000.00) Dollars (the “City’s Maximum Contribution”). The Public Improvements are to be located in the area generally bounded by Dalzelle Street on the north, Bagley Street on the south, 15th Street on the west and Rosa Parks on the east (the “Project”).

Due to circumstances beyond the control of the City and the Company, including but not limited to the ongoing Covid-19 pandemic, rising costs of construction materials, and labor shortages, the cost of the Public Improvements exceeds the City’s Maximum Contribution and the Project schedule has been significantly delayed.

The Department of Public Works (“DPW”) has completed the design and engineering for certain of the Public Improvements on 15th Street and the Company has proposed to undertake the Project and complete the design and engineering for the remaining Public Improvements and construction of all Public Improvements, provided that the City will contribute to the cost of the Project in an amount not to exceed the City’s Maximum Contribution, with the Company solely responsible for funding the balance of the Project costs.

DPW has requested the EDC’s assistance in disbursing funds it has available for public right of way improvements pursuant to Act 51 of 1951 (the “Funds”) to the Company, which such assistance shall include, but not be limited to, receiving and reviewing reimbursement requests from the Company, making reimbursement requests to the City, receiving from DPW and transferring to the Company the Funds, and monitoring the construction of the Public Improvements. The EDC will receive a 2.5% administrative fee for its assistance.



EDC staff recommended Board approval of EDC's assistance as requested, to be evidenced by a funding agreement between EDC and the City and a funding agreement between EDC and the Company (or its affiliate), subject to City Council approval.

A resolution was included in the Board book for consideration.

Ms. Forte thanked Ms. Navin and said she would lead off with one question and then open the floor to questions. Ms. Forte stated that she doesn't believe she heard Ms. Navin say what the total project cost will be. Ms. Navin advised that right now it is estimated at \$6.5 million. Ford has committed to \$2.5 million which would provide a pool of \$7 million so we have some contingency there. On the last page of the Board book, there is a depiction of the area.

Ms. Forte asked if there were other questions/comments.

Mr. Stallworth stated that he is not clear on what the project is. He heard the presentation but is not clear about what changes are being made to the site. Ms. Navin responded that these are right of way improvements to accommodate the anticipated increased vehicle and foot traffic and to bring the area up to the standard that will be inviting to the crowds expected when improvements are complete.

Ms. Forte asked about the timing. It is her understanding that everything is to be complete by June 30, 2023. Ms. Navin advised that Mr. Luke Polcyn from the Mayor's office was available to answer questions.

Mr. Polcyn thanked Ms. Navin and explained that the reason completion of the project by June 30, 2023 is possible is because the design and engineering for 15th Street is already complete, and with the Board's and Council's approval today, and with the funding agreement structure, they should be in a position to begin construction within the next two weeks. All of that is teed up and construction should be complete before the winter sets in, and in parallel, the design and engineering for 14th Street would be undertaken and construction can begin as soon as the season begins next year.

Mr. Osei stated that Ms. Navin said we've done this sort of thing before and asked what the most recent project was. Ms. Navin responded that The Elton, the Trident Checker project done by Suave across the street from the Tiger Stadium site, was done she believes in 2018. Prior to that, we did it for 40 Davenport, a project in Midtown.

Mr. Hodge asked if the City has approval over the final design for the improvements. Ms. Navin responded in the affirmative and stated that it will be collaborative with Ford, but will have to comply with City requirements, including MDOT requirements, and the City has final approval rights, including material changes in design.



Hearing no further questions or comments, Ms. Forte asked if there was a motion for approval.

Mr. Hodge made a motion to approve the Funding Agreements with DPW and Ford Motor Company (or its Affiliate) for the Transfer of Act 51 Funds for Right of Way Improvements, as presented. Mr. Stallworth seconded the motion. All were in favor with none opposed.

EDC Resolution Code 22-06-98-02 was unanimously approved.

Ms. Kanalos advised that she just heard from Board member Jackson, and he is expected at about 10:00 a.m. Ms. Navin suggested that, in the interest of time, Mr. Jackson could dial in so that he is able to listen to the audio of the presentations, and she will continue with the two Tiger Stadium Site agenda items and hold on voting until Mr. Jackson arrives. There are some time-sensitive matters before the Board, and we were not able to secure a quorum two weeks ago. If members can stay until Mr. Jackson arrives, it would be greatly appreciated.

Ms. Forte advised Ms. Navin to proceed.

Tiger Stadium Property Redevelopment Project: Amendment to Development Agreement with American Community Developers

Ms. Navin reported that as the Board is aware, pursuant to EDC Resolution 20-03-76-29, in May 2020, the Economic Development Corporation of the City of Detroit (“**EDC**”) entered into a development agreement with Left Field 2020 Limited Dividend Housing Association L.L.C. (an affiliate of American Community Developers, Inc.) (“**Developer**”) for the redevelopment of the last EDC-owned parcel at the former Tiger Stadium Site (the “**Development Agreement**”). Per the terms of the Development Agreement, Developer would purchase the parcel located at 2610 Cochrane (the “**Property**”) and develop multi-family housing consisting of at least 100 units, 60 of which will be included in the building to be on the parcel described as “Parcel A” on **Exhibit A (“Building A”)** attached to the resolution, which Building will include a minimum of 48 affordable units, and 40 of which will be included in the building to be constructed on the parcel described as “Parcel B” on **Exhibit A (“Building B”)** attached to the resolution (the “**Project**”). The Project is a key component to the City’s CHOICE Neighborhood Implementation Grant from the U.S. Department of Housing and Urban Development (HUD). The EDC and Developer closed on the sale and purchase of the Property in December, 2021.

Due to delays in receiving an additional allocation of LIHTC from MSHDA needed to fund construction cost increases due to supply chain disruptions resulting from the covid-19 pandemic which additional LIHTC reservation was received from MSHDA on June 2, 2022, Developer’s senior financing on Building A, which includes Low Income Housing



Tax Credits, was not able to close by March 31, 2022 as contemplated by the Development Agreement. All approvals have now been received and Developer intends to move towards a closing on financing for Building A later this summer.

As a result, EDC staff and the Developer determined certain extensions are required to the Development Agreement timelines, as described below (the “**Proposed Amendments**”):

Financial Closing:

- For Building A (to be financed using Low Income Housing Tax Credits), by 8/31/2022
- For Building B, by 5/31/2023

Construction Commencement: 60 days following Financial Closing

Construction Completion:

- For Building A, 24 months after commencement (estimated October, 2024)
- For Building B, by 11/30/2025

A resolution was included in the Board book consideration

Mr. Hodge asked if there were any changes or protections against cost increases as it relates to the delay. Ms. Navin stated that we are not involved in the financing of that particular project, but Mr. Mike Essian of American Community Developers is on the phone and can answer that question.

Mr. Essian thanked the Board and advised that they have worked closely with MISHDA and they had to draft a new policy and get it approved by the Governor in order to request and additional allocation of the low income housing tax credits to fund the affordable units that are on the site. That got passed and they just received the additional credits at the beginning of the month. They will be hosting the Mayor tomorrow to announce the additional allocation so that this project can move forward, along with a handful of additional projects in the city that also received the additional allocation of credits, to help overcome the substantial increase in construction costs. With this additional allocation of funds, the funds necessary are available to close on the project and to begin construction.

Mr. Stallworth said that he was trying to vision the proximity of the site. Mr. Essian responded that it is in the left field of the former ballpark.

Ms. Forte asked if there were any other questions or comments. Hearing none, she advised that a vote would be conducted later when a quorum was present.



Tiger Stadium Property Redevelopment Project: Amended and Restated Declaration of Restrictions

Ms. Navin reported that in 2007 The Economic Development Corporation of the City of Detroit (the “EDC”) established, and the Detroit City Council (“City Council”) approved, a project plan for the former site of Tiger Stadium (the “Site”) known as the Tiger Stadium Property Redevelopment Project. Since 2016, the EDC has sold all parcels comprising the Site: in 2016, to Detroit Police Athletic League, Incorporated (“PAL”), in 2017 to Tiger Stadium Partners, LLC (“TSP1”) and Tiger Stadium Partners 2, LLC (“TSP2”), and in 2021 to Left Field 2020 Limited Dividend Housing Association, L.L.C. (“LF2020”).

Prior to the EDC’s closing with PAL, EDC, PAL and TSP negotiated and recorded against the Site a Declaration of Site Restrictions (the “Original Declaration”) setting forth certain requirements and restrictions relating to the operation, maintenance and repair of each of the parcels.

Now that the entire Site has been sold and uses for each parcel have been identified and/or constructed, PAL, TSP, and LF2020 desire to amend and restate the Original Declaration in order to update certain of the operation and maintenance standards to reflect the actual uses on the Site and reflect certain feedback of community members regarding the use of PAL’s site for sporting and non-sporting events.

Further, in August, 2020 PAL erected a scoreboard for its operations that encroached upon land then owned by EDC (now owned by LF2020) and violated certain height restrictions contained in the Original Declaration and in a BZA Order relating to PAL’s site. PAL, LF2020, and EDC and City representatives have come to an agreement regarding the relocation and reconfiguration of the scoreboard pursuant to which LF2020 will relocate the scoreboard to a different location on PAL’s site and the scoreboard will be reconfigured to a height that complies with the BSA Order but will exceed the height restrictions located in the Original Declaration.

As EDC retains a reversionary interest in the parcels owned by PAL and LF2020, EDC’s approval of an Amended and Restated Declaration of Restriction (the “Declaration”) is also required. The proposed revised terms of the Declaration are described on **Exhibit A** included in the Board book (the “Proposed Amended Terms”):

EDC staff recommended approval of the Proposed Amended Terms and execution of the Declaration.

A resolution was included for the Board’s consideration.

Ms. Forte called for questions/comments.



Mr. Hodge stated that he noticed that there is a requirement that notice be given to the area of events and assumes there have been parties and concerts that were disruptive to the neighbors there and asked if approval must be given or if this is strictly just a requirement that a notice be given. Ms. Navin advised that it is strictly by notice. When there is a special event, that is going to require a special event permit and will have to go through the City because right now their exterior is only zoned for recreational sporting events. This was a solution that was reached through several community meetings so the neighbors at least know in advance of the event.

Mr. Stallworth questioned the parking situation and stated that as he drives through the area, it looks to him like accessibility and parking is going to be a problem. Ms. Navin stated that they were granted a parking variance with certain conditions attached, including signage, and PAL is working right now to identify spaces. The development has really taken off since 2016 and a lot of the surface lots that they were accessing before for their patrons are no longer available. If they are not able to identify the requisite number of spaces, that is something that PAL and the City are going to have to deal with and the City is aware of that. We are trying to facilitate discussions for long-term parking solutions.

Mr. Stallworth opined that we do not seem to be very intentional about what the ballpark was put there for, i.e., after school recreational activities and baseball leagues, etc., which means parents must have access to parking, and if we don't plan for any parking, then it is virtually impossible to use the facility. It doesn't feel like we are being very intentional or focused on making sure the project will work, which would be a real travesty for the kids it was built to serve.

Ms. Forte stated that Board Member Stallworth's points are well taken and asked Ms. Navin how the Board can provide that feedback to the City. Ms. Navin stated that we can certainly send that message to the appropriate parties at the City and advised that she knows that the City has been working diligently with PAL to help them identify more spaces by putting them in touch with the larger property owners in the area. Generally, parking is not an issue for after school events. It only becomes an issue during the larger special events.

