

**Detroit River International Crossing Study**  
**Local Advisory Council/Local Agency Group Meeting**  
**Notes**  
**August 25, 2010, 7:00 p.m.**  
**Dearborn Doubletree Hotel**

**Purpose:** To review the progress of the Detroit River International Crossing Project and the Gateway Project.

**Attendance:** See attached.

**Discussion:**

**Introduction/Agenda**

Mohammed Alghurabi asked those in attendance to introduce themselves. He reviewed the meeting conduct procedures and agenda.

**Public Comments**

None.

**Notes of LAC/LAG Meeting of July 28, 2010**

Notes to be revised on last page to reflect change from Delray to “Delray Neighborhood House” and 200 children “per day”.

Corky Benson noted that at the last meeting derogatory public comments were made about the properties in Delray. She noted that these are peoples businesses and homes, not just brick and mortar, and advised that people should be more thoughtful.

**SWCBC Update**

An update was provided by Scott Brines. The SWCBC conducted a truck survey on August 17 & 18<sup>th</sup>. They will be doing further surveying in September and will release data as soon as it is available.

SWCBC sent out a housing survey to all potential relocatees. CBC noted that they are NOT MDOT and if you are approached by someone purporting to be MDOT they are NOT. Please call Mohammed Alghurabi or Paul Sander if you have questions. CBC worked cooperatively

with MDOT on the housing survey. One issue addressed in the survey was, do residents wish to stay in Delray? MDOT is working with Bridging Communities to plan housing to allow impacted residents to stay in Delray.

John Nagy commented on the importance of property owners verifying that their deed is properly recorded at the County Clerk's office. This is especially important when there was an arm's length transaction where that person may not have filed the proper paperwork with the Wayne County Register of Deeds office. If needed, you can go to that office and file the proper paperwork for \$5; this will help facilitate any Right-of-Way acquisition process if initiated. MDOT will formally help during the acquisition process if there are questions. Paul Sanders of MDOT's Real Estate Division is available for specific questions, especially if people are being approached by persons claiming to be representing MDOT, and can be reached at (248) 483-5153.

There will be a SWCBC membership meeting in September.

A request for Spanish translation during the LAC/LAG meeting was made by someone in attendance. A representative from Rep. Rashida Tlaib's office was able to accommodate the request.

### **Meeting the DRIC Reporting Requirements**

Currently the information that MDOT has is that there will be new language related to the Public-Private Partnership (P3) legislation (HB4961) and DRIC released by the Senate after Labor Day. The House passed P3 legislation on May 26<sup>th</sup>. Our understanding is that the language of the P3 legislation is being redrafted to apply specifically to the DRIC – this means that if passed by the Senate, it will need to go back to the House for concurrence. MDOT anticipates there will be language in the bill to protect the community.

Mohammed described the Public-Private Partnership (P3) process. The State and Canada will solicit bids from Concessionaires to finance, build, maintain and operate the Plaza-Bridge-Plaza for some term, say 30 to 35 years. There will be requirements in the selection criteria for the Concessionaires to adhere to community related policies.

There is a separate Senate bill on community benefits brought by Sen. Buzz Thomas, SB 1395, which is supported by Rep. Rashida Tlaib.

Tom Cervenak asked about “profit” going to Canada for the \$550 million “loan” and the P3 in general. Mohammed noted that the private developer (Concessionaire) will make a profit but that the \$550 million from Canada is an equity stake and not a loan. There will be some commercial terms, yet to be negotiated, on the equity. At the end of the day the tolls, not the taxpayer, support the project. For say the first 30 years the P3 gets the toll revenue, but the bridge is owned by the State, then they turn it back to the State and Canada to run and collect tolls. Canada will then get all the tolls until the \$550 million is paid back. Current revenue estimates show this could be paid back in as little as 3-4 years. Then from that point forward all tolls go back to the State.

Tom Cervenak asked if MDOT was pushing the Buzz Thomas community benefits bill. Mohammed stated that MDOT is in the executive branch and not legislative, so MDOT does not support or push bills. MDOT will work with the legislative branch to assist.

