

1. Downtown Development Authority Regular Meeting Agenda 2016 0316

Documents: [DOWNTOWN DEVELOPMENT AUTHORITY REGULAR MEETING AGENDA 2016 0316.PDF](#)

2. 3 Minutes 02 24 2016 Draft

Documents: [3 MINUTES 02 24 2016 DRAFT.PDF](#)

3. 4a Monthly Expenses

Documents: [4A MONTHLY EXPENSES.PDF](#)

4. 5 Holiday Light Plan - LeClerc Quote

Documents: [5 HOLIDAY LIGHT PLAN - LECLERC QUOTE.PDF](#)

5. 5 Holiday Light Plan - LeClerc Quote Revised Sheet

Documents: [5 HOLIDAY LIGHT PLAN - LECLERC QUOTE REVISED SHEET.PDF](#)

6. 5 Holiday Lights

Documents: [5 HOLIDAY LIGHTS.PDF](#)

7. 5 Holiday Lights LeClerc - Samples

Documents: [5 HOLIDAY LIGHTS LECLERC - SAMPLES.PDF](#)

8. 6ai SAM Monthly Report - February

Documents: [6AI SAM MONTHLY REPORT - FEBRUARY.PDF](#)

9. 7b Legislation - Downtown Patio Permits

Documents: [7B LEGISLATION - DOWNTOWN PATIO PERMITS.PDF](#)

10. 7c Main Street Oakland County - 2016 Main Event

Documents: [7C MAIN STREET OAKLAND COUNTY - 2016 MAIN EVENT.PDF](#)

11. 7d Zoo Parking License Agreement

Documents: [7D ZOO PARKING LICENSE AGREEMENT.PDF](#)



**Agenda**  
**Royal Oak Downtown Development Authority**  
**March 16, 2016**  
**4:00 p.m. Regular Meeting**  
**City Commission Chambers**

***As a reminder, if you have not already done so, please turn your cellular phones off or to a silent or vibrate mode for the duration of the meeting. This will allow the meeting to proceed without distractions or interruptions. Thank you for your cooperation.***

1. Call to Order
2. Public Comment
3. Approval of Meeting Minutes from February 24, 2016.
4. Expense Items
  - a. Monthly Expenses
5. Holiday Lights
6. Committee Updates
  - a. Consumer Marketing Committee – 03/03/16 meeting
    - i. SAM Monthly Report(s) February
  - b. Infrastructure (Joint) Committee – 03/02/16 meeting
  - c. Business Marketing Committee – 02/29/16 meeting
7. Other Business & Reports
  - a. Change May 18, 2016 meeting date
  - b. Legislation – Downtown Patio Permits
  - c. Main Street Oakland County – 2016 Main Event
  - d. Zoo Parking – License Agreement

**DOWNTOWN DEVELOPMENT AUTHORITY  
ROOM 309  
ROYAL OAK, MICHIGAN  
[www.ci.royal-oak.mi.us](http://www.ci.royal-oak.mi.us)**

**Wednesday, February 24, 2016  
Regular Meeting  
4:00 P.M.**

**Present**

Jay Dunstan, Chairperson  
Donald Johnson, City Manager  
Jason Krieger  
Lori London  
Amanda Page  
Matt Riley  
Michael Sophiea  
Anthony Yezbick (arrived @ 4:25 pm)

**Absent**

Gary Baglio

**Staff**

Tim Thwing, Executive Director

\* \* \* \* \*

1. **Call to Order**
2. **Public Comment**
3. **CLOSED SESSION – Attorney/Client Privileged Communication**
4. **Approval of Minutes from November 11, 2015; November 30, 2015; January 20, 2016 and February 3, 2016**
5. **Expense Items**
  - a. **Monthly Expenses**
6. **Parking Deck Design – 2<sup>nd</sup> & Center Street**
7. **Goals & Objectives 2016-17**
8. **FY 2016-2017 Budgets**
  - a. **Operating Fund**
  - b. **Development Fund**
9. **Façade Improvement Agreement Release of Reimbursement - 215 S Center**

**10. Committee Updates**

- a. **Consumer Marketing Committee – 02/02/16 meeting**
  - i. **SAM Monthly Report(s) January**
- b. **Infrastructure Committee – No February meeting**
- c. **Business Marketing Committee – 01/25/16 and 02/04/16 meetings**

**11. Other Business & Reports**

- a. **MDA Alert – TIF**
- b. **SEP – 2016 Royal Oak in Bloom**
- c. **Article – Night Mayor**
- d. **Zoo Parking License Agreement**

\* \* \* \* \*

**1. CALL TO ORDER**

Chairperson Dunstan called the meeting to order at 4:00 pm.

\* \* \* \* \*

**2. PUBLIC COMMENT**

Chairperson Dunstan opened Public Comment.

No one was in the audience and public comment was closed.

\* \* \* \* \*

**3. CLOSED SESSION ATTORNEY/CLIENT PRIVILEGED COMMUNICATION**

**MOVED** by Director Krieger  
**SUPPORTED** by Director Sophiea

**To Approve** entering a closed session for the purpose of discussing Attorney/Client Privileged communication.

**ROLL CALL VOTE WAS UNANIMOUS.**

The DDA reconvene the regular open meeting at 5:40 p.m.

\* \* \* \* \*

**4. APPROVAL OF MEETING MINUTES FROM NOVEMBER 11, 2015; NOVEMBER 30, 2015; JANUARY 20, 2016 AND FEBRUARY 3, 2016**

**MOVED** by Director Sophiea  
**SUPPORTED** by Director Riley

To Approve the minutes of the November 11, 2015; November 30, 2015; January 20, 2016 and February 3, 2016 DDA meetings, as presented.

**MOTION APPROVED UNANIMOUSLY.**

\* \* \* \* \*

**5. EXPENSE ITEMS**

**a. Monthly Expenses**

The invoices received and paid for the month of January 2016 were provided as information, no action is required.

\* \* \* \* \*

**6. PARKING DECK DESIGN – 2<sup>nd</sup> & CENTER STREET**

The board received a presentation from Rich & Associates on the preliminary design plans for the proposed parking structure. The board indicated a preference for the limestone design option and requested further consideration of a more vertical appearance rather than the horizontal spans provided the openness testing/requirements could be maintained. Additional architectural treatments were suggested for the façade. A revised set of plans addressing the suggestions would be prepared for distribution.

The board also discussed the need to maintain access for convenient post office parking.

\* \* \* \* \*

**7. GOALS & OBJECTIVES 2016-17**

**MOVED** by Director Krieger  
**SUPPORTED** by Director Riley

To Approve the goals and objectives for fiscal year 2016-17, as presented.

**MOTION APPROVED UNANIMOUSLY.**

\* \* \* \* \*

**8. FY 2016-2017 BUDGETS**

**a. Operating Fund**

**MOVED** by Director Sophiea  
**SUPPORTED** by Director Krieger

**Whereas**, the Taxable Value of real property in the Downtown District of the Downtown Development Authority for the year 2016 is estimated to be \$153,017,180;

**Now, Therefore, Be It Resolved**, that the Operating Budget of the Authority for the fiscal year beginning July 1, 2016 and ending June 30, 2017, is hereby determined and adopted as attached in Exhibit "A", and

**Be It Further Resolved**, that there is hereby levied a special ad valorem tax in the DDA District of 1.6373 mills on each dollar of Taxable Value in accordance with Act 197, Public Acts of Michigan of 1975, as amended; and

**Be It Further Resolved**, that a copy of this resolution and budget be forwarded to the City Commission of the City of Royal Oak for their review and approval, pursuant to Act 197, Public Acts of Michigan of 1975, as amended.

**MOTION APPROVED UNANIMOUSLY.**

\* \* \* \* \*

**b. Development Fund**

**MOVED** by Director Sophiea  
**SUPPORTED** by Director Krieger

**Be It Resolved**, that the Fiscal Year 2016-2017 Development Fund Budget, be and is hereby approved, and

**Be It Resolved Further**, that the budget be submitted to the city commission for review and approval.

**MOTION APPROVED UNANIMOUSLY.**

\* \* \* \* \*

**9. FAÇADE IMPROVEMENT AGREEMENT RELEASE OF REIMBURSEMENT – 215 S. CENTER STREET**

This item was moved to number 7 on the agenda.