Mr. Forte advised Ms. Navin that the Board just wants to weigh in on the urgency and how intense this issue is, particularly about access. Otherwise, why have a PAL.

Ms. Navin advised that she could draft a letter and present it to this body at the next meeting and it could be sent to the City in a formal way. Ms. Forte said that would be great, and if everybody is in agreement with the letter, this body will ask Ms. Navin to send it to the appropriate individuals at the City.



Ms. Forte thanked Mr. Stallworth for his comments. She advised that Mr. Jackson had arrived, there is now a quorum for the projects, and a vote can be taken and called for a motion.

Mr. Hodge made a motion to approve the Amended and Restated Declaration of Restriction, as presented. Mr. Stallworth seconded the motion. All were in favor with none opposed.

EDC Resolution Code 22-06-76-32 was unanimously approved.

Tiger Stadium Property Redevelopment Project: Amendment to Development Agreement with American Community Developers

Ms. Forte stated that she would go back to the other Tiger Stadium item for a vote and called for a motion.

Mr. Hodge made a motion to approve the Amendment to the Development Agreement with American Community Developers, as presented. Mr. Osei seconded the motion. All were in favor with none opposed.

EDC Resolution Code 22-06-76-31 was unanimously approved.

I-94 Industrial Park: Sherwood Street Road Reconstruction Project--Request to Amend Design and Engineering Contract with Giffels Webster Engineers for Sherwood Street Road Reconstruction Project

Mr. Robertson advised that in October of 2019, pursuant to delegation of authority by the Economic Development Corporation of the City of Detroit ("EDC") Board of Directors, EDC staff entered into a contract with Giffels Webster Engineers (the "Contractor") in the amount of \$49,500 for design and engineering services for the Sherwood St. Road Reconstruction Project (the "Project"). The Project seeks to improve the Sherwood Street pavement from Georgia Street to approximately 450 feet south containing approximately 1,336 square yards of 10-inch-thick non-reinforced concrete pavement with integral curb on a 12-inch aggregate base.

The Contractor began performing the contracted services in November 2019. However, the Project has encountered a number of delays related to design issues arising from City of Detroit Water and Sewerage Department ("DWSD") infrastructure that has had to be rerouted through private property. Following several meetings with various stakeholders, City of Detroit Department of Public Works, and DWSD to resolve the outstanding design issues, the Contractor has had to redraw and resubmit drawings as well as incorporate the required restoration to the construction documents for the private property owner. As of today, construction is scheduled to begin Mid July 2022. As EDC staff moves forward



with the Project, EDC seeks to have the Contractor to provide additional services including the creation and drafting of easement documents as well as perform construction administration services once the construction begins (collectively, the “Additional Services”).

To date, the Contractor has been compensated in an amount equal \$61,028.50 for the services performed under the original contractor and a change order executed in relation thereto. EDC staff is requesting that the EDC Board authorize an amendment to the Contractor’s contract to complete the remaining design and engineering services and allow the Contractor to perform the Additional Services. The Contractor has proposed a **not to exceed amount** of Thirty-One Thousand Two Hundred Fifty and 00/100 (\$31,250.00) Dollars to complete the remaining services and perform the Additional Services. This proposed fee along with the amount of compensation the Contractor has received to date would increase the total contract value to Ninety-Two Thousand Two Hundred Seventy-Eight and 50/100 (\$92,278.50) Dollars

EDC staff is also recommending that an owner’s contingency of approximately ten percent (10%) of the increase to the contract value or \$3,125.00 be established to be dispersed upon the authorization of any two Officers, or any one of the Officers and any of the Authorized Agents of the EDC.

A resolution was included in the Board book for consideration.

Ms. Forte called for a motion to approve this contract. Mr. Jackson made a motion to approved and Mr. Stallworth seconded the motion.

Ms. Forte called for questions/comments.

Mr. Jackson apologized for his lateness and asked Mr. Robertson about coordination with DWSD and the utilities on this road and stated that typically when you are working on a City right of way, usually that is one of the first things that occurs in a project like this. Mr. Robertson gave an explanation of why there were changes on this project and advised that he now is part of a City working group which will help coordinate the process on future projects.

Ms. Forte asked if there were any other questions/comments. Hearing none, the Board took the following action:

Mr. Jackson made a motion to approve the Amendment of the contract with Giffels Webster Engineers, as presented. Mr. Stallworth seconded the motion. All were in favor with none opposed.

EDC Resolution Code 22-06-12-63 was unanimously approved.



East Riverfront: Amendment to the Parking Operating Contract

Ms. Navin suggested that if Board members were able to stay on a little longer, that because this agenda item is being brought back to the Board today, there most likely will be some discussion. She asked that the meeting be adjourned at this point so that another Board meeting that will only take a few minutes could take place, as they are about to lose their quorum. Ms. Forte and Mr. Hodge serve on the other Board. When that meeting is finished, the EDC meeting can be recalled back to order and address this final item. Ms. Forte suggested that it be held for the next meeting. Ms. Navin explained that six Board members are needed for a quorum for this item, and we have had difficulty achieving the six member quorum until today.

Mr. Stallworth stated that he could not stay any longer.

Ms. Bruhn advised that the Board asked for certain financial information on this project before it came back to the Board. That financial information has not been provided to the best of her knowledge and asked that this item be brought back at future meeting and that the Board receives a comprehensive financial report for their review in advance of that meeting.

Ms. Forte called for a motion.

Ms. Bruhn made a motion to table the Amendment to the East Riverfront Parking Operating Contract. Mr. Stallworth seconded the motion. All were in favor with none opposed.

EDC Resolution Code 22-06-70-93 was tabled.

ADMINISTRATION

None.

