

mail to the Detroit Board of Education, the City of Detroit Board of Assessors, the Wayne County Board of Commissioners, Wayne County Community College, the Wayne County Intermediate School District, the Huron-Clinton Metropolitan Authority, the Applicant, and by publication to the general public, informing them of the receipt of the Application, the date and location of the Public Hearing, and the opportunity to be heard;

Now Therefore Be It

Resolved, That it is hereby found and determined that the Applicant has complied with the requirements of the Act; and be it further

Resolved, That the application of Mid-City Properties, LLC for the transfer of a Commercial Rehabilitation Certificate 2013-017, in the City of Detroit Commercial Property Rehabilitation District is hereby approved with the certificate expiring December 31, 2023, in accordance with the provisions of the Act; and be it finally

Resolved, That the City Clerk shall forward said application to the Michigan State Tax Commission as provided by the Act; and be it further

Resolved, That the City of Detroit's Planning and Development Department and City Assessor's Office are hereby authorized to enter into, substantially in the form attached hereto, a Commercial Property Rehabilitation Exemption Certificate Agreement and attached Summary of Procedures for the purpose of establishing the operating procedures for and implementing the aforesaid Certificate.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 8.

Nays — None.

WAIVER OF RECONSIDERATION (No.12) Per Motions before Adjournment.

**PUBLIC HEALTH AND SAFETY
STANDING COMMITTEE
Department of Public Works
Administration Division**

October 22, 2018

Honorable City Council:

Re: Spirit Plaza; Petition No. 1773 The Department of Public Works — City Engineering Division requests the extension of the temporary closure of Woodward Avenue, from Jefferson Avenue to Larned Street from November 17, 2018 through November 15, 2019, with an option for an additional 12 month extension for the year 2019, for the purpose of continuing the activation and evaluation of the Spirit Plaza, in a semi-permanent state.

On June 12, 2017, the City of Detroit closed the referenced segment of Woodward to activate the Spirit Plaza for an initial pilot period of 90 days.

On November 21, 2017, City Council originally approved Petition No. 1773, which provided for extending the temporary closure of the above referenced segment of Woodward through the spring of 2018, so that the evaluation period could continue through the fall and winter seasons.

DPW is now requesting City Council approval to extend the temporary closure for a period to culminate on November 15, 2019, upon which time a recommendation will be brought back to City Council for the Plaza's optional additional year extension.

This extension, if authorized by your Honorable Body, represents a continuation of the existing process in which GSD has been established as the governmental agency, with support from DDP, who will take responsibility for ensuring that the Plaza is appropriately maintained and programmed throughout the extended period. In addition, the extension will allow for continuing outreach efforts to impacted stakeholders, as well as providing the mechanism for continued planning for events and space programming, GSD/ City of Detroit's Recreation Department and Special Events team will continue to operate with the established agreement outlining specific responsibilities for each agency, thereby ensuring that the Plaza is being programmed in a manner that maximizes its usage and is consistent with the vision of it being the "People's Plaza". GSD will continue to provide the opportunity to employ a more expansive outreach effort to individuals that encounter the space on a daily basis. The extension will also provide the opportunity to continue analyzing the impact to traffic on surrounding streets prior to the end of the extended evaluation period. City agencies, led by GSD, will summarize to City Council all findings, which will be utilized in making a determination for the future use of the public space.

Provisions protecting all utility installations in the right-of-way have been made a part of the attached resolution.

I am recommending the adoption of the attached resolution.

Respectfully submitted,

RON BRUNDIDGE

Director

Department of Public Works

By Council Member Benson:

Whereas, The original trial period for the new "Spirit of Detroit Plaza" enhanced the downtown area with a new public space during the summers of 2017 and 2018, and the initial evaluation determined that the closure of the impacted segment of Woodward Avenue, has not been detrimental to traffic flow in the area.

Whereas, The temporary extension was granted through November 16, 2018, through prior City Council actions and whereas a determination has been made to extend the existing closure to a

semi-permanent state for 1 year through November 15, 2019 to allow for continued outreach to the impacted public and business communities as well as programming events that include local artists, community groups and local organizations.

Resolved, The Department of Public Works, City Engineering Division is hereby authorized and directed to temporarily close Woodward Avenue, 190 feet wide, from Jefferson Avenue, 210 feet wide to Larned Street, 60 feet wide for a period culminating on November 15, 2019 and being more particularly described as: Woodward Avenue, 190 feet wide, lying westerly of and adjoining the westerly line of Lots 1, 63, and 64 "Plan of Section numbered one in the City of Detroit, in the Territory of Michigan confirmed by the Governor and Judges on the 27th day of April, 1807 and ordered to be a record and to be signed by the Governor and attested by the Secretary of the Board. Attest: Peter Audrain, Sec'y," as recorded in Liber 34, Page 550 of Deeds, Wayne County Records; also lying easterly of and adjoining the easterly line of the west 30 feet of Lot 2 and the west 30 feet of Lots 63 and the west 30 feet of Lot 64 and the vacated alley adjoining said parts of Lots 2 and 64 "Plat of Section numbered two in the City of Detroit in the Territory of Michigan confirmed unanimously by the Governor and Judges on the 27th day of April, 1807 and ordered to be a record and to be signed by the Governor and attested by the Secretary of the Board. Attest: Peter Audrain, Sec'y," as recorded in Liber 34, Page 549 of Deeds, Wayne County Records; on a temporary basis.

Provided, That no buildings or other permanent structures of any nature whatsoever shall be constructed on or over the public right-of-way. The City of Detroit retains all rights and interests in the temporarily closed public right-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public right-of-way. Further, a specific condition is imposed to ensure unimpeded 24-hour-per-day access to the City and utility companies; and

Provided, That if there is still a need for access from any of the abutting property owners to said temporary closed street, access shall and must be maintained for those properties; and

Provided, That the Detroit Water and Sewerage Department (DWSD) shall have free and easy access to the water main and sewer facilities at all times to permit proper operation, maintenance and if required, alteration or repair of the water main and/or sewer facilities. Free and easy access shall mean that no structures or storage of materials will be allowed upon the temporarily closed

street to hinder the movement of maintenance equipment; and further

Provided, That where a fence is placed across the temporarily closed portion of a street then a gate must be installed to permit access for DWSD staff. The gate shall remain unlocked 24 hours a day, unless a guard is stationed near the gate to allow DWSD ingress and egress at any time to and from the temporarily closed street. The minimum dimensions of the gate or gates shall provide 15 feet vertical and 13 foot horizontal clearances for freedom of DWSD equipment movement; and further

Provided, That should the water main and/or sewer facilities be broken or damaged as a result of any action on the part of the petitioner or assigns, then in such event the petitioner or assigns shall be liable for all costs incident to the repair of such broken or damaged water main and appurtenances, and the petitioner waives all claims for damages, and further

Provided, That at the expiration of the permit, all obstructions shall be removed at the City's expense. The public property shall be restored to a condition satisfactory to the Department of Public Works; and

Provided, That this resolution is revocable at the will, whim or caprice of the Detroit City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the permittee acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued through November 16, 2018, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and

Provided, That this permit shall not be assigned or transferred without the written approval of the Detroit City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Leland, Sheffield, Spivey and Tate — 6.

Nays — Council Members Ayers and McCalister, Jr. and President Jones — 3.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson