

ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS SPECIAL MEETING TUESDAY, JUNE 29, 2021 – 9:00 A.M.

(Amended at Table)

BOARD MEMBERS PRESENT: Marsha Bruhn

Kimberly Clayson

Linda Forte Chris Jackson Kwaku Osei Jonathan Quarles

Thomas Stallworth

BOARD MEMBERS ABSENT: Clifford Brown

Damon Hodge

John Naglick (Ex-Officio) Katy Trudeau (Ex-Officio)

SPECIAL DIRECTORS

PRESENT: None

SPECIAL DIRECTORS

ABSENT: None

OTHERS PRESENT: Pierre Batton (DEGC/EDC)

Kenyetta Bridges (DEGC/EDC) Cora Capler (DEGC/EDC) Charlotte Fisher (DEGC/EDC) Malinda Jensen (DEGC/EDC) Kevin Johnson (DEGC/EDC) Paul Kako (DEGC/EDC)

Jennifer Kanalos (DEGC/EDC)

Glen Long (DEGC/EDC)
Drew Lucco (DEGC/EDC)
Rebecca Navin (DEGC/EDC)
Orza Robertson (DEGC/EDC)

Betsy Palazzola (City of Detroit HRD)



MINUTES OF THE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS SPECIAL MEETING JUNE 29, 2021 HELD VIA ZOOM VIRTUAL MEETING 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 9:00 a.m. Roll call was conducted, and a quorum was established.

Approval of Minutes

Ms. Forte asked if there were any additions, deletions, or corrections to the minutes of the June 22, 2021 Regular Board meeting. Hearing none, Ms. Forte called for a motion:

Mr. Osei made a motion approving the minutes of the June 22, 2021 Regular Board meeting, as presented. Mr. Stallworth seconded the motion. All were in favor with none opposed.

EDC Resolution Code 21-06-02-349 was unanimously approved.

PROJECTS

<u>Authorization to Amend Sub-Recipient Agreement for Completion of Joseph Campau</u> <u>Greenway Project</u>

Mr. Robertson advised that in June of 2016, the Board of Directors of the Economic Development Corporation ("EDC") authorized the negotiation and execution of a sub-recipient agreement for \$2.6 Million with the City of Detroit (the "City"), using Community Development Block Grant for Declared Disaster Recovery ("CDBG-DDR") funds from the U.S. Department of Housing and Urban Development ("HUD") to undertake construction management services with respect to the Beltline Greenway and other projects requested by the City and contemplated by the CDBG-DDR grant. The City's original expenditure deadline for the entire \$8.9 million grant was March 2018, however the City subsequently received an extension from HUD to December 31, 2019.

Under the prior sub-recipient agreement, the City requested that EDC undertake the construction of the Joseph Campau Greenway (the "Greenway"), which entails the renovation of an off-street walkway which runs north and south from East Vernor Highway on the north and Jefferson Avenue on the south. On March 26, 2019, the EDC Board previously approved a construction contract with Z Contractors, Inc. for the construction of the Greenway, with Phase 2 conditioned upon the receipt of additional funding from the City. Using CDBG-DDR, the EDC previously completed the first phase of construction of the Greenway project, from Jefferson to Robert Brady Drive.



In September 2020, in order to commence and complete Phase 2 of the Greenway, which runs from Robert Bradby Drive to Vernor Highway, the EDC Board authorized the negotiation and execution of a new sub-recipient agreement between the EDC and the City (the "Agreement"), which utilized Community Development Block Grant funds from HUD. The Agreement has an initial term which expires on December 31, 2021 and a total amount of compensation payable to the EDC equal to \$1,674,424.58.

Currently, work is near completion on a portion of Phase 2 of the Greenway from Robert Bradby Drive to Prince Hall Drive. In order for the EDC to complete the construction of the Greenway through its contractors, the EDC is seeking an amendment to the Agreement as follows: (1) the term of the Agreement will be extended to June 30, 2022; (2) the amount of compensation payable under the Agreement will be increased to an amount not to exceed One Million Eight Hundred Eighty Five Thousand One Hundred Eighty Six and 59/100 Dollars (\$1,885,186.59); and (3) the City will be authorized to make certain back payments to the EDC for prior costs incurred by the EDC's contractors for work that is eligible under the Community Development Block Grant Program and are related to construction of the Greenway (collectively, the "Modified Terms").

EDC staff requests that the EDC Board authorize the execution of an amendment to the Agreement in accordance with the Modified Terms. A resolution is attached for the Board's consideration.

Ms. Forte asked if there was a motion for approval. Mr. Stallworth made a motion and Ms. Clayson supported the motion. Ms. Forte call for questions/comments.