### **Mitigation/Enhancement Update**

Mohammed stated that while MDOT is constrained until there is legislative approval they are doing what they can to plan right now. There are four areas where there is action right now:

1. MDOT is assisting with a grant application under the Congestion Mitigation and Air Quality (CMAQ) Improvement Program. Southwest Detroit Environmental Vision (SDEV) is the applicant with MDOT as the sponsor. It was submitted to SEMCOG, who in turn submitted the application to FHWA for consideration. The grant is for \$300,000 which will go to retrofitting the fleets of three local trucking firms to bring their diesel engines to modern standards to reduce diesel emissions.
2. At a previous meeting, there was some discussion regarding the possibility of “deconstructing” rather than “demolishing” the existing structures in the proposed DRIC right-of-way. MDOT received a report from the Ontario Ministry of Transportation (MTO) on the deconstruction efforts on the Windsor Essex Parkway. MDOT wants to take advantage of this experience to salvage materials in the acquired homes and businesses. Gerri Ayers gave highlights of the report:

## **Demolition**

More than 300 buildings need to be removed for construction of The Windsor-Essex Parkway. Many of the buildings are in poor condition and need to be removed for safety and other concerns. In addition, some of the properties need to be cleared for utility relocations.

Demolition of buildings in Windsor and Essex County for construction of The Windsor-Essex Parkway began in summer 2009. To date, MTO has demolished 44 buildings in the corridor including commercial buildings along Huron Church Road and houses throughout the corridor. Another 68 houses are scheduled for demolition prior to October 15.

Five demolition contracts totaling over \$600,000 have been awarded to local companies. Wherever possible, the contractors are recycling materials including concrete and copper pipe. One of the contractors was able to salvage materials from homes to be sold in their salvage operations.

## **House Relocation**

We have also had a number of requests to move houses. One house has been moved successfully and two more are being looked at. MTO is also looking at where this might be utilized in other areas. However, moving a home takes approximately four to five weeks lead time and demolition contractors are held to a specific completion date.

## **Salvaging Efforts**

One of the areas we looked at was how we could recycle materials from inside and outside the buildings. MTO does not have the resources available to conduct a large scale salvage of building materials which is why we have partnered with a local group—*We Pay it Forward*. This group is a local team of volunteers managing salvage activities. Habitat for Humanity and Essex County's Horticultural Society are the lead charities for this initiative. Interested charities and volunteers can sign-up through a special website [www.wepayitforward.ca](http://www.wepayitforward.ca).

Over 200 volunteers have worked day and evening shifts to salvage more than 170 tons of materials from over 100 MTO-owned buildings. *WE Pay it Forward* volunteers have removed interior and exterior building materials including: windows and doors, electrical fixtures, cabinets, bathtubs, toilets, and sinks along with plants and other landscaping materials.

Any materials not earmarked for local charities and not for profits who have registered with the group are being sent to the Habitat for Humanity Re-Store for sale. Sales at the store have quadrupled since the pilot project began.

This is the first time MTO has conducted this work and we will look at ways to possibly replicate these activities on other projects for government owned assets.

## **Maintenance and Security**

Another element of the demolition area is maintenance and security. With so many properties in MTO's possession, summer maintenance and security is a concern. MTO has hired a local company to conduct grass cutting and maintenance.

A local security company has been conducting daily inspections of all properties, monitoring for vandalism and theft. Once a building is removed from the site, the area is backfilled with clean soil and maintenance continues as if a building was never there.

MaryAnn Cuderman spoke about the experience in Windsor. She stated the Habitat for Humanity books are now in the black thanks to the deconstruction efforts and they had to get another warehouse. This is a pilot project and they hope it will catch on.

Mohammed said that MDOT is looking at a 2-pronged approach in exploring the possibility of a deconstruction effort in connection with the DRIC:

- a) Deconstruction (salvage)
- b) Jobs

Terrance Hicks, MDOT Director of Business Development, related MDOT's efforts. MDOT has been discussing internally how to reconfigure our approach to Right-of-Way acquisitions and site prep to maximize the potential for Disadvantaged Business Enterprises (DBE) participation; unbundling demolition (deconstruction) contracts is one strategy under consideration. There are many businesses/ groups such as Bridging Communities, Young Detroit Builders, etc. who could take advantage of a deconstruction program. MDOT would like the communities' ideas on this.

