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TO: The Honorable Detroit City Council

FROM: David Whitaker, Director  
Legislative Policy Division Staff 

DATE: April 17, 2025

RE: **MEMO REGARDING APPOINTMENTS TO THE BOARD OF DIRECTORS OF  
THE DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY**

City Council Member Anegla Whitfield-Calloway has requested the Legislative Policy Division (LPD) to provide the answers to various questions regarding the appointment process for members of the Board of Directors of the Detroit Brownfield Redevelopment Authority (the Board).

**1. What is the composition of the Board of Directors of the Detroit Brownfield Redevelopment Authority (DBRA)?**

The Brownfield Redevelopment Financing Act provides for the creation of brownfield redevelopment authorities and the designation of boards of directors for the authorities.<sup>1</sup> The statute provides the following with regard to the composition of a board of directors:

(e) Not less than 5 nor more than 9 persons appointed by the chief executive officer of the municipality subject to the approval of the governing body. Of the initial members appointed, an equal number, as near as practicable, shall be appointed for 1 year, 2 years, and 3 years. A member shall hold office until the member's successor is appointed and qualified. Thereafter, each member shall serve for a term of 3 years. An appointment to fill a

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<sup>1</sup> MCL 125.2655.

vacancy shall be made by the chief executive officer of the municipality for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for reasonable actual and necessary expenses.

The DBRA consists of 9 members. While the statute contemplates that all Board members are appointed by the chief executive officer and approved by the governing body, the Detroit City Council resolution establishing the DBRA provides the following:

The Board shall consist of nine (9) persons subject to approval of City Council. Of the nine persons appointed by the Chief Executive Officer, three (3) shall be representative of the community, one (1) shall be recommended by City Council for approval, and at the discretion of the Chief Executive Officer the remaining five (5) shall be members of the City's administration.<sup>2</sup>

Therefore, while the chief executive officer still appoints all 9 members, one of the members shall be based upon the recommendation of City Council. Currently Erik Dueweke is the Board member appointed upon the recommendation of City Council in 2022 and with a term ending date of June 30, 2025.

**2. Does serving on the Board while simultaneously being a staff member of the Environmental Affairs Division of the Buildings, Safety Engineering, and Environmental Department (BSEED) create a conflict of interest?**

The Brownfield Redevelopment Financing Act does not prohibit public employees from serving on the Board. The Incompatible Public Offices Act (IPOA) prohibits certain public officials and public employees from simultaneously holding public offices that are incompatible with one another.<sup>3</sup> The IPOA explicitly does not prevent a public employee of a city from being appointed to a board of a brownfield redevelopment authority.<sup>4</sup>

A City employee serving on the Board is subject to the ethical standards and requirements as provided in the 2012 Detroit City Charter and the 2019 Detroit City Code. Board members are also subject to the Board's bylaws, which require disclosure of any conflicts of interest in a matter and prohibit conflicted members from any discussion or vote on the matter.<sup>5</sup> Additionally, Ms. Rogers is being nominated for the Board seat formerly held by Ray Scott, who held the same position as Ms. Rogers when he was originally appointed to the Board. There does not appear to be any inherent conflict preventing an individual from holding both positions simultaneously.

**3. Is there a residency requirement for serving on the Board?**

There is no residency requirement under either the Brownfield Redevelopment Financing Act or the City Council resolution creating the DBRA, and public employers are prohibited from requiring that employees reside within a specified geographic area under the Residency of Public Employees Act.<sup>6</sup> However, as stated above, the resolution requires that 3 of the Board members be "representative of the community." While this does not explicitly require a Board appointee to be a resident, the 3 nominees who

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<sup>2</sup> See the attached City Council resolution creating the DBRA.

<sup>3</sup> MCL 15.181 *et seq.*

<sup>4</sup> MCL 15.183.

<sup>5</sup> See the attached Bylaws of City of Detroit Brownfield Redevelopment Authority.

<sup>6</sup> MCL 15.602.

are representative of the community would presumably be residents within the community. However, the 5 appointees from the City's administration do not have to comply with any residency requirements.

Please let us know if we can be of further assistance.

