WAYNE COUNTY BUILDING AUTHORITY

OPEN SESSION PORTION OF MEETING HELD

THURSDAY, DECEMBER 17, 2015 2:00 PM

500 GRISWOLD, 6th FLOOR

DETROIT, MICHIGAN 48226

BUILDING AUTHORITY MEMBERS PRESENT:

EILEEN DeHART, Chairperson
FRANK VASLO
JAMES SAROS

ALSO PRESENT:

MARYANNA DASKAS
AUDRICKA GRANDISON
PAMELA LANE
BERNARD PARKER
ZENNA FARAJ ELHASAN
GARY K. AUGUST

Detroit, Michigan
Thursday, December 17, 2015
About 2:09 p.m.

MS. DeHART: Let's call this Wayne County Building Authority meeting to order. Roll call, please?

MS. GRANDISON: Eileen DeHart?

MS. DeHART: Present.

MS. GRANDISON: James Saros?

MR. SAROS: Present.

MS. GRANDISON: Frank Vaslo?

MR. VASLO: Here.

MS. GRANDISON: And Frederick Haufman, he's been excused.

MS. DeHART: Is there a motion to approve the agenda?

MR. VASLO: So moved.

MS. DeHART: Support?

MS. SAROS: Support.

MS. DeHART: Any questions on the agenda? Hearing none, all those in favor?

MEMBERS: Aye.

MS. DeHART: Opposed? Motion carries. A motion to approve the November 18 minutes?

MR. SAROS: I'll make that motion.

MR. VASLO: Support.

MS. DeHART: Any questions, additions or deletions? Hearing one, all those in favor?

MEMBERS: Aye.

MS. DeHART: Opposed? Motion carries. Any old business? New business?

We'd like to call a closed session to update the Board on the jail project litigation. I would like go into recess in case we need to take any action after the closed session.

Is there a motion to go into recess?

MR. VASLO: So moved.

MR. SAROS: Second.

MS. DeHART: All those in favor?

MEMBERS: Aye.

MS. DeHART: Opposed? Motion passes. We will go into recess at 2:10. Now we will have the closed session.

(Pause.)

(CLOSED SESSION OF THE MEETING APPEARS IN SEPARATE TRANSCRIPT)

MS. DeHART: Is there a motion to reconvene?

MR. VASLO: So moved.

MR. SAROS: Second.

MS. DeHART: All those in favor?

MEMBERS: Aye.

MS. DeHART: Opposed? The record will show that we reconvened at 2:37. And the record will also show that all three members who were present at the beginning of the session are currently in attendance.

With that, we did have a closed session and there's a question before us as far as approving the partial settlement I guess you could call it -- interim agreement that was reached with corp counsel and AECOM and Ghafari.

Is there a motion to approve?

MR. SAROS: So move.

MR. VASLO: I second.

MS. DeHART: Is there any discussion on that motion? Hearing none, all those in favor?

MEMBERS: Aye.

MS. DeHART: Opposed? Motion -- you know, I would like a roll call on that.

MS. GRANDISON: Eileen DeHart?

MS. DeHART: Yes.

MS. GRANDISON: James Saros?

MR. SAROS: Yes.

MS. GRANDISON: Frank Vaslo?

MR. VASLO: Yes.

MS. DeHART: Thank you. Any public comment?

MS. ELHASAN: I just wanted to note I do have the agreement here if you're ready to sign.

MS. DeHART: No public comment? I'd just like to say happy holidays, merry Christmas to everybody, have a safe -- and if you're going some place warm, is there a motion to adjourn?

MR. VASLO: Can I ask one more -- we continue the -- for the regular -- for the full agreement and that will be brought us to after the 29th?

MR. AUGUST: Before the 29th.

MS. ELHASAN: So your next meeting I believe is probably mid January?

MS. DeHART: January 13.

MS. ELHASAN: My recommendation would be that we may have to push that off a little bit and give us a little bit more time to hopefully negotiate that full agreement.

MS. DeHART: Unless you all want to meet in Mexico, I'm going to be gone that following week.

MS. ELHASAN: As long as it's just short of the 29th so that we can fully -- we could certainly bring it to you after that.

MS. DeHART: I think we're leaving on the 16th Saturday so we'll be back on the week of the 22nd, 23rd.

MS. ELHASAN: We can do it then.

MR. VASLO: Sometime before -- Jim, are you going anywhere the end of January?