MDOT has identified the following groups as potential partners in this effort:

- Young Detroit Builders, Bridging Communities, MHPN\*, EMU\*\*, and Sweat Equity

- Detroit Arch. Salvage – Handle salvaged material

\* Michigan Historic Preservation Network (MHPN) – Access to Preservation Professionals (including persons familiar with deconstruction, access to building trades students at Randolph CTC (trade oriented high School in Detroit), access to preservation and recycling minded legislators)

\*\* Eastern Michigan University (EMU) offers programs in Historic Preservation and Construction Management

3. Job Training. The first class in this area of the Road Construction Apprenticeship Readiness (RCAR) Program, which is part of the State Workforce Development program, graduated on August 13<sup>th</sup>. Successful graduates have been offered employment through MDOT's Construction Experience Program (CEP) to start immediately. The CEP will last for four months, ending in mid-December 2010. This will help build their skills and resumes. MDOT is hoping to sponsor/schedule more of these classes in SW Detroit in the years leading up to construction of the DRIC.
4. John Baran of the City of Detroit's Planning and Development Department introduced the new land use planning process called the Detroit Strategic Framework Plan. There will be 5 community engagement meetings in September, with the content of all five meetings the same. Meeting dates and locations are:
  - Tuesday, September 14, Greater Grace Temple, 23500 W. Seven Mile Road (NW)
  - Thursday, September 16, American Serbian Memorial Hall, 19940 Van Dyke Street (NE)
  - Saturday, September 18, Whittier Manor, 415 Burns Drive (SE)
  - Tuesday, September 21, El Kiosko Banquet Hall, 7271 Dix Street (SW)
  - Wednesday, September 22, Charles H. Wright Museum of African American History, 315 E. Warren Avenue (Central)

Doors will open at 6 p.m. for all weekday meetings, with the meeting program from 6:30-8:30 p.m. Doors will open at 10 a.m. for the Saturday meeting, with the meeting program from 10:30 a.m. - 12:30 p.m. Following these initial meetings, the city will be scheduling approximately 40 neighborhood meetings and it is expected that this second round of meetings will begin to identify neighborhood specific issues and possible ways to address those issues within the planning framework. Alternate visions will follow, and ultimately a final plan.

The planning efforts are being supported by local foundations. The City now has the resources to help think things through from planning to implementation. This will be a 16 to 18 month process; John Baran will provide an update at the next LAC/LAG Meeting.

John Nagy asked why not use the previous “Cluster Planning Process”? John Baran stated that that process was fairly dated now, there has been a master plan developed and approved since then, and it doesn’t take into account the current housing crisis. Now there is strong leadership and support for the planning and implementation of this process.

Tom Cervenak offered the Delray House as a potential location for one of those 40 neighborhood meetings. John Baran thanked him for the offer and suggested that Tom formally forward that offer to the city.

MDOT will assist the City in disseminating information on the Strategic Framework Plan to people on the LAC mailing list.

Mohammed stated that the Mitigation/Enhancement Update will be a recurring agenda item. Tom Cervenak asked if there has been any action on special considerations for the relocation of the elderly and if Michigan Office of Services to the Aging has done anything? Mohammed said MDOT will follow up.

### **Other LAC/LAG Business**

Gateway Update - The federal district court sent the case back to the Wayne County Circuit court as there is no federal question and DIBC failed to file the case in federal court in a timely manner.

There is another lawsuit in federal court in regards to three trucking firms trying to force MDOT to open the closed ramps. The hearing was held on August 12th and we do not know when to expect the decision. We feel confident that the federal court will rule in our favor that the case will be dismissed.

We will reopen the NB I-75 exit ramp by September 3rd. It has been closed since mid July.

The plaza lights are in operation for the first time on the two Bagley Street Plazas, adjacent to the cable stay bridge.