OTHER MATTERS

None.

PUBLIC COMMENT

None.



ADJOURNMENT

On a motion by Mr. Osei, seconded by Mr. Hodge, Ms. Forte adjourned the meeting at 10:22 a.m.



CODE EDC 22-06-02-361

APPROVAL OF MINUTES OF MAY 24, 2022 REGULAR MEETING

RESOLVED, that the minutes of the Regular meeting of May 24, 2022 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.

June 28, 2022



CODE EDC 22-65-03-276

RECEIPT OF TREASURER'S REPORT FOR MAY 2022

RESOLVED, that the Treasurer's Report of Receipts and Disbursements for the period ending May 31, 2022, as presented at this meeting, is hereby in all respects accepted as action of the Economic Development Corporation.

June 28, 2022



CODE EDC 22-06-98-02

**CORKTOWN: INFRASTRUCTURE INNOVATION ZONE IMPROVEMENT PROJECT--
FUNDING AGREEMENTS WITH DPW AND FORD MOTOR COMPANY (OR ITS
AFFILIATE) FOR THE TRANSFER OF ACT 51 FUNDS FOR RIGHT OF WAY
IMPROVEMENTS**

WHEREAS, in December 2020, the City and 20th Street Properties LLC, an entity affiliated with the Ford Motor Company (the “Company”), entered into that certain Transfer Agreement (the “Transfer Agreement”) pursuant to which the Company agreed to transfer certain real property in furtherance of the City’s obligations under its Choice Neighborhoods Implementation Grant from the U.S. Department of Housing and Urban Development and, in return, the City agreed to complete certain public infrastructure improvements described in the Transfer Agreement and further described in **Exhibit A** attached hereto and made a part hereof (the “Public Improvements”) in an amount not to exceed Four Million Five Hundred Thousand and 00/100 (\$4,500,000.00) Dollars (the “City’s Maximum Contribution”); and

WHEREAS, the Public Improvements are to be located in the area generally bounded by Dalzelle Street on the north, Bagley Street on the south, 15th Street on the west and Rosa Parks on the east (the “Project”); and

WHEREAS, due to circumstances beyond the control of the City and the Company, including but not limited to the ongoing Covid-19 pandemic, rising costs of construction materials, and labor shortages, the cost of the Public Improvements exceeds the City’s Maximum Contribution and the Project schedule has been significantly delayed; and

WHEREAS, the Company has proposed to undertake the Project and complete the design and engineering for the remaining Public Improvements and construction of all Public Improvements, provided that the City will contribute to the cost of the Project in an amount not to exceed the City’s Maximum Contribution, with the Company solely responsible for funding the balance of the Project costs; and

WHEREAS, DPW has requested the EDC’s assistance in disbursing funds it has available for public right of way improvements pursuant to Act 51 of 1951 to the Company (the “Funds”), which such assistance shall include, but not be limited to, receiving and reviewing reimbursement requests from the Company, making reimbursement requests to the City, receiving from DPW and transferring to the Company the Funds, and monitoring the construction of the Public Improvements, for which the EDC will receive a 2.5% administrative fee; 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 the City (the “DPW Funding Agreement”) and funding agreement between EDC and the Company (or its affiliate) (the “Company Funding Agreement”), and (ii) City Council approval of the DPW Funding Agreement; 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 of EDC’s assistance to the Project as described in this resolution, subject to, (i) the negotiation of a mutually acceptable DPW Funding Agreement and Company Funding Agreement and (ii) City Council approval of the DPW Funding 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 the DPW Funding Agreement and Company 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.

June 28, 2022

EXHIBIT A TO FUNDING AGREEMENT

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

The City shall complete, or cause to be completed, the following Public Improvements with identified road segments and public rights-of-way that are under the City's jurisdiction up to a maximum cost to the City not to exceed Four Million Five Hundred Thousand and 00/100 Dollars (\$4,500,000.00). Such costs include an estimated \$4,000,000.00 for construction and \$500,000.00 for project design and engineering. The Public Improvements will be completed as follows:

I. Improvements to be made by June 30, 2022

During the City's Fiscal Year 2021-2022, improvements will be made to 15th Street from Bagley St, north to Dalzelle, at the intersection of Bagley St, 15th St, and 14th St., and to sidewalks along Dalzelle St, east from 14th St to Rosa Parks Ave. The anticipated construction costs of these improvements are \$2,300,000.00. The City will make commercially reasonable efforts to coordinate this phase of the project with Ford's completion milestones of the Michigan Central Station and Brass Factory sites. For this phase of the project, the following minimum requirements will be met:

- a. **Dalzelle, between 14th and Rosa Parks (1180 ft.)**
 - Sidewalk removal and replacement
- b. **Intersection of 14th, 15th and Bagley**
 - Geometric reconfiguration of intersection by eliminating vehicular access to lower 15th Street and adding bump outs
 - Creation of all-way bike and pedestrian scramble
 - Sidewalk removal and concrete sidewalk installation
 - Drainage structure improvements
 - New street lights brought to city photometric standards
 - Signal modernization
 - Landscaping
- c. **15th between Bagley and Dalzelle**
 - Creation of a non-motorized share street
 - Sidewalk removal replacement
 - Drainage structure improvements
 - New street lights brought to city photometric standards
 - Landscaping
 - Installation of basic fencing on the east side of 15th St between Bagley and Marantette