**MOVED** by Director Johnson  
**SUPPORTED** by Director London

**Be It Resolved**, the Royal Oak Downtown Development Authority, DDA hereby authorizes the Executive Director to provide a one-time payment of \$30,000 to Center Street Ventures, LLC per the terms and conditions of the executed façade improvement agreement.

**MOTION APPROVED UNANIMOUSLY.**

\* \* \* \* \*

**10. COMMITTEE UPDATES**

**a. Consumer Marketing Committee – 02/02/16 meeting**

**i. SAM Monthly Report(s) January**

Provided as information, no action is required

\* \* \* \* \*

**b. Infrastructure (Joint) Committee – No February meeting**

\* \* \* \* \*

**c. Business Marketing Committee – 01/25/16 and 02/04/16 meeting(s)**

Provided as information, no action is required

\* \* \* \* \*

**11. OTHER BUSINESS & REPORTS**

**a. MDA Alert - TIF**

Provided as information, no action is required

The Executive Director is going to prepare and distribute a letter opposing the draft legislation.

**b. SEP – 2016 Royal Oak in Bloom**

Provided as information, no action is required

**c. Article – Night Mayor**

Provided as information, no action is required

**b. Zoo Parking License Agreement**

**MOVED** by Director Krieger

**SUPPORTED** by Director Riley

**Be It Resolved**, the Royal Oak Downtown Development Authority (DDA) hereby modifies its prior (January 20, 2016) approval of the license agreement with the Detroit Zoological Society that would allow the Zoo to park cars on the DDA's (Main/696) property, subject to the terms and conditions of said agreement including a per day fee increase from \$500 to \$1,000; rather than \$1,500 and

**Be It Further Resolved**, the DDA hereby authorizes the Executive Director to execute the modified license agreement.

After further discussion the motion was withdrawn until a meeting (as requested by zoo officials) could be held with zoo officials.

\* \* \* \* \*

There being no further business to bring before the Royal Oak Downtown Development Authority, the following motion was made:

**MOVED** by Director Yezbick  
**SUPPORTED** by Director London

**To Adjourn** the February 24, 2016 DDA meeting at 6:35 pm.

**MOTION APPROVED UNANIMOUSLY.**

\*\*\*\*\*



Timothy E. Thwing, Executive Director

**DRAFT**



**Royal Oak**  
**DOWNTOWN**  
**DEVELOPMENT AUTHORITY**

Meeting Date: 03/16/2016

211 Williams Street  
Royal Oak, MI 48067  
Phone: (248) 246-3280  
downtownroyaloak.org

MEMORANDUM

DATE: March 9, 2016  
TO: MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY  
SUBJECT: **EXPENSE ITEMS - MONTHLY**

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Listed below are the invoices for the month(s) of February 2016 that were received and paid.

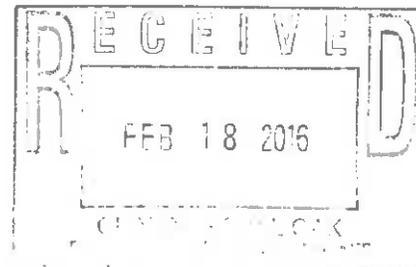
<u>Vendor</u>	<u>Payment Detail</u>	<u>Amount</u>
Center St Ventures	Façade – 215 S Center St	\$30,000.00
Worry Free Inc	CBD – Winter Maintenance	\$672.00

LeClerc Holiday Prop

Cover

	Year	Year 2	year 3
1 4 corner tree wrap/meteor lights/spheres	99165	84190	84190
Projector (2)	5990		
2 Sm Trees (Lease) 2 trees, smart park, scott mall	21314	17052	14920
3 Sprays (lease)**	51360	41088	35952
4 New Lights		17120	
5 RGB Tree/Controller/Base			79754
6 CC Consulting	40000		
<b>Total</b>	<b>217829</b>	<b>159450</b>	<b>135062</b>

**Current Budget 218000.00**





LeClerc Display Co. Inc.  
Established 1964

# Quote

Holiday Lights and Decorations  
for Cities and Shopping Centers

Date: 2/17/2016  
INVOICE # 201601  
Expiration Date: 3/31/2016

GARY BAGLIO  
ROYAL OAK DDA

THIS QUOTE IS FOR INSTALLATION, REMOVAL AND STORAGE OF DDA OWNED PROPERTY.

Line Item	Quantity	Description	Unit Price	Line Total
		Purchase of meteor lights and hardware		
1	335	Meteor lights for 35 trees	30.00	10,050.00
2	35	Meteor lights power supply for 35 trees	62.50	2,187.50
3	35	Meteor lights Hardware (motherlines, splitters, extensions)	12.50	437.50
		Tree lighting at various intersections - <b>Installation</b>		
		Labor rates per string: Existing Winter White lights (50 lites), \$22/string Existing Light Spheres, \$24/sphere Meteor Lights installation (48 lites), \$26/string		
4	30	Large trees decorated with 30 Winter White strings, 10 meteor lights, and 10 spheres	1,160.00	34,800.00
5	5	Medium trees decorated with 20 Winter White strings, 7 meteor lights, and 7 spheres	790.00	3,950.00
6	7	Small trees decorated with 10 Winter White strings	220.00	1,540.00
7	42	Tree lighting - <b>Removal</b>		27,840.00
		This is an estimate for # of lights used as tree sizes vary. We will adjust and bill for actual # of lights used after installation.		
8	1	Building Projector (installation and removal)	300.00	300.00
9	1	30' RGB panel Tree inspection	1,000.00	1,000.00
10	1	Tree base (installation, removal, storage)	1,300.00	1,300.00
11	1	30' RGB panel Tree (installation and removal)	10,000.00	10,000.00
12	1	Storage of DDA owned property (tree, lights, projector)	5,760.00	5,760.00
		Subtotal		99,165.00
		Sales Tax		
		Total		99,165.00

*Thank you for your business!*



February 1<sup>st</sup>, 2016

Royal Oak DDA  
211 Williams Street  
P.O Box 64  
Royal Oak, MI 48067

### About Us

We specialize in outdoor commercial holiday decorations for cities, shopping centers, and corporations. We take care of everything: design, installation, maintenance, removal and storage. Our family owned and operated business is a full service holiday display company, designing displays since 1964.

We look forward to working with you to bring your holiday plans to life! We focus on custom holiday displays year round.

We also offer leasing programs for holiday displays. Leasing is affordable and convenient, and eliminates the need for large capital outlay to purchase and store decorations.

### 30' RGB Tree

We will inspect, install, maintain, remove, and store the DDA owned tree. Installation site to be specified by the DDA. Power to be brought to the site by the DDA.

Professional installation of the RGB tree will ensure that the high tech animated display will perform as expected. Typically the tree should be thoroughly inspected upon delivery, allowing time to contact the manufacturer if any parts are missing or damaged. We suggest that the tree be delivered directly to our facility for inspection to confirm that the tree is in good working order. Also, three additional limbs should be purchased with the tree to be available for on-site repairs if needed.

### Streetscape Tree Lighting

Installation/Removal of City lights and spheres under warranty on 42 trees at specified intersections (30 Large, 5 Medium, 7 small trees). Lights wrapped around trunks and branches 3" or more in diameter. Meteor lights purchased by the City to be installed in the tree canopies (14 per medium, 20 per large tree). Light spheres installed 7 per medium tree and 10 per large.

### 36" Lighted Pole Sprays

Lighted and decorated pine garland sprays installed on each side of pedestrian light poles. A total of 428 pine sprays installed two per pole, every-other pole. Lights can match existing city tree lights or be multi-colored if preferred. Available for lease or purchase. Leasing price includes rental, installation, removal, maintenance and storage.