**BYLAWS  
OF  
CITY OF DETROIT  
BROWNFIELD REDEVELOPMENT AUTHORITY**

**ARTICLE I**

**Name; Creation of the Authority**

Section 1. Name. The name of this public body corporate is the CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY (the "Authority").

Section 2. Creation of the Authority. The Authority was created by resolution of the City Council (the "City Council") of the City of Detroit (the "City") pursuant to the provisions of Act 381, Public Acts of Michigan, 1996 ("Act 381"), on April 23, 1998, and said resolution shall constitute the Articles of Incorporation of the Authority.

Section 3. The Authority shall be under the supervision and control of the Board of Directors of the Authority (the "Board"), which Board shall be appointed as more fully described in the Articles of Incorporation.

**ARTICLE II**

**Board**

Section 1. General Powers. The business and affairs of the Authority shall be managed by its Board except as otherwise provided by statute, by resolution of the City Council or by these Bylaws. The Board shall make all reports to the City Council required by Act 381 and the Article of Incorporation and shall submit other responses, reports or information, and participate in hearing or discussions as may be requested by the City Council.

Section 2. Replacement and Vacancies. Replacement and vacancies of members of the Board shall be as provided by Act 381 and in the Articles of Incorporation.

Section 3. Removal. A member of the Board may be removed from office before the expiration of his or her term for cause as provided in Act 381.

Section 4. Conflict of Interest. A member of the Board who has a direct interest in any matter before the Authority shall disclose his or her interest prior to the Authority

discussing or taking any action with respect to the matter, which disclosure shall become a part of the record of the Authority's official proceedings. A member of the Board who has a direct interest in any matter before the Authority shall not take part in discussion of, or cast a vote on, that matter but may respond to direct questions relating to such a matter.

Section 5. Meetings. Meetings (regular, special or rescheduled) of the Board may be called by the persons and in the manner provided by Act 381 and the Open Meetings Act, Act. No. 267 of the Public Acts of 1976, as amended. Special meetings may be held when called either by the Chairperson at such time and place as may be specified in the notice of the special meeting or in a manner provided in the rules of the Board.

Section 6. Notice. Notice of any meetings shall be given in accordance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended).

Section 7. Quorum. A majority of the members of the Board appointed and serving shall constitute a quorum. Action may be taken by the Board at a meeting upon a vote of the majority of the members present.

Section 8. Community Advisory Committee. (1) The Board shall, as more fully provided in the Articles of Incorporation, establish a Community Advisory Committee. Said Committee shall consist of not more than the number of members specified in and appointed pursuant to the Articles of Incorporation. Initial members appointed to the Community Advisory Committee by both the City Council and the Chief Executive Officer shall have staggered terms designated by their appointing authority ending June 30, 2000 through 2003. The ninth initial regular member appointed by the Community Advisory Committee shall have a term expiring June 30, 2000. Upon expiration of the terms of the initial members, members shall be appointed for a one year term ending June 30. The position of a member whose term has expired shall serve until a successor is appointed.

(2) Any additional members appointed to the Community Advisory Committee as special representatives of the area subject to a proposed Brownfield Redevelopment Plan (a "Plan") shall be appointed at the first meeting of the Community Advisory Committee following the transmittal of a proposed Plan, or any amendment to a Plan, to the Community Advisory Committee from the Authority. These additional members shall

serve as a member of the Community Advisory Committee only for purposes of considering the proposed Plan or any amendment to a Plan and shall have their term expire upon transmittal of the proposed Plan or any amendment to a Plan to City Council.

(3) The first meeting of the Community Advisory Committee shall be called by the Chairperson of the Authority within 10 days of the appointment of a majority of the members of the initial, board of the Community Advisory Committee. Subsequent meetings of the Community Advisory Committee may be called by the Chairperson of the Authority or the Chairperson of the Community Advisory Committee.

(4) Prior to their approval of a Plan or any amendment thereto, the Authority shall submit their proposed Plan or any proposed amendment to a Plan to the Community Advisory Committee for consideration and comment. Within 30 days after receipt of a proposed Plan or amendment to a Plan, the Community Advisory Committee shall review and submit any comments or recommendations, if any, concerning the proposed Plan or any proposed amendment to a Plan to the Authority. As part of their review, the Community Advisory Committee may conduct public hearings and solicit public comment on the proposed Plan or any proposed amendment to a Plan. Upon expiration of the period of review for the Community Advisory Committee, the Authority may accept or reject the recommendations of the Community Advisory Committee and, upon approval of the Plan or Plan amendment and with transmittal of the Plan or the Plan amendment to the City County for approval, shall include the report of the findings and recommendations, if any, of the Community Advisory Committee.

(5) A majority of the membership positions on the Community Advisory Committee, including any vacancies, shall constitute a quorum. Action shall be taken by the Community Advisory Committee at a meeting upon a vote of the majority of the membership positions on the Community Advisory Committee, including any vacancies. For purposes of considering a proposed Plan or any amendment to a Plan, the membership positions on the Community Advisory Committee shall also include any additional members appointed as special representatives.

Section 9. Public Comment and Participation. In order to obtain broad public comment upon the proposed activities of the Authority prior to the approval of a Plan or

Plan amendment, the Authority shall solicit public comments in addition to the comments of the Community Advisory Committee in the following manners after submission of the proposed Plan or Plan amendment to the Community Advisory Committee:

(a) The Authority, or a representative designated by the Authority, shall conduct a public hearing in the area to which the proposed Plan or Plan amendment applies. This public hearing may be held jointly with the Community Advisory Committee.

(b) The Authority shall publish notice that a proposed Plan or Plan amendment has been submitted to the Community Advisory Committee and make copies of the proposed Plan or Plan amendment available to the public upon request.

(c) The Authority shall invite written comments on the proposed Plan or Plan amendment to be submitted to the Authority or the Community Advisory Committee

Section 10. Other Committees. The Board may, by resolution, designate one or more other committees, each committee to consist of one or more of the members of the Board.

Section 11. Indemnification. Members of the Board or any person executing any revenue bond or revenue note on behalf of the Authority shall not be liable personally on the revenue bond or revenue note, or be subject to any personal liability or accountability by reason of the issuance of the revenue bond or revenue note, by reason of acquisition, construction, ownership, or operation of a project, or by reason of any action taken or omitted by the Board. The Authority, to the full extent permitted by law, at its expense, shall indemnify and save harmless, of, from and against, any and all claims, damages, demands, expenses to include all attorney fees and legal costs, liabilities and losses any person made, or threatened to be made, a party to any pending, threatened or completed civil, criminal, administrative or arbitative action, suite or proceeding and any appeal therein (and any injury or investigation which could lead to such action, suit or proceeding) by reason of the fact that he or she is or was a member or officer of the Board or employee of the Authority, except in relation to matters as to which it shall be finally adjudged in such action, suit or proceeding that such person is liable for negligence or misconduct in the performance of his or her duties or acted in an unreasonable manner or not in good faith. Such right of indemnification shall inure to the benefit of the legal representative of such person in any such action.

Section 12. Terms and Qualifications of Members. The Board shall consist of not less than five (5) or more than nine (9) members. All members of the Board shall be appointed by the person serving as the Mayor of the City of Detroit (Mayor), subject to the approval of the Detroit City Council (City Council). Of the initial Board members appointed, an equal number, as near as practicable, shall be appointed for 1 year, 2 years, and 3 years. Each appointed Board member shall serve for a term of three (3) years; provided, that a person who is an appointed Board member because that person is the director of a City Department or an officer or employee of the City shall serve for a term of three (3) years or until that person ceases to be the director of a City Department or an officer or employee of the City, whichever period is shorter. Before assuming the duties of office, an appointed Board member shall qualify by taking and subscribing to the constitutional oath of office.

A Board member whose term of office has expired shall continue to be a Board member of the Authority until the member's successor has been appointed by the Mayor with the approval of the City Council. If a vacancy on the Board is created by death, resignation, removal or any other reason, a successor shall be appointed by the Mayor for the unexpired term only. In the event that a vacancy reduces Board membership below that mandated by law, the Mayor shall fill the vacancy within thirty (30) days.