II. Improvements to be made by June 30, 2023

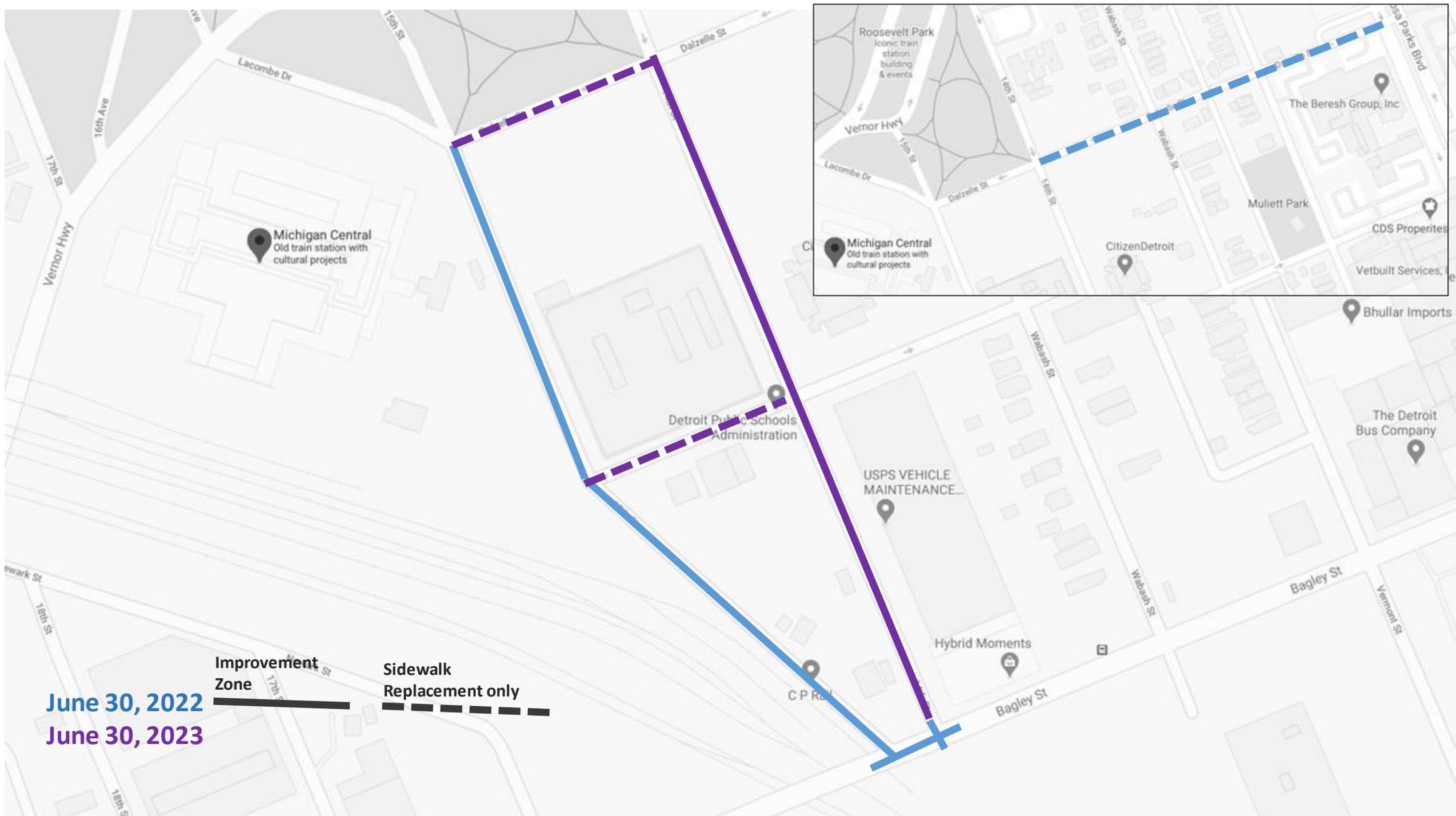
During the City's Fiscal Year 2022-2023, improvements will be made to 14th Street from Bagley St, north to Dalzelle St, as well as to sidewalks along Marantette Street and Dalzelle Street from 15th Street, east to 14th Street. These improvements will allow those working in

the Book Depository Building to walk between the anticipated newly constructed parking garage on the south side of Bagley and the completed sidewalks on the east-west streets on blocks surrounding the building. The anticipated construction costs of these improvements are \$1,700,000.00. For this phase of the project, the following minimum requirements will be met:

- a. **Marentette Street between 15th and 14th (320 ft.)**
 - o Sidewalk removal and replacement on the east side of the street
- b. **Dalzelle Street between 15th and 14th (320 ft.)**
 - o Sidewalk removal and replacement on the east side of the street
- c. **14th Street between Bagley and Dalzelle (1150 ft.)**
 - o Remove and replace sidewalk
 - o Perform photometric study and upgrade street lighting consistent with city standards
 - o Resurface the road
 - o Concrete base repair
 - o Pavement markings
 - o Stripe bike facilities
 - o Street trees where feasible
 - o Curb extensions where feasible

III. Assumptions and Additional Clarifications

- a. The City and Ford will work cooperatively to create a more detailed project schedule for construction of the Public Improvements to align timing of the work with other development projects being coordinated by Ford Motor Company in the area.
- b. Ford will continue to develop its transportation/pedestrian plan following execution of this Agreement, and the City and Ford agree to work cooperatively on mutually agreeable modifications to the Public Improvements included in this Agreement as the transportation/pedestrian plan is finalized.
- c. Prior to finalizing the design of the Public Improvements, the City will provide Ford with copies of such designs, including any draft construction drawings and/or specifications, for a 30-day review and comment period. City may take any such comments from Ford into consideration when in finalizing the designs of the Public Improvements.



Improvement
Zone

Sidewalk
Replacement only

June 30, 2022

June 30, 2023

Michigan Central
Old train station with
cultural projects

Detroit Public Schools
Administration

USPS VEHICLE
MAINTENANCE...