LeClerc Display Co. Inc.  
Established 1964

# Quote

Holiday Lights and Decorations  
for Cities and Shopping Centers

Date: 2/6/2016  
INVOICE # 201604  
Expiration Date: 3/31/2016

GARY BAGLIO  
ROYAL OAK DDA

### LEASE OF 20' TREES WITH 2 YEAR OPTION TO RENEW

Line Item	Quantity	Description	Unit Price	Line Total
1	2	Lease of: 20' Lighted (LED 5mm) trees decorated with ornaments and a lighted tree topper.	10,657.00	21,314.00
		Includes rental, installation, removal, storage, maintenance		
		Year 2: Renew by 3/31/2017 for 20% off	8,526.00	
		Year 3: Renew by 3/31/2018 for 30% off	7,460.00	
			Subtotal	21,314.00
			Sales Tax	
			Total	21,314.00

*Thank you for your business!*

LeClerc Display Co. Inc. 7181 Earhart Road, Ann Arbor, MI 48105 Phone (248) 496-2845 shawn@leclercdisplay.com

*Renew end of March each year*

3



LeClerc Display Co. Inc.  
Established 1964

# Quote

Holiday Lights and Decorations  
for Cities and Shopping Centers

Date: 2/1/2016  
INVOICE # 201602  
Expiration Date: 3/31/2016

GARY BAGLIO  
ROYAL OAK DDA

### LEASE OF POST SPRAYS WITH 2 YEAR OPTION TO RENEW

Line Item	Quantity	Description	Unit Price	Line Total
1	428	Lease of: 36" Post Spray lighted with 50 LED mini lights, decorated with shiny/matte 2" 3" 4" ball ornaments (2/pole)	120.00	51,360.00
		Includes rental, installation, removal, storage, maintenance		
		Year 2: Renew by 3/31/2017 for 20% off	96.00	
		Year 3: Renew by 3/31/2018 for 30% off	84.00	
<b>Subtotal</b>				51,360.00
<b>Sales Tax</b>				
<b>Total</b>				51,360.00

*Thank you for your business!*

LeClerc Display Co. Inc. 7181 Earhart Road, Ann Arbor, MI 48105 Phone (248) 496-2845 shawn@leclercdisplay.com

*2/Lampost every thru post*

3 cont



LeClerc Display Co. Inc.  
Established 1964

# Quote

**Holiday Lights and Decorations**  
for Cities and Shopping Centers

Date: 2/1/2016  
INVOICE # 201603  
Expiration Date: 3/31/2016

GARY BAGLIO  
ROYAL OAK DDA

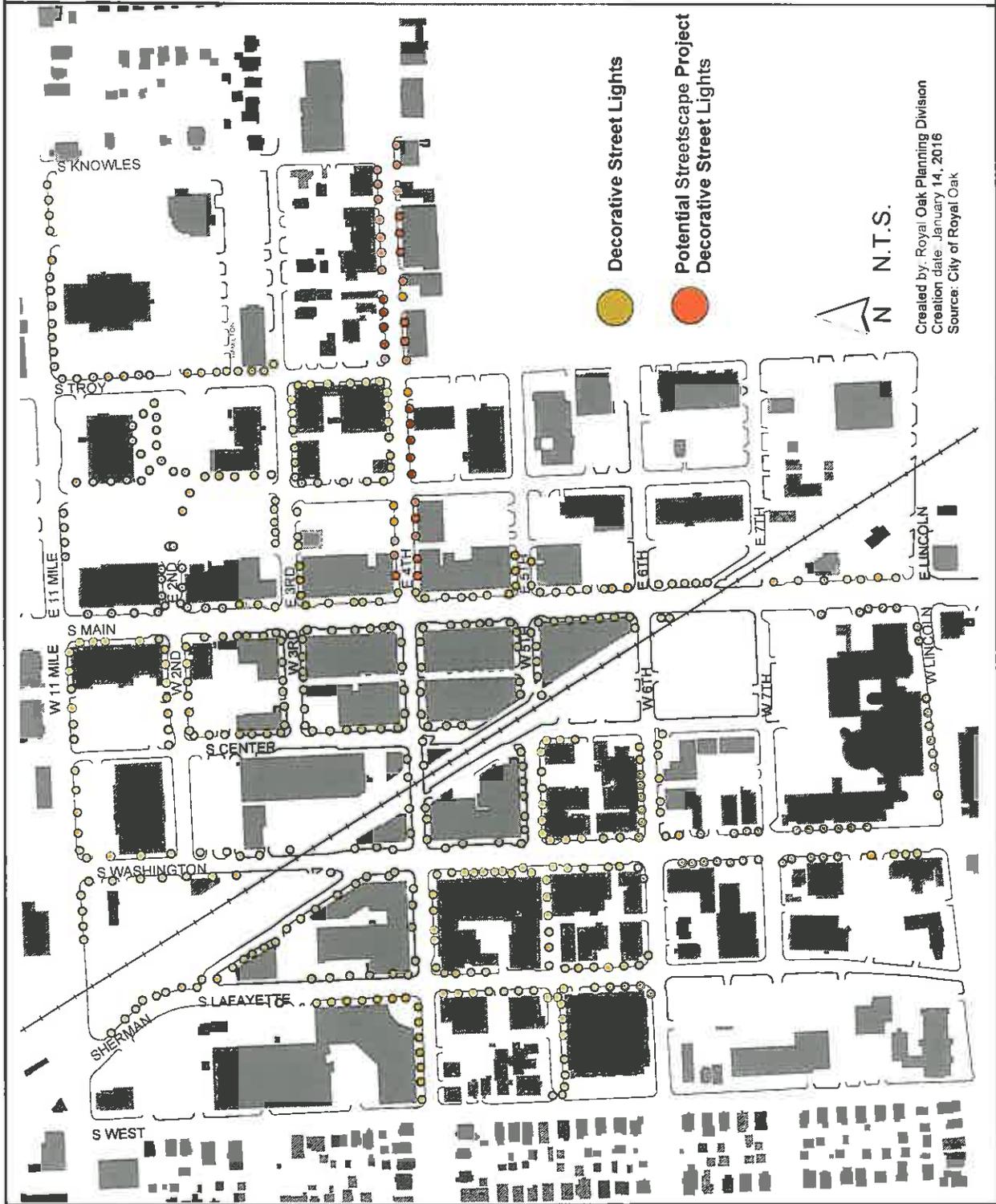
### PURCHASE OF POST SPRAYS

Line Item	Quantity	Description	Unit Price	Line Total
		Purchase:		
1	428	36" Post Spray lighted with 50 LED mini lights, decorated with shiny/matte 2" 3" 4" ball ornaments (2/pole)	165.00	70,620.00
2	428	Shipping	0.00	0.00
3	428	Installation, removal, and storage	55.00	23,540.00
<b>Price does not reflect any future maintenance cost</b>				
<b>Subtotal</b>				<b>94,160.00</b>
<b>Sales Tax</b>				
<b>Total</b>				<b>94,160.00</b>

*Thank you for your business!*

LeClerc Display Co. Inc. 7181 Earhart Road, Ann Arbor, MI 48105 Phone (248) 496-2845 shawn@leclercdisplay.com

# Decorative Street Lights Downtown Royal Oak



Holiday Decorations Budget

3 comb

Column Spray hfmfc536jt \$179.00 per		
Lamposts		
Main Street	77	
Washington	76	
Layaette	39	
Center Street	16	
Troy St	21	15
Second Street	20	
Third Street	31	
Fourth Street	80	
Fifth Street	29	
Sixth Street	14	
Linclon	9	
Baldwin Mall	16	10
<b>Total</b>	<b>428</b>	

4



From: shawn shawn@leclercdisplay.com  
Subject: 20' Trees  
Date: February 7, 2016 at 9:23 PM  
To: Baglio, Gary gary@five15.net

Hey Gary,

Attached is a quote for the lease of 2, 20' lighted and decorated trees with the option to renew for 2 years.