Board members shall serve without salary, but may be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

Subject to notice and after having been given an opportunity to be heard, a member of the Board may be removed from office for cause by City Council.

### **ARTICLE III**

#### **Officers**

Section 1. Officers. The officers of the Board shall be elected by the Board and shall consist of a Chairperson, Vice-Chairperson, Secretary and Treasurer. The Board may appoint or employ a director or other officers as deemed necessary as provided by Act 381.

Section 2. Election and Term of Office. The officers of the Board shall be elected annually by the Board. If the election of officers shall not be held or made at such

meeting, such election shall be held or made as soon thereafter as is convenient. Each officer so elected or appointed shall hold office for the term of which he or she is elected or appointed and until his or her successor is elected or appointed and qualified, or until his or her resignation or removal as an officer.

Section 3. Chairperson. The Chairperson shall be the chief executive officer of the Authority but may, from time to time, delegate all or any part of the duties of the office to the Vice-Chairperson. The Chairperson shall preside at all meetings of the Board and shall have

general and active management of the business of the Authority and shall perform all duties of the office as assigned by the Board and as provided by Act 381, the resolution of the City Council and these Bylaws. The Chairperson shall be an ex-officio member of all standing committees and shall have the general powers and duties of supervision and management of the Authority.

Section 4. Vice-Chairperson. The Vice-Chairperson shall serve in the place and stead of the Chairperson in the absence or disability of the Chairperson. The Vice-Chairperson shall further perform all duties of the office of Vice-Chairperson as assigned by these Bylaws or the Board.

Section 5. Secretary. The Secretary shall record all votes and keep the minutes of all meetings of the Board in a book to be kept for that purpose. The Secretary shall have charge of all books and papers of the Authority under the authority of the Board and shall perform all duties incident to the office of Secretary as assigned by this Bylaws or the Board, and as provided by Act 381.

Section 6. Treasurer. The Treasurer shall perform all duties of the office of Treasurer as assigned by this Bylaws or the Board, and provided by Act 381.

Section 7. Delegation of Powers and Duties. In the absence of any officer of the Board or for any other reason that the Board may deem sufficient, a majority of the Board then in office, may delegate, from time to time and for such time as they may deem appropriate, the powers and duties of any officer elected or appointed, to any other officer or to any other member of the Board.

Section 8. Compensation of Officers. No officer of the Authority shall be compensated for the performance of services for the Authority but may be reimbursed for actual expenses incurred on behalf of the Authority.

## **ARTICLE IV**

### **Contracts, Loans, Checks and Deposits**

Section 1. Contracts. The Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authority may be general or confined to specific instances.

Section 2. Loans. No loan shall be contracted on behalf of the Authority and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board. Such authority may be general or confined to specific instances.

Section 3. Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Authority shall be signed by such officer or officers, agent or agents of the Authority and in such manner as shall from time to time be determined by resolution of the Board.

Section 4. Deposits. All funds of the Authority not otherwise employed shall be deposited from time to time to the credit of the Authority in such banks, trust companies or other depositaries as the Board may select.

## **ARTICLE V**

### **Conflicts of Interest and Disclosure**

**Section 1.** Except as provided in Section 2 and 3 of this Article V and in accordance with Act No. 317 of 1968, as amended, a member, Officer, or employee of the Authority shall not:

(a) Be a party, directly or indirectly, to any contract between himself or herself and the Authority; or

(b) Directly or indirectly solicit any contract between the Authority and (1) himself or herself; (2) any firm (meaning a co-partnership or other unincorporated association) of which he or she is a partner, member or employee; (3) any private corporation in which he or she is a stockholder owning more than one percent of the total outstanding stock of any class where such stock is not listed on a stock exchange or stock with a present total market value in excess

of \$25,000 where such stock is listed on a stock exchange or of which he or she is a director, officer or employee; or (4) any trust of which he or she is a beneficiary or trustee; nor shall he or she take any part in the negotiation for such contract or renegotiation thereof or amendment thereto for the approval thereof; nor shall he or she represent either party in the transaction.