Hybrid Moments

Michigan Central
Old train station with
cultural projects

CitizenDetroit

Mullett Park

CDS Properties

Vetbuilt Services, Inc

Bhullar Imports

The Detroit
Bus Company

The Beresh Group, Inc

Roosevelt Park
Iconic train
station
building &
events

Vernor Hwy

Lacombe Dr

Dalzelle St

15th St

16th Ave

17th St

Vernor Hwy

15th St

14th St

Wabash St

Bagley St

Vermont St

Bagley St

C P Rd

17th St

18th St

18th St

Newark St



CODE EDC 22-06-76-31

TIGER STADIUM REDEVELOPMENT PROJECT PLAN: AMENDMENT TO DEVELOPMENT AGREEMENT WITH AMERICAN COMMUNITY DEVELOPERS

WHEREAS, in May, 2020, the Economic Development Corporation of the City of Detroit (“**EDC**”) entered into a development agreement (the “Development Agreement”) with Left Field 2020 Limited Dividend Housing Association L.L.C. (an affiliate of American Community Developers, Inc.) (“**Developer**”) for the redevelopment of the EDC-owned parcel at 2610 Cochrane (the “**Property**”) into multi-family housing consisting of at least 100 units, 60 of which will be included in the building to be on the parcel described as “Parcel A” on the attached **Exhibit A** (“**Building A**”), which Building will include a minimum of 48 affordable units, and 40 of which will be included in the building to be constructed on the parcel described as “Parcel B” on the attached **Exhibit A** (“**Building B**”) (the “**Project**”); and

WHEREAS, the Developer closed on the Property in December, 2021; however, Developer has experienced delays in closing on financing for Building A; and

WHEREAS, EDC staff and the Developer determined certain extensions are required to the Development Agreement timelines, as described below (the “**Proposed Amendments**”):

Financial Closing:

- For Building A (to be financed using Low Income Housing Tax Credits), by 8/31/2022
- For Building B, by 5/31/2023

Construction Commencement: 60 days following Financial Closing

Construction Completion:

- For Building A, 24 months after commencement (estimated October, 2024)
- For Building B, by 11/30/2025

WHEREAS, the Board has reviewed the Proposed Amendments, determined that the Proposed Amendments are consistent with the EDC’s goal of redeveloping the Tiger Stadium Site and is otherwise appropriate and consistent with the EDC’s statutory purposes.

NOW, THEREFORE, BE IT, RESOLVED, that the Proposed Amendments are hereby approved.

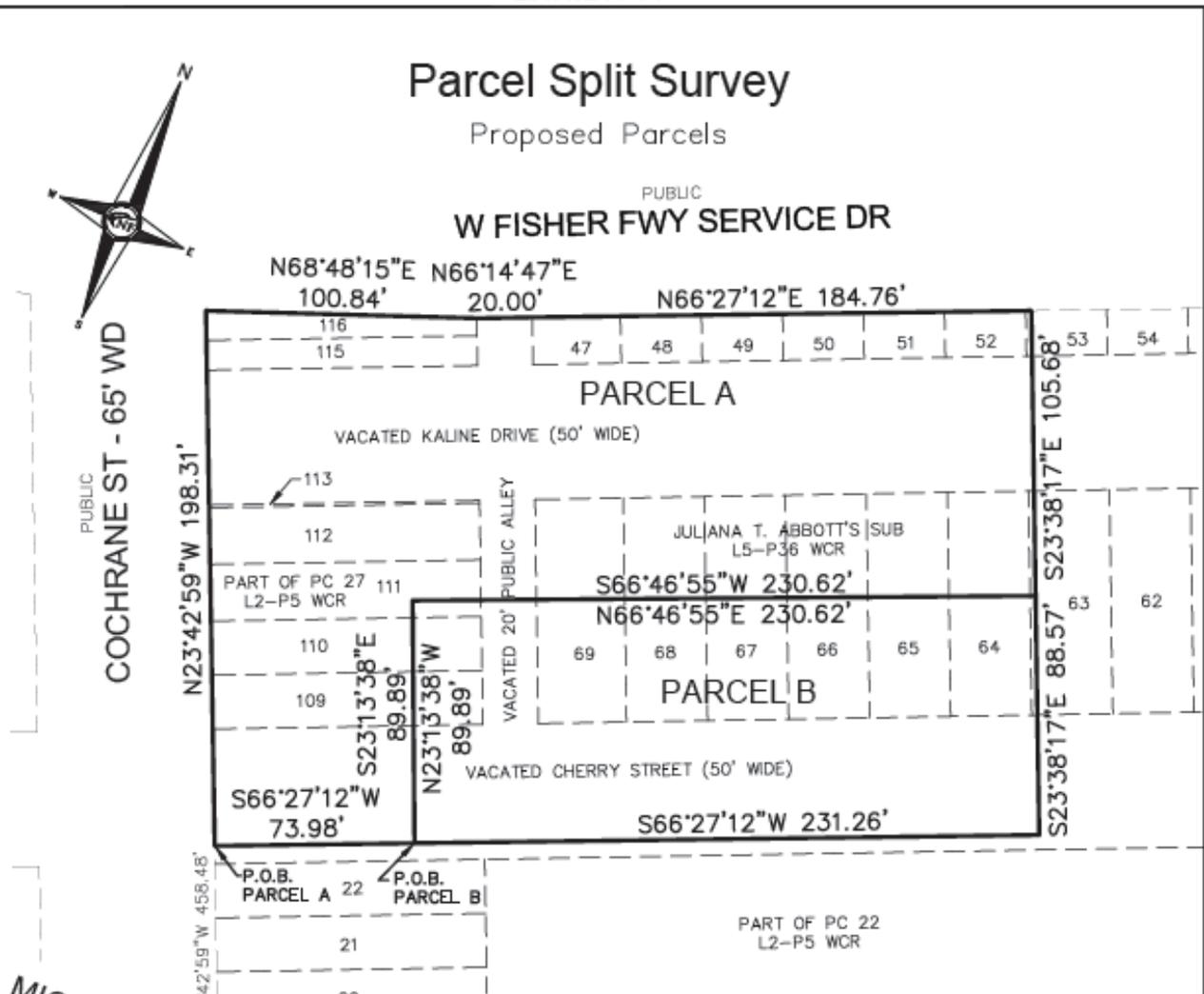


BE IT FURTHER RESOLVED, that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the EDC's Authorized Agents, shall hereafter have the authority to negotiate and execute an amendment to the Development Agreement consistent with the Proposed Amendments, together with such other terms and conditions that are determined by such Authorized Agents and/or Officers to be customary or appropriate and not inconsistent with this resolution, and to negotiate and execute all other documents, contracts, or papers, and take all 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.