The lights in the trees throughout the downtown we are currently estimating that it would take about 1,070 LED lights stings with the brown wire that currently exists on the trees. An estimated price for these is about \$16 a string. If you know how many lights you will still have under warranty for 2017 that should give you a good idea on the number that may need to be purchased for that year. Again, this is just an estimate based off of todays prices provided that they are similar then. We will also have a better idea on the number required after the installation is done this fall. I'm still gathering up some information on the bases and will give that to you soon.

Let me know if you have any questions!

Thanks,

Shawn Bailey  
LeClerc Display Co. Inc.

Replacement Lights



LeClerc Display Co. Inc.  
Established 1964

Holiday Lights and Decorations  
for Cities and Shopping Centers

# Quote

Date 2/6/2016  
INVOICE # 2016004  
Expiration Date 3/31/2016

GARY BAGLIO  
ROYAL OAK OOA

## LEASE OF 20' TREES WITH 2 YEAR OPTION TO RENEW

Line Item	Quantity	Description		
1	2	20' Lighted (LED 5mm) trees decorated with ornaments and a lighted tree topper	10,457.00	21,314.00
		<b>Includes rental, installation, removal, storage, and insurance</b>		
		Year 2. Renew by 3/31/2017 for 20% off	8,526.00	
		Year 3. Renew by 3/31/2018 for 30% off	7,460.00	
		Subtotal:		21,314.00
		Sales Tax:		
		Total:		21,314.00

Thank you for your business!

5



LeClerc Display Co. Inc.  
Established 1964

# Quote

Holiday Lights and Decorations  
for Cities and Shopping Centers

Date: 2/16/2016  
INVOICE # 201606  
Expiration Date: 3/11/2016

GARY BAGLIO  
ROYAL OAK DDA

### SALE OF 30' RGB TREE WITH LIGHTED BASE

Line Item	Quantity	Description	Unit Price	Line Total
		Sale of:		
1	1	30' RGB Tree with decorations and a lighted tree topper (American made) -RGB lights with low voltage harness, power reducers, bridge connectors, leads and arnet six universe controller.	62,500.00	62,500.00
2	1	Ornamentation Red/Green/Gold color scheme, 12 per branch of shatterproof balls UV resistant (228 branches)	7,524.00	7,524.00
3	1	36" LED SnoBurst warm white tree topper	480.00	480.00
4	1	13' diameter x 4' height, lighted base. Mediterranean Scroll laser cut pattern with acrylic opaque backing  The laser cut pattern could be customized to feature the Royal Oak logo and the tree sponsor's logo and "Welcome to Royal Oak."	9,250.00	9,250.00

Price includes shipping

Subtotal	79,754.00
Sales Tax	
Total	79,754.00

*Thank you for your business!*

LeClerc Display Co. Inc. 7181 Earhart Road, Ann Arbor, MI 48105 Phone (248) 496-2845 shawn@leclercdisplay.com

\* Programming Extra

## Timothy Thwing

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**From:** Gary Baglio [garybaglio@comcast.net]  
**Sent:** Tuesday, March 15, 2016 6:54 PM  
**To:** Timothy Thwing  
**Cc:** Jason Krieger; Jay Dunstan; Michael L. Sophiea  
**Subject:** Re: Holiday Lights - Wednesday's DDA Meeting

**Attachments:** Holiday Lighting Worksheet.xlsx



Holiday Lighting  
Worksheet.xls...

Tim,

Attached is an updated worksheet that may (or may not) help facilitate tomorrows presentations. I had some numbers in the Leclerc proposal in the wrong places and omitted some..this sheet is as up to date as possible.

Thanks,

See you tomorrow.

Gary

LeClerc Holiday Prop

	Year	Year 2	year 3
1 4 corner tree wrap/meteor lights/spheres/ins	68130	68130	68130
2 meteor lights (purchase)	12675		
2 Projector (2) Purchase & Installation	5990		
3 Sm Trees (Lease) 2 trees, smart park, scott r	21314	17052	14920
4 Sprays (lease)**	51360	41088	35952
5 New Lights		17120	
6 RGB Tree/Ornaments/Topper/Controller/Base/Inst/Rem/storage			96814
<b>Total</b>	<b>159469</b>	<b>143390</b>	<b>119002</b>

**Current Budget 218000.00**

	Year	Year 2	year 3
7 4 corner tree wrap/Green Spheres (Intstall)	43693.78		
8 Lampost Orbitals (Purchase/Intstall)	141421.6	39203.2	
9 Takedown /Storage 2017	39203.2		
10 23' Orbital LED/RGB Tree			45674.84
11 32' Gian LED Tree			45856.35
12 36' Giant LED Tree			53790.53
<b>Total</b>	<b>224319</b>		

**Current Budget 218000.00**

## Timothy Thwing

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**From:** Joseph Murphy [joem@ci.royal-oak.mi.us]  
**Sent:** Monday, March 14, 2016 3:19 PM  
**To:** timt@romi.gov  
**Subject:** FW: Tree Options for 2016/2017

**From:** Sterling Weber [mailto:sweber@englishgardens.com]  
**Sent:** Monday, March 14, 2016 3:16 PM  
**To:** JoeM@ci.royal-oak.mi.us  
**Cc:** Carolyn Berwick; John Collins  
**Subject:** RE: Tree Options for 2016/2017

Joseph,

Yes, it is correct. But just to be clear, only the orbital tree has animation/color changing capability. the other two options can have animation added to them, but that is not included in the pricing.

thank you,

### **Sterling Weber**

Award Winning Landscape Designer

English Gardens Landscape Company  
20 Congress Street, Pontiac, MI 48341  
248.874.1400 x 15 office  
248.763.9165 cell  
248.874.1411 fax  
[sweber@englishgardens.com](mailto:sweber@englishgardens.com)

**“Professionals Doing Extraordinary Work”**



**Landscape Company**  
 20 Congress Street • Pontiac, MI 48341  
 P: 248-874-1400 • F: 248-874-1411

2016/17 Season SW  
 Estimate Number: 160570 Page: 1  
 Estimate Date: Thursday, March 03, 2016  
 Date Expires: Friday, March 25, 2016  
*Retail Locations in Metro-Detroit & Ann Arbor*  
 1-800-355-GROW  
 www.englishgardens.com

City of Royal Oak he16/17 VIP  
 Downtown Development Authority  
 211 Williams Street  
 Royal Oak, MI 48068-0064

(248) 246-3285 phone  
 (248) 246-3005 fax 2/27

ITEM #	DESCRIPTION AND SIZE	QUANTITY	UNIT PRICE	TOTAL PRICE
	Setup and takedown of lights for the 2016-2017 holiday season:			
HE621	Existing green spheres setup: Existing LED Sphere Green 10" 150 lights [01/16] Id reuse one year	63	26.313	1657.75
HX611	Existing LED Spheres Green 7.5" 100 lights [03/16] Id reuse one year	63	26.313	1657.75
HX601	Existing LED Spheres Green 6" 50 lights [3/16] Id reuse one year	63	26.313	1657.75
HX131	Existing LED lights setup: Setup existing lights 50 @ 6" sp [02/16]	1546	25.046	38720.53
			Sub Total	<u>43693.78</u>
IH286	RGB Column Orbital [03/16] lamppost mounted orbital Varied	110	1285.651	141421.64
			Sub Total	<u>141421.64</u>
HE304	Takedown and storage for 2017: Holiday Takedown light sets [03/16] Un-wrap	1	31982.800	31982.80
HE304	Takedown Orbitals [03/16]	1	3462.210	3462.21
Z9259	Storage Rental Fee [01/16]	65	57.818	3758.19
			Sub Total	<u>39203.20</u>

Email Address \_\_\_\_\_

**ACCEPTANCE OF PROPOSAL:** "I have read and understand the terms of this Proposal and agree to be bound by the terms and conditions as stated on the front and back of this form. Payment will be made as stated below."