Ms. Clayson stated she has a comment and expressed that she has been enjoying the greenway very much and it is an amazing amenity and addition to the City.

With there being no further questions or comments, Ms. Forte called for a roll call vote.

Mr. Stallworth made a motion which was supported by Ms. Clayson. A roll call was conducted with the following result.

Ayes: Ms. Bruhn, Ms. Clayson, Mr. Jackson, Mr. Osei, Mr. Quarles, Mr. Stallworth and Ms. Forte.

Nays: None.

Resolution Code EDC 21-06-95-09 was unanimously approved.

New Motor City Match Contract

Mr. Batton reported that on March 31, 2021, the Office of Contracting and Procurement ("OCP") of the City of Detroit advertised a request for proposals on behalf of the Housing and Revitalization Department of the City of Detroit soliciting proposals for the program administrator of the Motor City Match Small Business and Microenterprise Technical Assistance and Grant Program (the "Program"). The request for proposals sought qualified candidates to operate a second phase of the Motor City Match program, which had been operated and administered by the Economic Development Corporation of the City of Detroit ("EDC") since 2015. The request for proposals stipulated the following:



- The term of performance for the Program will be for one year (estimated to begin July 1, 2021, with the awards being made as soon as September 2021) with an option to extend for an additional year.
- The City of Detroit (the "City") will support the Program annually with General Fund dollars.
 In addition to this, the City reserves the right to add additional funding from the Department
 of Housing and Urban Development ("HUD") through Community Development Block
 Grant ("CDBG") funds. Any contract awarded will be contingent upon available funding
 from HUD and the City.

On April 29, 2021, the EDC submitted a proposal to OCP in response to its request for proposals to operate the second phase of the Program. The estimated budget for the Program is approximately \$3.75 million. In June 2021, OCP informed the EDC that its proposal was approved, and that the EDC was selected to be the operator of the next phase of the Program. In its proposal, EDC staff outlined a plan to operate the Program using \$1.5 million in funding from CDBG and \$2.25 million from the City of Detroit General Fund. EDC staff will operate with the Program under two contracts – a contract between the EDC and the City that manages the \$1.5 million of funding available through CDBG and a contract between the EDC and the City that manages the \$2.25 million of funding available through the City of Detroit General Fund. Each of the foregoing contracts will have a term of two years, commencing July 2021, with the second year subject to approval of HRD's 2022-2023 budget for the contracts r. Additionally, EDC reserves the right to add additional funding from other sources to ensure effective operations or expand the scope of the Program.

A resolution approving a contract with the City for \$3.0 million of CDBG funding (\$1.5 million of which is subject to approval of HRD's 2022-2023 budget) and a contract with the City for \$5.5 million of General Fund dollars (\$2.5 million of which is subject to approval of HRD's 2022-2023 budget) as stated herein was included in the Board material for consideration.

Ms. Forte called for a motion to approve the new Motor City Match contract. Mr. Jackson made a motion and Ms. Bruhn supported the motion.

Ms. Navin requested to make one point of clarification that has been corrected in the Board packets and the resolution. These contracts are set up as two-year contracts, but the second year of the contract is subject to City Council approval of HRD's funding.

Ms. Forte thanked Ms. Navin for the clarification.

Ms. Forte asked how the budget of the new contract compares to that of last year. Mr. Batton stated that \$4 million is the average amount of dollars it takes to run the program and is about the same as last year.

Ms. Forte called for a roll call vote.



Mr. Jackson made a motion which was supported by Ms. Bruhn. A roll call was conducted with the following result.

Ayes: Ms. Bruhn, Ms. Clayson, Mr. Jackson, Mr. Osei, Mr. Quarles, Mr. Stallworth and Ms. Forte.

Nays: None.

Resolution Code EDC 21-06-91-116 was unanimously approved.

Mr. Osei apologized for not raising this question before the vote and asked, with this new contract, would there be any changes to the way Motor City Match would be implemented, or will we continue as we have been. Mr. Batton answered that they are still working through some upcoming changes to enhance the scope of the work we have done over the past six years. We will be updating the program guidelines and coming back to this body for approval of the new guidelines, and will review and discuss the changes at that time.

<u>ADMINISTRATION</u>

None.

OTHER MATTERS

None.

PUBLIC COMMENT

None.

ADJOURNMENT

On a motion by Mr. Stallworth, which was seconded by Ms. Clayson, Ms. Forte adjourned the meeting at 9:25 a.m.



CODE <u>EDC 21-06-02-349</u>

APPROVAL OF MINUTES OF JUNE 22, 2021 REGULAR MEETING

RESOLVED, that the minutes of the regular meeting of June 22, 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 Economic Development Corporation.