**Section 2.** The restrictions of Section 1 of this Article shall not apply to a member, Officer or employee of the Authority who is paid for working an average of twenty-five (25) hours per week or less for a public entity, as that term is defined in MCLA §15.321.

**Section 3.** A contract involving the Authority and a member, officer or employee of the Authority described in Section 1(a) of this Article IX shall meet all of the following requirements:

(a) The member, officer or employee shall promptly disclose any pecuniary interest in the contract to the Authority, which disclosure shall be made a matter of record in its official proceedings;

(b) The contract is approved by a vote of not less than two-thirds (2/3) of the full Board of the Authority in open session, where the interested party is a Board member, said approval must be by a two-thirds (2/3) vote of the full Board excluding the said interested member; and

(c) The official body discloses the following summary information in its official minutes:

(i) The name of each party involved in the contract.

(ii) The terms of the contract, including duration, financial entity included in the contract, and the nature and degree of assignment of employees of the public entity for fulfillment of the contract.

(iii) The nature of any pecuniary interest.

This Section and Section 1 hereof shall not prevent a Board member from making or participating in making a Board decision to the extent that the Board member's participation is required by law. If two-thirds (2/3) of the members are not eligible under this section to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will directly benefit from the contract in an amount less than \$250.00 and less than 5% of the public cost of the contract and the member files a sworn affidavit to that effect with the Authority. The affidavit shall be made a part of the public record of the official proceedings.

**Section 4.** Pursuant to Section 4 of P.A. No. 317 of 1968, the prohibitions of this Article shall not apply to:

(a) contracts between public entities;

(b) contracts awarded to the lowest qualified bidder, other than a public servant, pursuant to notice of letting of the contract and receipt of sealed bids therefor;

(c) contracts for public utility service where the rates therefore are regulated by the State or Federal government

## **ARTICLE VI**

### **Miscellaneous**

Section 1. Seal. The Board shall provide a corporate seal that shall have inscribed thereon the name of the Authority.

Section 2. Waiver of Notice. When the Authority or any committee thereof is authorized to take action after notice to any person or after lapse of a prescribed period of time, the action may be taken without notice and without lapse of the period of time if at any time before or after the action is completed the person entitled to notice or to participate in the action to be taken submits a signed waiver of such requirements.

## **ARTICLE VII**

### **Amendments**

These Bylaws may be altered or amended or repealed by the affirmative vote of the majority of the Board then in office at any regular or special meeting called for that purpose. Every amendment or repeal of these Bylaws shall be subject to City Council approval.

I HEREBY CERTIFY that the above bylaws were adopted on the 20<sup>th</sup> day of July, 1999, and further amended by the Board on the 17<sup>th</sup> day of December, 2014.

\_\_\_\_\_  
Secretary

# TRUE COPY CERTIFICATE

Form C of D—16-CE

STATE OF MICHIGAN, }  
City of Detroit } ss.

## CITY CLERK'S OFFICE, DETROIT

I, Jackie L. Currie, City Clerk of the City of Detroit, in said  
State, do hereby certify that the annexed paper is a TRUE COPY OF RESOLUTION

adopted (passed) by the City Council at session of

April 23, 19 98

and approved by Mayor

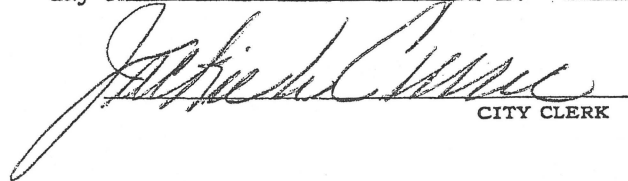
April 30, 19 98

as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid;  
that I have compared the same with the original, and the same is a correct transcript therefrom, and of the  
whole of such original.