MS. ELHASAN: It might be helpful to us unless -- I'm certainly not in a position to be cancelling Building Authority meetings, but I don't know what the point of having one would be -- I would just rather have one closer to the --

MS. DeHART: So that Wednesday would be the 27th. So maybe we'll plan on doing that. We wait and see and we may be moving the meeting from the 13th to the 27th.

MR. VASLO: Will the Commission be approving that agreement also?

MS. ELHASAN: Yes.

MR. VASLO: Do we want to wait until after they approve it as we did with this one?

MS. DeHART: The deadline is the 29th, they're going to have to approve it --

MS. DASKAS: They don't have a full board until the week before that.

MS. ELHASAN: The way I see this happening is the agreement that you enter -- that you approve today says that it has to be executed by the 29th, so AECOM and Ghafari have to agree to the terms by the 29th.

I see no harm is taking it to the Commission and the Building Authority after that date. As a matter of fact, the preference typically of the Commission is that it be executed by the other side before they consider it.

MR. VASLO: Correct.

MS. ELHASAN: So I don't want to short change them a few days and say we have to have the agreement by the 26th so that we can take it for approval. My preference is to give them up until at least -- at most I should say the 29th and then come to you for the approval of it subsequent to that.

MR. SAROS: Also, and to your point I think that it makes total sense, that's the pressing issue and quite honestly I'd like to have the agreement far enough in advance to

actually review it.

Like this came a day or so ago, maybe two, and I appreciate how hard it is to do it, but it just so happened and I think for all of us I had the day from hell yesterday, and I didn't want to vote until I reviewed it, so you know you fall asleep at night reading this, so if we can even have a couple more days with the agreement I'd appreciate that, especially --

MS. ELHASAN: And our apologies for that.

MR. AUGUST: It's always our goal to get everything to you in advance.

MR. VASLO: And so many people have to sign off on them before you can send them out.

MR. AUGUST: And AECOM is a large publicly-traded company that's all over the world, so they have their own internal approval, so everything takes longer than you want.

The reason we put the date of the 29th in there is that when you actually have a drop dead date stuff gets done.

MS. ELHASAN: So maybe the 13th actually we should keep and let me tell you why, because remember we talked about the contract of

lease. We're going to need to have some of those discussions and I think it will give us an opportunity to meet with Commission counsel and then come before you on the 13th to discuss some of those details, so it might be helpful to --

MS. DASKAS: I think that's good.

MR. SAROS: And I'm assuming and per Gary's statement I get that completely, you want to have a drop dead date, but let's just say that everyone is diligently working between you folks and AECOM and Ghafari.

MS. ELHASAN: We're not going to give them an extension.

MR. SAROS: If it were like -- between the two of you -- maybe it's just --

MS. ELHASAN: It all depends on what we've been able to give them. We're going to try to stay committed to that term as much as possible. If it's impossible and, you know, we'll have to play it by ear, but I don't know if sitting here today if I'm inclined to start talking about extensions now.

MR. SAROS: Really aggressive timing which is great, seems really aggressive timing, but even reading the temporary and

congratulations, that is a ton of work to get to that language. I mean because I'm sure you started with this (indicating) to get to here and so --

MS. ELHASAN: Lawyers usually start with this (indicating).

MR. SAROS: But I mean it's a nice piece of work for where you're at right now.

MS. DeHART: Very proud of it.

MR. AUGUST: The toughest part is thinking of all the contingencies. What if this happens, what if we don't get bids, what if -- and, you know, everybody trying to think of the worst things that could happen, but that's how you get an agreement without holes.

MR. VASLO: So the 13th is still on?

MS. DeHART: Yes. We do have a motion to adjourn. Support. All those in favor?

MEMBERS: Aye.

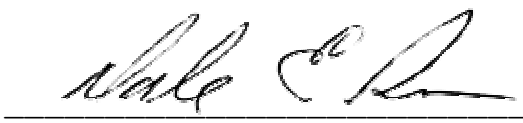
MS. DeHART: Opposed? Motion carries. Thank you.

(Proceedings concluded at 2:43 p.m.)

CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

I HEREBY CERTIFY that I reported stenographically the foregoing proceedings at the time and place hereinbefore set forth; that thereafter the same was reduced to computer transcription and that this is a full, true, complete and correct transcription of said proceedings.





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CSR-0087

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