June 28, 2022

EXHIBIT A





CODE EDC 22-06-76-32

TIGER STADIUM PROPERTY REDEVELOPMENT PROJECT: AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

WHEREAS, in 2007 the Economic Development Corporation of the City of Detroit (the “EDC”) established, and the Detroit City Council (“City Council”) approved, a project plan for the former site of Tiger Stadium (the “Site”) known as the Tiger Stadium Property Redevelopment Project; and

WHEREAS, since 2016, the EDC has sold all parcels comprising the Site: in 2016, to Detroit Police Athletic League, Incorporated (“PAL”), in 2017 to Tiger Stadium Partners, LLC (“TSP1”) and Tiger Stadium Partners 2, LLC (“TSP2”), and in 2021 to Left Field 2020 Limited Dividend Housing Association, L.L.C. (“LF2020”); and

WHEREAS, prior to the EDC’s closing with PAL, EDC, PAL and TSP negotiated and recorded against the Site a Declaration of Site Restrictions (the “Original Declaration”) setting forth certain requirements and restrictions relating to the operation, maintenance and repair of each of the parcels; and

WHEREAS, now that the entire Site has been sold and uses for each parcel have been identified and/or constructed, PAL, TSP, and LF2020 desire to amend and restate the Original Declaration in order to update certain of the operation and maintenance standards to reflect the actual uses on the Site and reflect certain feedback of community members regarding the use of PAL’s site for sporting and non-sporting events, a summary of which amendments is set forth in **Exhibit A** attached hereto (the “Proposed Amended Terms”); and

WHEREAS, as EDC retains a reversionary interest in the parcels owned by PAL and LF2020, EDC’s approval of an Amended and Restated Declaration of Restriction (the “Declaration”) is also required; and

WHEREAS, the Board has reviewed the Proposed Amended Terms, determined that the Proposed Amended Terms are reasonable and consistent with the EDC’s goal of redeveloping the Site and are otherwise appropriate and consistent with the EDC’s statutory purposes.

NOW, THEREFORE, BE IT, RESOLVED, that the Proposed Amended Terms are hereby approved.



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 execute an Amended and Restated Declaration (the "Declaration") incorporating the Proposed Amended Terms, together with such additional changes that are necessary or appropriate as determined by the Officers and/or Authorized Agents executing the Declaration, provided that such changes do not alter the intent of this resolution, and negotiate and execute all other documents, contracts, or papers, and take all 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.

June 28, 2022



EXHIBIT A PROPOSED AMENDED TERMS

- **Site plan** shall be updated with a current rendering of the Tiger Stadium Site.
- **Section 2 [MAINTENANCE STANDARDS]**
 - Amendment to provide that, in addition to the general maintenance standards therein, PAL shall, undertake the following, at its sole cost and expense, except as otherwise stated herein:
 - PAL agrees to ensure that debris generated from events at the PAL Site, including but not limited to debris on public sidewalks and landscaped areas adjacent to the PAL Site and parking lots under control of PAL is picked up immediately following such events (the “Event Clean Up Obligation”).
 - Install and maintain ball stopper netting in foul ball and fly ball territory of at least thirty (30) feet of height, to prevent damage to vehicles parked in the adjacent TSP parking lots.
- **Section 3 [PROHIBITED USES]**
 - Amendment to permit the Scoreboard Relocation, including the 20-foot height related thereto, subject to all necessary City approvals, including but not limited to BSEED.
 - TSP1 will grant PAL access to its parking lots from time to time to allow PAL to access its Scoreboard for maintenance and repair.
- **Section 4 [HOURS OF OPERATION]**
 - “PAL Parcel Permitted Hours of Operation” to be revised as follows:
 - On the exterior portion of the PAL Parcel:
 - Sunday through Thursday: 8:00 A.M to 10:00 P.M. Eastern Time
 - Friday and Saturday: 8:00 A.M. to 11:00 P.M. Eastern Time
 - On the interior portion of the PAL Parcel:
 - Sunday through Thursday: 8:00 A.M to 12:00 A.M. Eastern Time
 - Friday and Saturday: 8:00 A.M. to 2:00 A.M. Eastern Time; provided that outdoor concerts or similar outdoor events that include music or other sound shall cease at 11:00 P.M.
- **Section 5 [LIGHTING]**
 - Amendment to specify that lighting on each parcel shall comply in any event with applicable ordinances and zoning codes, including but not limited to Section 50-14-236 of the Detroit Zoning Ordinance.
 - LF2020 and TSP will grant PAL reasonable access to their parking lots from time to time for PAL to access PAL’s light poles and fixtures.