In Witness Whereof, I have hereunto set my hand  
and affixed the corporate seal of said City, at

Detroit, this 12th

day of May A. D. 2000

  
CITY CLERK

**RESOLUTION CREATING A BROWNFIELD REDEVELOPMENT AUTHORITY, DESIGNATING BOUNDARIES OF THE BROWNFIELD REDEVELOPMENT ZONE, AND PROVIDING FOR OTHER MATTERS RELATED THERETO**

By Council Member S. Cockrel:

WHEREAS, the City is authorized by the provisions of Act 381, Public Acts of Michigan, 1966 ("Act 381") to create a brownfield redevelopment authority; and

WHEREAS, pursuant to Act 381, the City is required to hold a public hearing on the establishment of a brownfield redevelopment authority and the designation of a brownfield redevelopment zone in which the brownfield redevelopment authority will exercise its powers; and

WHEREAS, the Finance Director has fully informed the taxing jurisdictions levying taxes subject to capture about the fiscal and economic implications of a brownfield plan; and

WHEREAS, on March 26, 1998, the City Council conducted a public hearing on the proposed brownfield redevelopment authority and the designation of the proposed authority district; and

WHEREAS, not more than 30 days have passed since the public hearing;

NOW, THEREFORE BE IT RESOLVED THAT:

**1. Definitions.** The terms used in this resolution shall have the same meaning as given to them in Act 381 or as hereinafter in this section provided unless the context clearly indicates to the contrary. As used in this resolution:

Act 381" means Act 381, Public Acts of Michigan, 1966.

"Authority" means the City of Detroit Brownfield Redevelopment

Authority created by this resolution.

"Board" means the governing body of the Authority

"Chief Executive Officer" means the Mayor of the City of Detroit.

"City" means the City of Detroit, County of Wayne, Michigan.

"City Council" means the City Council of the City of Detroit.

"Zone" means the brownfield redevelopment zone designated by this resolution as now existing or hereafter amended, and within which the Authority shall exercise its powers.

**2. Determination of Necessity: Purpose.** The City Council hereby determines that it is necessary for the best interests of the public to create a public body corporate which shall operate to promote the revitalization of environmentally distressed areas in the City, pursuant to Act 381.

**3. Creation of Authority:** The Detroit City Council is hereby creating a brownfield redevelopment authority for the City, pursuant to Act 381. The Authority shall be a public body corporate and shall be known and exercise its powers under the title of the "CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY". The Authority may adopt a seal, may sue and be sued in any court of this State and shall possess all the powers necessary to carry out the purpose of its incorporation as provided by this resolution and Act 381. The enumeration of a power in this resolution or in Act 381 shall not be construed as a limitation upon the general powers of the Authority.

**4. Termination.** Upon completion of its purposes, the Authority may be dissolved by resolution of the City Council. -

**5. Description of Zone.** The Zone shall consist of an area which is coterminous with the corporate boundaries of the City, subject to such changes as may hereinafter be made pursuant to this resolution and Act 381. All of the property described as part of the Zone was included in the description of the proposed boundaries contained in the published notice of the public hearing.

**6. Board.** The Authority shall be under the supervision and control of the Board. The Board shall consist of nine (9) persons subject to approval of City Council. Of the nine persons appointed by the Chief Executive Officer, three (3) shall be representative of the community, one (1) shall be submitted recommended by City Council for approval, and at the discretion of the Chief Executive Officer the remaining five (5) shall be members of the City's administration. Of the initial members appointed, an equal number, as near as practicable, shall be appointed for one (1) year, two (2) years, and three (3) years. Thereafter, each member shall serve for a term of three (3) years. A member shall hold office until the member's successor is appointed and qualified. An appointment to fill a vacancy shall be made by the Chief Executive Officer, in the manner of the original appointment for the unexpired term only and is subject to the approval of City Council. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. Before assuming the duties of office, a member shall qualify by taking and subscribing to the oath of office provided in Section 1, of Article XI of the Michigan Constitution of 1963. The members of the Board shall elect one (1) of their membership as chairperson and another as vice-chairperson. The Board shall adopt Bylaws governing its procedures subject to the approval of the City Council. In accordance with the requirements of Act 381, the Board may determine to employ a Director of the Authority, such Director shall furnish a bond in the penal sum of Fifty Thousand Dollars (\$50,000) payable to the Authority for use and benefit of the Authority and shall file the same with the City Clerk of the City.

**7. Powers of the Authority.** Except as specifically otherwise provided in this resolution, the Authority shall have all powers provided by law subject to the limitations imposed by law and herein. In addition to the annual reports required under Act 381, the by-laws of the Board shall require that the Board submit other responses, reports or information, and participate in hearings or discussions as may be requested by the City Council.

**8. Community Advisory Committee.** The Authority shall establish, as part of its bylaws submitted to City Council for approval, a process for the solicitation of public comment on the activities of the Authority and the projects to be proposed as part of the Brownfield Plan. This process shall include the creation of a Community Advisory Committee of not less than nine (9) persons who shall be interested residents, community organizations and businesses of the City of Detroit and of which four (4) persons shall be appointed by the City Council and four (4) persons shall be appointed by the Chief Executive Officer.

~~These eight (8) Committee members shall appoint the ninth member. Within thirty (30) days of the appointment, the eight (8) members of the Community Advisory Committee thus appointed, shall elect a ninth member to the Community Advisory Committee. Not more than two (2) additional members may be appointed to the Committee by the Committee as Special Representatives of the area which is the subject of the proposed and subsequently adopted Plan. The selection of the Special Representative(s) and the Committee's recommendation on the proposed Plan must be submitted to City Council within 30 days of receipt of the proposed Plan. Any executive appointment to fill Committee or Special Representative vacancies shall be made from submission of one or more recommendations from the Board to the Chief Executive Officer, subject to the approval of City Council. Vacancies shall be filled for the remainder of the term by the appropriate appointing authority. The bylaws shall define the duties of the Committee and include terms of service on the Committee. As part of a request to the City Council for approval of the Brownfield Plan or any amendment to the Brownfield Plan, the Authority shall include a report of the findings and recommendations of the Community Advisory Committee, if any.~~

**9. Fiscal Year; Adoption of Budget.**

(a) The Fiscal Year of the Authority shall begin on July 1st of each year and end on June 30th of the following year, or such other fiscal year as may hereafter be adopted by the City.

(b) The Authority shall prepare and approve annually a budget for the operation of the Authority of the ensuing Fiscal Year. The budget shall be prepared in the manner and shall contain the information required of municipal departments. Funds of the City shall not be included in the budget of the Authority except those funds authorized in Act 381 or by the City Council.

(c) The Authority shall submit annually to the City Council and the State Tax Commission a financial report on the status of activities of the Authority. The report shall include the following:

(i) The amount and source of tax increment revenues received.

(ii) The amount and purpose of expenditures of tax increment revenues.

(iii) The amount of principal and interest on all outstanding indebtedness.

(iv) The initial taxable value of all eligible property subject to the brownfield plan.

(v) The captured taxable value realized by the Authority.

(vi) Information concerning any transfers of ownership of or interest in each eligible property within the Zone.

(vii) Statement of projects completed and outstanding bonds.

(viii) Statement of whether the Plans have accomplished their purposes.

(ix) Statement of whether the Authority has accomplished the purposes for which it was established.

(x) All additional information that the City Council or the State Tax Commission may deem necessary.

10. **Ordinances.** City Council may enact, amend or repeal any ordinances, or resolutions, which at the determination of the City Council may be deemed necessary to implement the activities of the Authority.

11. **Recording and Filing.** The City Clerk shall file a certified copy of this resolution with the Michigan Secretary of State promptly after its adoption.

12. **Repealer.** All resolutions and parts of resolutions in conflict herewith are hereby repealed.

13. **Severably.** If any provision of this Resolution shall, to any extent, be invalid or unenforceable, the remainder of this Resolution shall not be affected thereby and shall be valid and enforceable to the fullest extent allowed by law.

AYES: Members

NAYS: Members

RESOLUTION CONSIDERED ADOPTED

City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a \_\_\_\_\_ held on \_\_\_\_\_, 1998, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976 as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

City Clerk

I hereby certify that a certified copy of the foregoing resolution was filed with the Michigan Secretary of State on \_\_\_\_\_, 1998.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Hood, Mahaffey, Tinsley-Williams, and President Hill — 7.

Nays — None.