

DETROIT LAND BANK AUTHORITY

BOARD OF DIRECTORS MEETING
GUARDIAN BUILDING
500 Griswold • Detroit, Michigan 48226
(Executive Board Room – 6th Floor)

Tuesday, July 16, 2019
11:00 AM

MINUTES

PRESENT: Erica Ward Gerson
Miranda Morrow-Bartell
Patricia Pernell-Shelton
Carol Walters

EXCUSED Richard Hosey

OTHERS PRESENT: Public, DLBA Staff

CALL TO ORDER

Board Chair, Erica Ward Gerson called the July 16, 2019 meeting to order at **11:10 a.m.**

ROLL CALL

Secretary Walters called roll. Four of five members were present, and a quorum was met. Member Hosey was excused.

ADOPTION OF THE AGENDA

Board Chair Erica Ward Gerson called for a Motion to adopt the agenda. **Motion by Member Walters to approve the agenda. Supported by Member Pernell-Shelton. MOTION APPROVED.**

REVIEW AND APPROVAL OF MINUTES

Board Chair Erica Ward Gerson called for a motion to approve the June 11, 2019 Board of Directors meeting minutes. **Motion by Member Pernell-Shelton for approval of minutes. Supported by Member Walters. MOTION APPROVED.**

PUBLIC COMMENT

Board Chair Erica Ward Gerson opened the floor to public comment.

- **John Lauve** distributed a handout and proposed a plan to create a Neighbor to Neighbor residential rescue plan.
- **Michael Williams**, Detroit resident, Brightmoor community, stated that he attended the Board meeting last month and inquired about 14401 and 14364 Burgess, two Detroit Land Bank owned properties that are on the emergency demo list. Tammy Daniels, Deputy Executive Director, and Director Demolition stated that she would follow up on the two properties. Mr. Williams also

stated that he would like assistance resolving an issue with obtaining his \$1,000 refund for an auction property located at 1241 Lyndon, that he was deemed ineligible to purchase. Reginald Scott, Director Disposition, stated that Mr. Williams was ineligible to purchase the property due to unpaid blight tickets and taxes therefore the property was reauctioned. Reginald reported that during a previous conversation with Mr. Williams he agreed to return the deposit, however, Mr. Williams contacted his bank and created a charge back on his account thus causing a delay in the return of his deposit. Reginald informed Mr. Williams that due to his actions we are unable to go any further with this matter.

EXECUTIVE DIRECTOR REPORT

Saskia Thompson, Executive Director reported that the City Council Quarterly Report has been completed and is available on the website. Saskia also provided the following department highlights:

Disposition (Sales)

Saskia highlighted 43 Auction sales; 10 OIN sales; and 151 Side Lot sales. Saskia also provided kudos to the Sales and Inventory team for 260 closings in the month of June.

Nuisance Abatement Program

Saskia announced that Tere McKinney, Assistant Director, Nuisance Abatement, will be leaving the Land Bank and provided thanks for her service. Tere McKinney provided an update on the NAP 3.0 program, highlighting improvements from November 2017 to the present and discussion ensued. Board Chair Ward Gerson also thanked Tere for her hard work during her tenure at the Land Bank.

Demolition Orders (ODM) /BESEED

Saskia reported that a resolution has been presented to City Council, requesting the removal of demolition orders (ODM) on 2,757 DLBA owned properties. If approved, the resolution will assist with the resale of residential properties and remove an impediment faced by the new owners to improve the property. City Council is scheduled to vote on the resolution on July 23rd.

STANDING COMMITTEE REPORTS

Community Engagement

Member Pernell-Shelton reported that the Community Engagement Committee met last week, and she has been enjoying the team collaborations and is looking forward to solutions for inspecting DLBA owned properties more often. Member Morrow-Bartell stated that all of the data is great and very important, and she would like to see properties visited on at least a monthly basis. Reginald Scott, Director, Disposition also reminded members that the next Buy Back event is scheduled for Thursday, July 18th.

Finance Audit Committee

Saskia Thompson, Executive Director, reported that a quorum was not present at the Committee meeting scheduled for last week and reported that she is seeking external assistance for the finance team in the interim while searching for a CFO. Saskia also stated that preparation for the Audit is ongoing.

TREASURER'S REPORT

Board Chair Ward Gerson stated that due to recent staff changes within the Finance department, members need to sign required documents updating signature authority for bank accounts.

NEW BUSINESS

a. Resolutions

7-01-2019 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A SERVICES AGREEMENT WITH GTJ CONSULTING, LLC IN SUPPORT OF THE DETROIT LAND BANK AUTHORITY'S LEGAL AND COMPLIANCE PROGRAMS Timothy Devine, General Counsel, provided background on the resolution. **Motion by Member Pernell-Shelton to approve resolution. Supported by Member Morrow-Bartell. MOTION UNANIMOUSLY APPROVED.**

7-02-2019 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AMENDMENT TO AN EXISTING SERVICES AGREEMENT WITH EXPERIS. Tammy Daniels, Deputy Executive Director, and Director Demolition, provided background on the resolution. **Motion by Member Morrow-Bartell to approve resolution. Supported by Member Walters. MOTION UNANIMOUSLY APPROVED.**

7-03-2019 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO REMIT PAYMENT TO SALESFORCE.COM, INC. ON BEHALF OF THE DETROIT LAND BANK AUTHORITY. Saskia Thompson, Executive Director provided background. **Motion by Member Morrow-Bartell to approve resolution. Supported by Member Pernell-Shelton. MOTION UNANIMOUSLY APPROVED.**