- **Section 6 [NOISE]**
 - Noise levels should not exceed levels permitted by applicable Detroit City ordinances, including but not limited to Detroit City Code Sections 16-1-1 through 16-1-14 captioned [NOISE], including music concerts and other events controlled by third parties, except where a special event permit or other variance is obtained from the City.
 - Speakers shall be directed inward and downward to the PAL Parcel and directed away from the TSP Parcels and the Left Field Parcel.
 - LF2020 and TSP will grant PAL reasonable access to their parking lots from time to time for PAL to access PAL's speakers.
 - PAL shall require radio/non-explicit versions of music and prohibit use of profanities from DJs/MCs/Musicians.
- **Section 7 [SECURITY]:**
 - Amendment to require the following additional security and crowd control measures be implemented by PAL:
 - Provide adequate safety and security patrol outside of the ballpark, before and after events.
 - Hire security for parking areas under PAL's control and external safety and security patrol of the facility for special events.
 - Hire DPD Tactical Operations for events with anticipated attendance of over 750 people to assure traffic flow and safety before and after events (together with security requirements set forth in paragraphs 1 and 2 above, the "Enhanced Security Requirements").
 - Posting no tailgating signs for parking lot citing open intoxication ordinance and sound ordinance.
 - Delete Section 7(b) as it relates to security requirements on the Left Field Site.
- **Section 8 [REMEDIES]**
 - Amendment to provide that the Event Clean Up Obligation and the Enhanced Security Requirements shall be deemed "Fundamental Sections".
- **Other.**
 - Addition of an obligation by PAL to provide notice to the surrounding community of scheduled events including:
 - the type of event, date, scheduled hours for the event, and anticipated attendance.
 - monthly schedule of events, with weekly notices of any changes to the schedule and/or event information.
 - Notices to be provided by email to designated representatives of the residential projects located on the TSP Sites and the Left Field Site, as well as local block clubs, business organizations, and other residents and/or organizations requesting such notice.



CODE EDC 22-06-12-63

I-94 INDUSTRIAL PARK: SHERWOOD STREET ROAD RECONSTRUCTION PROJECT--REQUEST TO AMEND DESIGN AND ENGINEERING CONTRACT WITH GIFFELS WEBSTER ENGINEERS FOR SHERWOOD STREET ROAD RECONSTRUCTION PROJECT

WHEREAS, In October of 2019, pursuant to delegation of authority by the Economic Development Corporation of the City of Detroit (“EDC”) Board of Directors, EDC staff entered into a contract with Giffels Webster Engineers (the “Contractor”) in the amount of \$49,500 for design and engineering services for the Sherwood St. Road Reconstruction Project (the “Project”); and

WHEREAS, due to various delays related to design issues, the Contractor has had to redraw and resubmit drawings as well as incorporate the required restoration to the construction documents for the private property owner; and

WHEREAS, as EDC staff moves forward with the Project, EDC seeks to have the Contractor to provide additional services including the creation and drafting of easement documents as well as perform construction administration services once the construction begins (collectively, the “Additional Services”); and

WHEREAS, to date, the Contractor has been compensated in an amount equal \$61,028.50 for the services performed under the original contractor and a change order executed in relation thereto; and

WHEREAS, in order to complete the Project and for the Contractor to provide the Additional Services, EDC staff is requesting that the EDC Board authorize an amendment to the Contractor’s contract at a -not-to exceed amount of Thirty-One Thousand Two Hundred Fifty and 00/100 (\$31,250.00) Dollars thereby increasing the total contract value to Ninety-Two Thousand Two Hundred Seventy-Eight and 50/100 (\$92,278.50) Dollars; and

WHEREAS, the EDC Board determined that the staff recommendation is reasonable and consistent with the scope of work for the Project.

NOW, THEREFORE BE IT RESOLVED that the EDC Board of Directors hereby authorizes the negotiation and execution of an amendment to the agreement with the Contractor to complete the design and engineering services and perform the Additional



Services for the Project in an amount **not to exceed** amount of Thirty-One Thousand Two Hundred Fifty and 00/100 (\$31,250.00) Dollars.

BE IT FURTHER RESOLVED that the EDC Board of Directors hereby authorizes establishment of an owner's contingency in the amount of the amendment equal to Three Thousand One Hundred Twenty-Five and 00/100 (\$3,125.00) Dollars to address requirements for unforeseen conditions and to be expended at the direction of any two Officers or any one of the Officers and any of the Authorized Agents or any two Authorized Agents of the EDC.

BE IT FURTHER RESOLVED that the EDC Board of Directors hereby authorizes any two Officers, or any one of the Officers and any of the Authorized Agents or any two Authorized Agents of the EDC to negotiate and execute any and all documents necessary to implement the provisions and intent of this resolution, including but not limited to change orders for use of owner's contingency funds.

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.

June 28, 2022



CODE EDC 22-06-70-93
TABLED

EAST RIVERFRONT: AMENDMENT TO PARKING OPERATING CONTRACT

WHEREAS, The Economic Development Corporation (“EDC”) owns certain vacant parcels in the East Riverfront used as interim public parking, pending redevelopment, as follows: 1901 E Atwater, 2111 E Atwater, 2135 E Atwater and 2155 DuBois (the “Parking Lots”); and

WHEREAS, the Parking Lots are operated and managed pursuant to a contract between the EDC and EZ Parking and Metro Valet (the “Operator”) (the “Management Contract”); and

WHEREAS, EDC staff recommends an amendment of the Management Contract to provide that normal operating expenses, excluding Operator’s labor costs, are deducted from the gross revenue prior to the 70/30 revenue split between the EDC and the Operator (the “Proposed Management Contract Amendment”); and

WHEREAS, the EDC Board of Directors has reviewed the forgoing requests and has determined they are consistent with the EDC’s goal for the revitalization of the East Riverfront and are otherwise appropriate and consistent with the EDC’s statutory purposes.

NOW, THEREFORE, BE IT, RESOLVED, that the Proposed Management Contract Amendment is hereby approved.

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 papers, and take all 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.

June 28, 2022 (TABLED)