\_\_\_\_\_  
 Purchaser English Gardens Representative Date

The terms of payment of the total purchase price shall be as follows:

A. Downpayment of \_\_\_\_\_ upon execution of this agreement    B. Draws on substantial completion    C. Balance upon completion



**Landscape Company**  
 20 Congress Street • Pontiac, MI 48341  
**P: 248-874-1400 • F: 248-874-1411**

City of Royal Oak he16/17 VIP  
 Downtown Development Authority  
 211 Williams Street  
 Royal Oak, MI 48068-0064

2016/17 Season SW  
 Estimate Number: 160570 Page: 2  
 Estimate Date: Thursday, March 03, 2016  
 Date Expires: Friday, March 25, 2016  
*Retail Locations in Metro-Detroit & Ann Arbor*  
**1-800-355-GROW**  
*www.englishgardens.com*

(248) 246-3285 phone  
 (248) 246-3005 fax 2/27

<b>ITEM #</b>	<b>DESCRIPTION AND SIZE</b>	<b>QUANTITY</b>	<b>UNIT PRICE</b>	<b>TOTAL PRICE</b>
---------------	-----------------------------	-----------------	-------------------	--------------------

All product pricing includes installation  
 English Gardens will return out of warranty lights  
 to DPW, tubs are not included.

Total 224318.62

Email Address \_\_\_\_\_

**ACCEPTANCE OF PROPOSAL:** "I have read and understand the terms of this Proposal and agree to be bound by the terms and conditions as stated on the front and back of this form. Payment will be made as stated below."

\_\_\_\_\_  
 Purchaser English Gardens Representative Date

The terms of payment of the total purchase price shall be as follows:

A. Downpayment of \_\_\_\_\_ upon execution of this agreement    B. Draws on substantial completion    C. Balance upon completion

# Downtown Royal Oak



- Wrap existing LED lights on corner trees
- Set up existing LED green spheres

- TREES WITH ACCESS TO ELECTRICITY
- curb outline
- +++ railroad r.o.w.



N.T.S.

Created by: Royal Oak Planning Department  
Creation date: February 7, 2012  
Source: O.C. Department of Information Technology  
City of Royal Oak, Planning Department

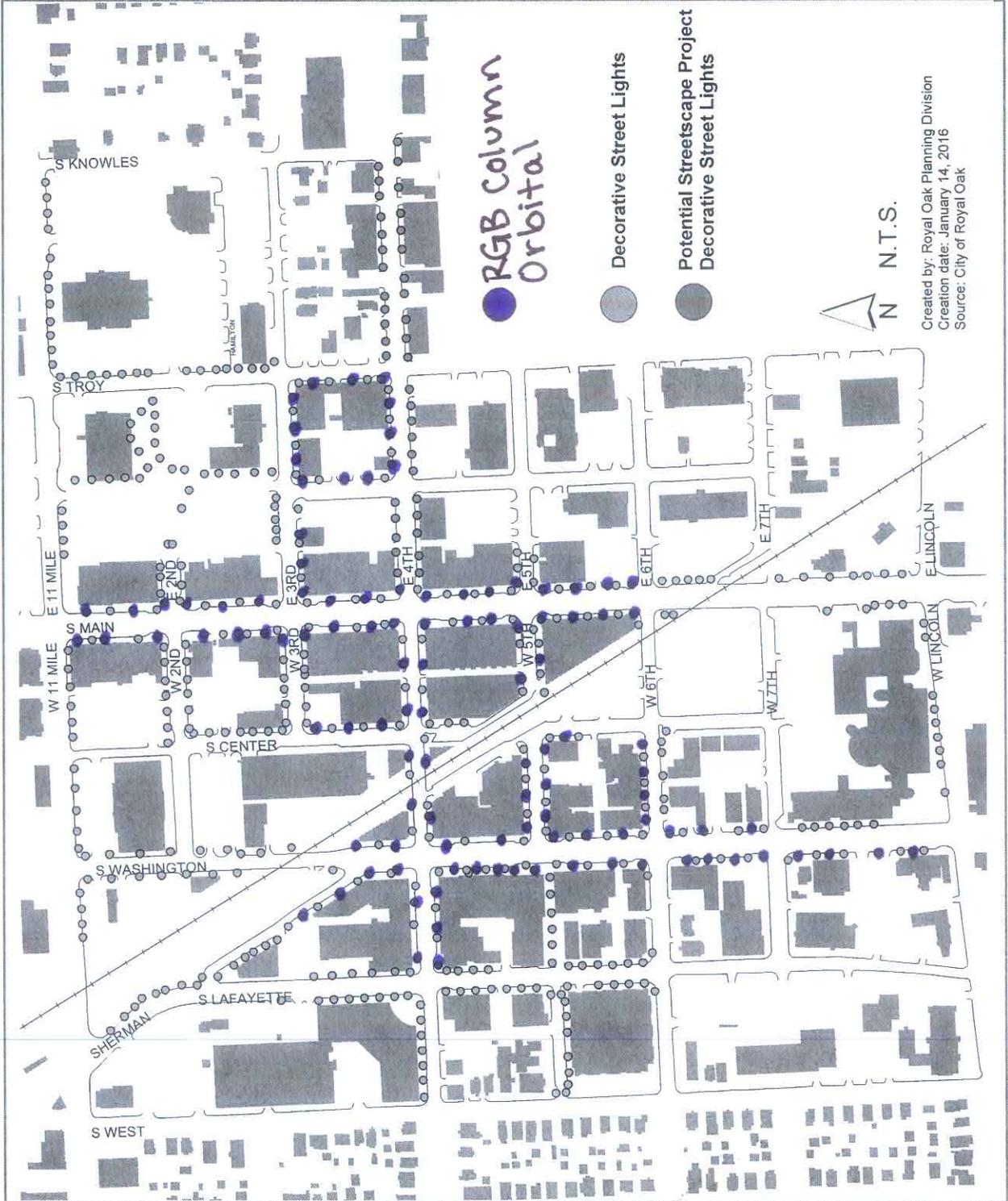
# Looking forward



RGB orbitals;

110 mounted on lamppost  
one (1) per lamppost; see  
map.

# Decorative Street Lights Downtown Royal Oak



RGB Column  
Orbital

Decorative Street Lights

Potential Streetscape Project  
Decorative Street Lights

N  
N.T.S.

Created by: Royal Oak Planning Division  
Creation date: January 14, 2016  
Source: City of Royal Oak



**Landscape Company**  
 20 Congress Street • Pontiac, MI 48341  
 P: 248-874-1400 • F: 248-874-1411

City of Royal Oak he16/17/18  
 Downtown Development Authority  
 211 Williams Street  
 Royal Oak, MI 48068-0064

2016-2017 Trees SW  
 Estimate Number: 160699 Page: 1  
 Estimate Date: Friday, March 11, 2016  
 Date Expires: Monday, March 21, 2016

*Retail Locations in Metro-Detroit & Ann Arbor*  
 1-800-355-GROW  
 www.englishgardens.com

(248) 246-3285 phone  
 (248) 246-3005 fax 2/27

ITEM #	DESCRIPTION AND SIZE	QUANTITY	UNIT PRICE	TOTAL PRICE	
IH291	Orbital Tree LED & RGB Color Change: 23' Orbital tree & setup Matches lamp posts in style and color.	Varied	1	42284.870	42284.87
HE311	Takedown and store orbital tree [03/16] Projected 2nd year cost for setup. \$10,000.00 NIC	MISC	1	3389.970	3389.97
				Sub Total	45674.84
IH291	32' Giant LED Tree tree is 32' tall, 18' diam 209 branches, 21950 light bulbs, color TBD. 11 Rows of branches plus topper. 69054 tips.	Varied	1	33839.690	33839.69
HE311	Holiday Takedown Giant Tree [03/16]Takedown and Store Projected 2nd year cost for setup, \$10,000.00 NIC	MISC	1	12016.660	12016.66
	**Plan over the years: 1] replace lights every 3 years. 2] replace branches and lights 6 to 9 years based on weathering. 3] repair metal frame at 10 years. 4] add computer system to animate, any time.			Sub Total	45856.35
IH291	36' Giant LED Tree	Varied	1	40555.690	40555.69

**ACCEPTANCE OF PROPOSAL:** "I have read and understand the terms of this Proposal and agree to be bound by the terms and conditions as stated on the front and back of this form. Payment will be made as stated below."