7-04-2019 RESOLUTION APPROVING EXECUTIVE DIRECTOR TO ENTER INTO PURCHASE & DEVELOPMENT AGREEMENT WITH 10810 PARTNERS LLC. Jano Hanna, Assistant Director, Projects, provided background. **Motion by Member Walters to approve resolution. Supported by Member Pernell-Shelton. MOTION UNANIMOUSLY APPROVED.**

7-05-2019 RESOLUTION APPROVING EXECUTIVE DIRECTOR TO ENTER INTO PURCHASE & DEVELOPMENT AGREEMENT WITH DELUXE REAL ESTATE, LLC. Jano Hanna, Assistant Director, Projects, provided background. **Motion by Member Pernell-Shelton to approve resolution. Supported by Member Walters. MOTION UNANIMOUSLY APPROVED.**

7-06-2019 RESOLUTION APPROVING EXECUTIVE DIRECTOR TO ENTER INTO PURCHASE & DEVELOPMENT AGREEMENT WITH LONDON SKY INVESTMENTS, L.L.C. Jano Hanna, Assistant Director, Projects, provided background. **Motion by Member Pernell-Shelton to approve resolution. Supported by Member Morrow-Bartell. MOTION UNANIMOUSLY APPROVED.**

7-07-2019 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A SECOND AMENDMENT TO LAND TRANSFER AGREEMENT WITH THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY, AND TO WAIVE THE FIVE-YEAR, FIFTY PERCENT TAX CAPTURE ON CERTAIN PARCELS OF THE SUBJECT PROPERTY. Doug Parker, Principal Attorney, provided background on the project. **Motion by Member Pernell-Shelton to approve resolution. Supported by Member Walters. MOTION UNANIMOUSLY APPROVED.**

7-08-2019 RESOLUTION APPROVING EXECUTIVE DIRECTOR TO CONVEY PROPERTY TO THE CITY OF DETROIT FOR TRANSFER TO HOMEOWNER IN SETTLEMENT OF POSSIBLE CLAIM. Reginald Scott, Director, Disposition, provided background. Reginald also stated that the resolution will also require City Council approval. **Motion by Member Morrow-Bartell to approve resolution. Supported by Member Walters. MOTION UNANIMOUSLY APPROVED.**

7-09-2019 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENGAGE THE PROFESSIONAL SERVICES OF UHY ADVISORS MI, INC. Saskia Thompson, Executive Director, and Timothy Devine, General Counsel, provided background. **Motion by Member Walters to approve resolution. Supported by Member Morrow-Bartell. MOTION UNANIMOUSLY APPROVED**

7-10-2019 RESOLUTION AMENDING POLICIES REGARDING SIGNATURE AUTHORITY IN ABSENCE OF CHIEF FINANCIAL OFFICER. Saskia Thompson, Executive Director, provided background and discussion ensued. **Motion by Member Walters to approve resolution. Supported by Member Pernell-Shelton. MOTION UNANIMOUSLY APPROVED.**

b. Freedom of Information Act (FOIA) Appeal Review

Doug Parker, Principal Attorney, stated that on May 20, 2019 a FOIA request for Paper Format Documents and any pertinent information to said request was received via UPS from Mr. Ako Burrell, an inmate of Attica Correctional Facility in New York State. Doug provided details of the request and stated that on May 24, 2019 a response was sent to Mr. Burrell denying the request due to his ineligibility as an incarcerated person in a state or local correctional facility. On June 24, 2019 a response from Mr. Burrell appealing the denial was received. Doug stated that pursuant to FOIA Section 2 (g) that defines who is eligible to submit a FOIA request he would like to uphold the denial and requested the assistance of the Board regarding next steps. After review and discussion of the options, **Member Pernell-Shelton made a Motion to uphold the denial and issue a written notice to the requesting person upholding the denial. Member Walters second the Motion. MOTION UNANIMOUSLY APPROVED.**

Board Chair Ward Gerson called for a Motion to enter Closed Session. **Motion by Member Morrow-Bartell Supported by Member Pernell-Shelton.** Member Walters called roll for the vote of each Board Member to go into Closed Session. 4 of 5 members were present and each member voted yes to move into closed session. **MOTION UNANIMOUSLY APPROVED.**

Board Chair Ward Gerson moved to Closed Session at **11:58 a.m.**

CLOSED SESSION

In accordance with the State of Michigan's Open Meetings Act (OMA), Section 8, Closed Sessions are permitted. The conditions of such a Closed Session includes the following: 1) The Session must be for a "limited purpose," 2) the Session must be conducted during the course of an open meeting and 3) per Section 9(1) of the OMA, the minutes of the open meeting must include the purpose for which a closed session is held.

Permitted purposes of closed session were "to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation" as permitted in MCL 15.268(e); "to consider material exempt from discussion or disclosure by state or federal statute," specifically Section 13(1)(g) of Michigan's Freedom of Information Act, which protects the attorney-client privilege, as permitted in MCL 15.268(h); and "to consider ... a periodic personnel evaluation of ... [an] employee ... if the named person requests a closed hearing" as permitted in MCL 15.268(a).

Return to open session at **1:45 p.m.**

ADJOURNMENT

There being no further business, Board Chair Ward Gerson called for a **Motion to adjourn. Motion by Member Walters to adjourn the meeting. Supported by Member Pernell-Shelton. MOTION UNANIMOUSLY APPROVED.** The meeting was adjourned at **1:53 p.m.**