CODE <u>EDC 21-06-95-09</u>

<u>AUTHORIZATION TO AMEND SUB-RECIPIENT AGREEMENT FOR COMPLETION OF</u> JOSEPH CAMPAU GREENWAY PROJECT

WHEREAS, the Economic Development Corporation of the City of Detroit (the "EDC") undertook the construction of the first phase of the Joseph Campau Greenway (the "Greenway"), which entails the renovation of an off street walkway which runs north and south from East Vernor Highway on the north Jefferson Avenue on the south, pursuant to a July 2016 sub-recipient agreement with the City of Detroit (the "City"), funded by the City's Community Development Block Grant for Declared Disaster Recovery from the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, on March 26, 2019, the EDC Board previously approved a construction contract with Z Contractors, Inc. for the construction of the Greenway, with Phase 2 conditioned upon the receipt of additional funding from the City; and

WHEREAS, in September 2020, in order to commence and complete Phase 2 of the Greenway, the EDC Board authorized the negotiation and execution of a new sub-recipient agreement between the EDC and the City (the "Agreement"), which utilized Community Development Block Grant funds from HUD; and

WHEREAS, the Agreement has an initial term which expires on December 31, 2021 and a total amount of compensation payable to the EDC equal to \$1,674,424.58; and

WHEREAS, in order for the complete the construction of the Greenway, the EDC is seeking an amendment to the Agreement as follows: (1) the term of the Agreement will be extended to June 30, 2022; (2) the amount of compensation payable under the Agreement will be increased to an amount not to exceed One Million Eight Hundred Eighty Five Thousand One Hundred Eighty Six and 59/100 Dollars (\$1,885,186.59); and (3) the City will be authorized to make certain back payments to the EDC for prior costs incurred by the EDC's contractors for work that is eligible under the Community Development Block Grant Program and are related to construction of the Greenway (collectively, the "Modified Terms").

WHEREAS, EDC staff requests that the Board authorize the execution of an amendment to Agreement in accordance with the Modified Terms; and

WHEREAS, the EDC Board has reviewed the matter and believes that approving the Modified Terms is in the best interests of the promotion of economic development in the City of Detroit and is otherwise consistent with the EDC's statutorily mandated purposes; and

NOW, THEREFORE, BE IT RESOLVED, that the EDC Board of Directors of hereby authorizes the execution of an amendment to the Agreement in accordance with the Modified



terms and such other changes which are deemed necessary by counsel or Authorized Agents of the EDC and which do not alter the intent of this resolution.

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 Agreement consistent with the Modified Terms and any and all other agreements, documents, contracts, or other papers necessary or to take any actions necessary 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.



CODE <u>EDC 21-06-91-116</u>

MOTOR CITY MATCH PROGRAM: PHASE II CONTRACT APPROVAL

WHEREAS, on March 31, 2021, the Office of Contracting and Procurement ("OCP") of the City of Detroit advertised a request for proposals on behalf of the Housing and Revitalization Department of the City of Detroit ("HRD") soliciting proposals for the program administrator of the Motor City Match Small Business and Microenterprise Technical Assistance and Grant Program (the "Program"); and

WHEREAS, on April 29, 2021, the Economic Development Corporation of the City of Detroit ("EDC") submitted a proposal to OCP in response to its request for proposals to operate the second phase of the Program; and

WHEREAS, the Program has an estimated budget of \$3.75 million annually for a 2-year term, subject to approval of HRD's 2022-2023 budget for the Program, with \$2.25 million to be provided from the City of Detroit's General Fund and \$1.5 million from Department of Housing and Urban Development through Community Development Block Grant ("CDBG") funds; and

WHEREAS, in June 2021, OCP informed the EDC that its proposal was approved, and that the EDC was selected to be the operator of the next phase of the Program; and

WHEREAS, HRD has proposed two separate contracts, each with a 2-year term commencing July 1, 2021, the 2nd year of the term being subject to subject to approval of HRD's 2022-2023 budget for the Program, of which one contract would govern the terms of \$1.5 million annually in CDBG funds and the other contract would govern the terms of \$2.25 million annually made available through the City of Detroit General Fund (collectively, the "Contracts"); and

WHEREAS, EDC staff recommends that the EDC Board of Directors authorize the execution of the Contracts and the right for the EDC to add additional funding from other sources to ensure effective operations of the Program; and

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

THEREFORE, BE IT RESOLVED, that the EDC Board of Directors authorizes the acceptance of funding for the Program and the negotiation and execution of the Contracts in a form deemed acceptable to HRD and EDC's counsel.

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 Contracts and all documents, contracts, or other papers and to take such actions as are necessary or appropriate to implement the provisions and intent of this resolution.



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