\_\_\_\_\_  
 Purchaser English Gardens Representative Date

**The terms of payment of the total purchase price shall be as follows:**  
 A. Downpayment of \_\_\_\_\_ upon execution of this agreement B. Draws on substantial completion C. Balance upon completion



# Looking forward



Orbital Tree

23 feet high



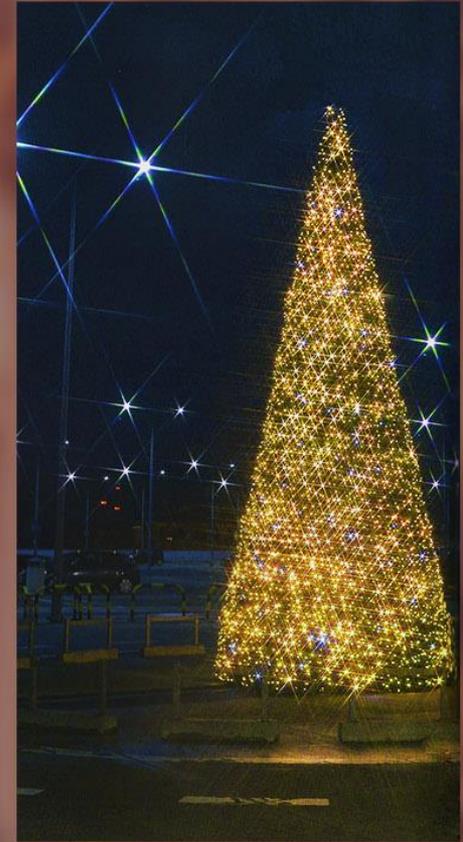
# Looking forward



RGB orbital tree

23 feet high

# Looking forward



Large XXXXXXXXXX tree

32 or 36 feet high







**BRIO**  
tuscan grill

HANDCRAFTED  
*Small Batch*  
ICE CREAM









Stephanie McIntyre –February 2016

#### Budgeting/Contract

- Developed budget and contract for FY16/17 including programming description proposal

#### Social Media

- Worked with Rebuild Nation for review and approval of monthly Facebook and Twitter ads – St. Patrick's Day Parade and Salons for March
- Review January social media stats
- Kept Facebook page updated with upcoming events, businesses and comments
- Twitter messages
- Secured an Instagram account for Downtown Royal Oak
- Meet Our Businesses Monday –continued scheduling of interviews

#### Website

- Reviewed and approved submitted businesses, events, music and photos as appropriate
- Updated website with upcoming events
- Responded to inquiries as appropriate through the downtown email

#### Other

- Attended CMC Meeting on Tuesday, February 2nd

## Timothy Thwing

---

**From:** Michigan Downtown Association [tiffany@michigandowntowns.com]  
**Sent:** Wednesday, March 09, 2016 12:14 PM  
**To:** Tim Thwing  
**Subject:** Co-Sponsors Needed for a Bill Regarding Downtown Patio Permits  
**Attachments:** grieg mar 2016.pdf



Representative Grieg is requesting co-sponsors for a bill regarding Downtown Patio Permits that she plans to present on Thursday, March 10th. This is time sensitive as Representative Grieg needs those co-sponsors before she presents the bill.

The Michigan Downtown Association supports this bill. It is designed specifically for establishments in downtown settings. Always, it is a pleasure to support efforts enhancing the authentic sense of place we have in Michigan, especially in our downtowns.

Executive Directors can forward the attached information to their representative asking them to co-sponsor the bill. Please let your representative that a timely response has been requested.

There isn't any need at this time to contact Senators.

Thank you!

Molly K. LaLone  
MDA Legislative Committee

If you no longer wish to receive these messages, please [click here to unsubscribe](#)

If you would like to forward this to a friend, please [click here to forward](#)

Message sent by Tiffany Dziurman Stozicki <tiffany@michigandowntowns.com>  
Michigan Downtown Association | PO Box 82369 | Rochester, MI 48308





## **DOWNTOWN PATIO PERMITS: Request for Stakeholder Feedback**

February 29, 2016

Dear Eric Pratt,

Michigan's downtown communities serve as local hubs of vitality for their community. Downtown communities must continually change and reinvent themselves to stay relevant and attract new visitors and residents to the area. For example, the Michigan Main Street Program recommends a Four-Point Approach®:

- 1) Capitalize on the assets of a downtown's physical environment.
- 2) Revitalize and restructure the community's existing and future economic base.
- 3) Promote those unique characteristics of the downtown that will attract business growth.
- 4) Broaden the diversity of stakeholders committed to economic growth in the downtown market.

Leaders in downtown businesses and government must continually develop new economic development tools to meet these goals. A former City Manager in my district has recommended such a tool that requires legislative action: The Patio Permit.

This proposed legislation would authorize the issuance of "downtown patio permits" for certain specially designated merchant licensees located in downtowns. The permit would allow patrons to consume items—specifically beer and wine—that were purchased from a merchant in an outdoor patio at the merchant's storefront. The bill has been carefully crafted to ensure that beer and wine would be safely and responsibly served to patrons and that patio permits could only be issued in downtown establishments were the local government has approved the request.

Currently a business with a SDM license can sell patrons a bottle of wine or beer, but the customer must wait until they are home to enjoy it. With the issuance of a "downtown patio permit," the customer can sit on a patio along the sidewalk and take in the downtown atmosphere while enjoying their purchase. A "downtown patio permit" would allow a patron of a specialty cheese shop, for example, to purchase the featured cheese product with a bottle of wine and then enjoy their purchase on the merchant's patio.

My bill supports economic development by adding an option to existing liquor licensing laws to provide patrons a wider variety of experiences in their downtown area. Many customers, especially millennials, will choose downtowns where they have more options for shopping, dining, relaxation and entertainment.

I am respectfully asking you to review the proposed bill language, which is included in this document, and provide your organization's position. I encourage you to ask any questions and to know that my door is always open to discussions that will make this bill a stronger tool for downtown growth. If you wish to discuss the bill directly, please call me at my office at (517) 373-1793.

Sincerely,

## **DOWNTOWN PATIO PERMITS: PROPOSED BILL SUMMARY**

- Amends Section 537 of 1998 PA 58. (Specially Designated Merchants)
- Would allow certain SDMs located in downtowns or shopping districts to obtain “patio permits” for post-purchase consumption by their customers of products just purchased at their location. Permits are subject to strict qualifying criteria, and must be approved by resolution of local government. A qualifying SDM must:
  - ✓ Be located within a downtown development authority or principal shopping district.
  - ✓ Have 15,000 square feet or less of space.
  - ✓ Have an appropriate outdoor service area.
  - ✓ Gas stations and merchants who sell/serve spirits or mixed drinks are not eligible.
- Requires qualifying SDMs to use trained servers who will:
  - ✓ Serve the purchased beer or wine to individuals only in the designated patio area.
  - ✓ Retain control of any opened beer or wine that has been purchased but not yet consumed.
  - ✓ Return to the customer any unopened beer or wine that was purchased.
  - ✓ Cap or recork a partially consumed bottle of wine using the same guidelines as exist in Section 1021.
  - ✓ Not return any beer that has been opened or any wine that cannot be capped or recorked.

### **\*\*\*NOTE FROM THE BILL SPONSOR\*\*\***

There is currently NO existing language in any section of statute or administrative rules that instructs a server in how to reseal a growler that has been purchased and then partially consumed on a licensed premise. Unless language can be created and agreed upon, which is a welcomed conversation, this is an issue that is best handled through separate legislation that will address it for all licensees that serve beer. Therefore, in context of this proposed legislation, we suggest that customers wishing to consume beer under this subsection be advised to consider purchasing beer that is sold in smaller containers only, as the merchant and server will not be allowed to return any partially consumed beer containers to a customer once its contents are opened.