M-85 Update - In terms of construction progress, the contractor has lined most of the old DWSD sewer in the area, and began structure demolition last week; they are starting from the south and working their way north. There is one last large 81" DWSD pipe that is still being lined. That work will be complete in October, with the rest of the structure demolition to follow shortly thereafter.

With respect to coordination, Commander Serda from DPD was on vacation until yesterday; we are going to work with Commander Serda and Deputy Commissioner Doyle from DFD to set up an emergency responder meeting as soon as feasible.

Drawbridge Replacement – in the SWCBC meeting Reverend Archer said that there will be a meeting scheduled with Oakwood Heights.

**Additional Public Comments**

Q. What is the status of the NEPA lawsuit?

R. The Department of Justice and FHWA are the lead agencies. MDOT submitted a very large administrative record. There has been a hearing before the judge, and we continue to work through the process.

Q. Tom Cervenak asked for a listing of all current legal actions by the DIBC.

R. MDOT has requested the Michigan AG's office to help us assemble this, and hopes to have that list at a future LAC meeting.

Q. Comment from attendee that he liked the idea of deconstruction versus demolition and the use of smaller local companies. However, the Davis-Bacon prevailing wage rate requirements have the tendency to push the work to larger companies who can support the wages and reporting requirements and it also pushes companies to work fast, encouraging demolition.

R. MDOT is aware of these issues and is working toward a resolution.

Q. Mr. Rosen asked if the City Strategic Framework Plan meeting notices be mailed to LAC members and attendees.

R. Mohammed said that MDOT will mail and email notices.



Q. Mr. Rosen asked if there will be two concessionaires, one for the Michigan side of the bridge and one for the Canadian side? How will the Canadian “loan” be used?

R. Mohammed said that the Canadian funds are not a loan; they will go straight to the concessionaire. There will be a governance agreement between Michigan and Canada to set up a governing entity which will hire the concessionaire for the project. Bruce Campbell added that the concessionaire may be a consortium of local and international companies. It is likely that the private developers will demand a higher interest rate on their equity stake, due to risks and duration, than the Canadian equity which will be at some nominal commercial rate.

Q. Mr. Rosen asked if the diesel retrofitting in the CMAQ program is mandatory?

R. Participation in the program is voluntary. The company puts up 25% of retrofit costs and CMAQ pays the remaining 75%. Once they have signed up they are obligated to complete the retrofitting.

Q. Mr. Rosen asked why they would want to participate if it costs them money?

R. The type of fixes that are being proposed have been demonstrated to lower the operating costs for the truck owners (improved fuel mileage). Those cost saving by themselves might not justify the cost of the conversion if the businesses had to pay the full cost. By participating in this program it costs them less to upgrade their fleet, and they still get the advantage of the future savings. The government’s incentive for providing the grant is that we get air quality improvements sooner, rather than waiting for the existing truck fleet to be replaced over time.

Q. Terri Mattison asked if there is a site plan of the project at each meeting?

R. There was not one at this meeting, but MDOT will provide one at future meetings. Also, there is a full set at Delray House.

Q. Jerry with Young Detroit Builders commented that they are working on deconstruction of 8 houses in the City of Detroit, and partnering with Habitat for Humanity. The City has rules and policies that may need to be changed to qualify contractors; perhaps deconstruction and demolition experience can be given equal consideration. In Saginaw the city is achieving an 84% recycle rate on their deconstruction program. Their association meets every other month. The web site is [www.youngdetroitbuilders.org](http://www.youngdetroitbuilders.org).

R. It was suggested that the speaker discuss this with MDOT's Terrance Hicks after the meeting, along with MDOT's DBE and Pre-qualification requirements.

Q. Mr. Rosen said that he talked to Lloyd Baldwin of MDOT about the M-85 Bascule Bridge replacement. He stated that he was concerned about the aesthetics of the DRIC Interchange ramp bridges. Will MDOT include the community in their design?

R. Mohammed said that there will be community involvement in the aesthetic design process.

**Next LAC/LAG Meeting**

The next LAC/LAG meeting will be on September 29, 2010 at Southwestern High School. With that, the meeting was adjourned at 9:00 p.m.