MAIN STREET OAKLAND COUNTY

# THE MAIN EVENT

RECOGNIZING  
EXCELLENCE  
IN OAKLAND COUNTY  
DOWNTOWN  
REVITALIZATION

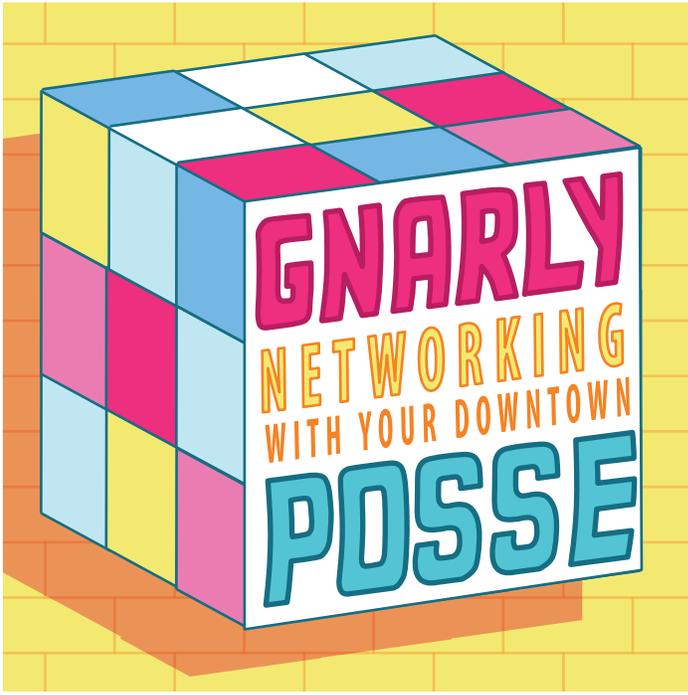
SAVE • THE • DATE

THUR **ROYAL OAK**  
**28** **MUSIC THEATRE**  
APRIL 318 W. FOURTH STREET  
ROYAL OAK, MI



L. BROOKS PATTERSON  
OAKLAND COUNTY EXECUTIVE





**ROYAL OAK MUSIC THEATRE | 318 W. FOURTH STREET | ROYAL OAK, MI**  
*THEME: GO TUBULAR! REDISCOVER A RIGHTEOUS DECADE*

**THUR 28 APRIL**

**ROYAL OAK MUSIC THEATRE**  
318 W. Fourth Street | Royal Oak

**PRICE:** \$35 Per Person

**EVENT SCHEDULE**  
6-10:00 PM Music & Cash Bar  
7:00 PM Buffet Dinner  
8:00 PM Awards Presentation  
Dessert & Coffee

**QUESTIONS? CONTACT:**  
Kim Durkin  
[durkink@oakgov.com](mailto:durkink@oakgov.com)  
(248) 858-1995  
or  
Alex Hritcu  
[hritcua@oakgov.com](mailto:hritcua@oakgov.com)  
(248) 858-2033

**MUSICAL GUEST**  
Henry Ford College Big Band

**OAKLAND COUNTY MICHIGAN**  
ECONOMIC DEVELOPMENT  
& COMMUNITY AFFAIRS  
L. BROOKS PATTERSON  
OAKLAND COUNTY EXECUTIVE



## Timothy Thwing

---

**From:** Paul R. Good [pgood@dzs.org]  
**Sent:** Monday, March 14, 2016 2:02 PM  
**To:** Timothy Thwing  
**Subject:** DDA Meeting

Tim

I talked with Gerry and we would like to be present at the Wednesday afternoon Royal Oak DDA meeting to discuss with the board the per diem amount of leasing the DDA lot at the northeast corner of Woodward and I-696.

Thanks...Paul



Opening April 18

**Paul R. Good**

**Community and Government Relations Manager**

Detroit Zoological Society | 8450 W. 10 Mile Rd., Royal Oak, MI 48066

Phone: (248) 336-5834



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*Celebrating and Saving Wildlife* | 🌲 Please consider the environment before printing this email



**Royal Oak**  
**DOWNTOWN**  
**DEVELOPMENT AUTHORITY**

Meeting Date: 01/20/2015

211 Williams Street  
Royal Oak, MI 48067  
Phone: (248) 246-3280  
downtownroyalok.org

MEMORANDUM

DATE: January 13, 2016

TO: MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY

SUBJECT: **ZOO PARKING – LICENSE AGREEMENT RENEWAL  
AND REQUEST TO DUMP SNOW**

---

Since 2009 the DDA has allowed the Detroit Zoological Society to use the Main/696 property for parking when the zoo had special events. The charge has continually been \$500 per day used.

A copy of the standard license agreement updated with 2016 dates is attached for the Board's review and approval. The zoo has also requested permission to dump their snow on the DDA's property. If the DDA is interested in granting permission for that activity I would suggest it be done as an addendum to the original parking agreement so they can be dealt with separately.

City Manager Johnson has suggested that the parking fee be increased to \$1,500 per day of use as well as items related to any snow dumping; see attached communication. Also attached is a communication from Greg Rassel in regards to the snow dumping.

Should the Board wish to approve the agreement, the following resolution has been provided for its consideration:

**Be It Resolved**, the Royal Oak Downtown Development Authority (DDA) hereby approves the license agreement with the Detroit Zoological Society that will allow the Zoo to park cars on the DDA's (Main/696) property, subject to the terms and conditions of said agreement; and

**Be It Further Resolved**, the DDA hereby directs staff with assistance from the city attorney to prepare an addendum allowing the Detroit Zoological Society to dump snow (from zoo) on the DDA (Main/696) property, pursuant to the terms and conditions as outlined by the DDA, and

**Be It Further Resolved**, the DDA hereby authorizes the Executive Director to execute the license agreement and addendum.

Respectfully Submitted,



---

Timothy E. Thwing  
Executive Director

Enclosure/attachment

## Timothy Thwing

---

**From:** Alicia Martin [amartin@dzs.org]  
**Sent:** Thursday, December 03, 2015 4:18 PM  
**To:** Timothy Thwing  
**Cc:** Alexis Means; Paul R. Good  
**Subject:** RE: Executed License Agreement: Signature Required  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Tim,

We would like to begin the renewal process for 2016 offsite parking. Please let us know if you have any concerns. If not, please forward the agreement to us for 2016 so that we may sign it.

Also, Alexis is requesting that you call her. We are requesting the DDA's permission to remove some snow from our parking lot to the offsite parking lot, as accumulation occurs this winter.

Kind regards,

Alicia L. Martin, CPP, CPPM

Purchasing Manager

Detroit Zoological Society

8450 W. 10 Mile Rd., Royal Oak, MI 48067

P: (248) 336-5700

E: amartin@dzs.org

**Alicia Martin**

**Purchasing Manager**

Detroit Zoological Society | 8450 W. 10 Mile Rd., Royal Oak, MI 48067

Phone: (248) 336-5700



---

*Celebrating and Saving Wildlife* | 🌲 Please consider the environment before printing this email

## Timothy Thwing

---

**From:** Donald E. Johnson [DonJ@ci.royal-oak.mi.us]  
**Sent:** Tuesday, January 05, 2016 4:10 PM  
**To:** Timothy Thwing  
**Subject:** Re: FW: Executed License Agreement: Signature Required

I think the fee is too low. They are paying OCC \$1,500 per day.

A fee for snow dumping and some restrictions on snow dumping are needed. We can't have them dumping just anywhere. They can't interfere with DPS.

-Don

Donald E. Johnson  
City Manager  
City of Royal Oak, Michigan

[donj@romi.gov](mailto:donj@romi.gov)  
248-246-3205

## Timothy Thwing

---

**From:** Gregory Rassel [GregR@romi.gov]  
**Sent:** Thursday, January 14, 2016 3:32 PM  
**To:** 'Timothy Thwing'  
**Cc:** Ray, Richard  
**Subject:** RE: FW: Executed License Agreement: Signature Required

Yes the southern edge. If when we get a major storm that requires us to dump there have them contact the DPS to coordinate.

---

**From:** Timothy Thwing [mailto:TimT@ci.royal-oak.mi.us]  
**Sent:** Thursday, January 14, 2016 3:27 PM  
**To:** 'Rassel, Gregory'  
**Subject:** FW: FW: Executed License Agreement: Signature Required

Greg,

Is there an area of the 696 site where the Detroit Zoo could dump snow, see below....

## LICENSE AGREEMENT

This Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, between the CITY OF ROYAL OAK DOWNTOWN DEVELOPMENT AUTHORITY, a public body corporate created pursuant to Act No. 197, Public Acts of Michigan 1975, as amended, with offices at 211 Williams Street, Royal Oak, Michigan 48068 (the “DDA”) and the DETROIT ZOOLOGICAL SOCIETY, a Michigan non-profit corporation with offices at 8450 W. Ten Mile Road, Royal Oak, Michigan 48068 (the “ZOO”).

WHEREAS, the DDA is the owner of certain real property located in the City of Royal Oak (the “Property”), which is more particularly described on Exhibit A and depicted on Exhibit B, both of which are attached hereto and incorporated herein by reference; and

WHEREAS, the DDA has received a request from the ZOO to use the Property for purposes of parking for its patrons, invitees and guests from April 1, 2016 to October 31, 2016; and

WHEREAS, the DDA has agreed to permit the ZOO to use the Property for these purposes, subject to the terms and conditions contained in this Agreement;

THEREFORE, in consideration of the above recitals and for other good and valuable consideration, the receipt and adequacy of which is acknowledged, the DDA and the ZOO agree as follows:

1. License. The DDA hereby grants a license to the ZOO to use the Property from April 1, 2016 through October 31, 2016 for the sole purpose of parking vehicles belonging to the ZOO’s patrons, invitees and guests. The ZOO acknowledges that on Friday, September 2; Saturday, September 3; Sunday, September 4; and Monday, September 5, the City of Royal Oak will be using the Property for parking for the Arts Beats & Eats Festival and that on those dates, parking on the Property will not be limited to the ZOO’s patrons, invitees and guests. On these dates the City of Royal Oak will be charging and collecting a fee per vehicle.
2. Consideration. For each day that the Property is used, the ZOO shall pay the DDA the sum of **five hundred dollars (\$500.00)**. The ZOO will provide a report to the DDA, in the form of an invoice, by the 5<sup>th</sup> of each subsequent month of use. The report will identify the date(s)

the Property was utilized for the purpose described in Section 1 above. The ZOO will not be required to provide a list of dates the property will be utilized because attendance is the variable determining factor and not events. The ZOO can not predict the dates that the Property will be utilized.

3. Indemnification. The ZOO, for itself and its successors and assigns, agrees to indemnify, defend and hold the City of Royal Oak, the DDA, their elected and appointed officials, employees, agents, personal representatives, attorneys, volunteers and others working on behalf of the City and the DDA, harmless, from and against, and shall be totally responsible for satisfying, any suit, demand, judgment, loss, cost, expense, damage, liability, or obligation of every kind or nature, including without limitation, reasonable attorney's fees and litigation costs, that the City or the DDA may suffer or incur for any reason, arising out of, related or associated with this License Agreement and/or the use of the Property by the ZOO, its agents, guests, licensees or invitees, other than any claim arising out of the negligence or willful misconduct of the City, the DDA, or their elected and appointed officials, employees, agents, personal representatives, attorneys, volunteers and others working on behalf of the City or the DDA.
4. Insurance. The ZOO shall obtain and maintain comprehensive general liability insurance in an amount not less than one million (\$1,000,000) dollars combined single limit liability, with an insurance carrier licensed and in good standing with the state of Michigan and acceptable to the DDA. Umbrella coverage in the amount of one million dollars (\$1,000,000.00) may also be used if the general liability coverage is less than one million dollars (\$1,000,000.00). The ZOO further agrees to reimburse the DDA for any deductible costs or claims expenses arising from any claims or suits filed against the DDA. These requirements should not be interpreted as limiting the liability of the ZOO under this Agreement.

5. Additional insured; Cancellation notice. The DDA shall be added as a named insured to the ZOO's general liability insurance policy. The additional insured on the certificate of insurance shall read as follows:

**"City of Royal Oak, City of Royal Oak Downtown Development Authority, and including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers."**

The cancellation notice on the certificate of insurance shall read as follows:

**"Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions."**

6. Ingress and Egress. The ZOO shall permit ingress and egress into and out of the Property in the manner approved by the City of Royal Oak, which is depicted on Exhibit B. Traffic patterns and traffic control in and around the Property will be determined in the sole and absolute discretion of the Royal Oak Police Department.
7. Maintenance and Signage. During the term of this Agreement, the ZOO shall provide and be responsible for traffic control devices, line marking, signage and barricades in the designated parking area. These materials shall be removed from the Property each evening if it is anticipated that the Property will not be used the following day. The City of Royal Oak will provide traffic control devices outside the Property. When the Property is in use, the ZOO shall be responsible for the removal of all litter and debris from the Property. The ZOO acknowledges and agrees that it shall pay and be responsible for any and all expenses or costs which it may incur or be assessed against the Property in connection with, or as a result of, this Agreement and the use of the Property, and shall hold the DDA and the City of Royal Oak harmless from any costs or expenses so incurred.
8. Condition of the Property. The ZOO acknowledges that it has examined the Property, knows the condition thereof, and that no representations have been made by the DDA as to the condition of the Property upon which the ZOO has relied. The ZOO accepts the Property in an "as-is" condition.

9. Damage to the Property. The ZOO agrees to repair and/or replace any damage to any portion of the Property as a result of its use pursuant to this Agreement. All costs for such repair or replacement, and all work performed, shall be the responsibility of the ZOO. The City Engineer shall have the sole discretion to determine when the Property is in need of repair or replacement. Upon termination of this Agreement, the ZOO shall restore the Property to its original condition.
10. Termination. This Agreement may be terminated by either party for any reason upon seven (7) days written notice.
11. Governing law. This License shall be governed by and interpreted under the laws of the State of Michigan.

**WITNESSES**

\_\_\_\_\_

**DOWNTOWN DEVELOPMENT AUTHORITY**

\_\_\_\_\_  
Timothy E. Thwing, Executive Director

**DETROIT ZOOLOGICAL SOCIETY**

\_\_\_\_\_  
By:  
Its:

Approved as to form:



\_\_\_\_\_  
Mark O. Liss, Interim City Attorney  
January 5, 2016

**EXHIBIT A**  
**Legal Description**

LAND SITUATED IN THE CITY OF ROYAL OAK, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

PART OF LOTS 21, 34, 35 AND 36 AND ALL OF LOTS 22 AND 23 OF "LUCKING'S SUBDIVISION" AND PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13 AND 14 AND ALL OF LOTS 15, 16, 17 AND 18 OF "ROYAL COURT SUBDIVISION" AND PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10 AND ALL OF LOTS 11, 12, 13, 14 AND 15 OF "ROYAL COURT EXTENSION SUBDIVISION" AND PART OF A 15' WIDE PUBLIC ALLEY (VACATED) AND PART OF MARYLAND AVENUE (VACATED), BEING A PART OF THE SOUTHEAST ¼ OF SECTION 21, TOWN 1 NORTH, RANGE 11 EAST, CITY OF ROYAL OAK, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT DISTANT S 00E10'03" WEST, 230.00 FEET FROM THE NORTHWEST CORNER OF LOT 78 OF SAID "HUDSON & HANNAN SUBDIVISION NO. 2"; THENCE SOUTH 89E58'21" EAST, 474.23 FEET; THENCE SOUTH 00E02'09" EAST, 416.23 FEET; THENCE NORTH 89E49'58" WEST, 327.31 FEET ALONG THE NORTHERLY LINE OF I-696 FREEWAY; THENCE NORTH 32E50'40" WEST 88.17 FEET; THENCE NORTH 35E07'42" WEST, 106.71 FEET; THENCE NORTH 28E15'50" WEST, 70.53 FEET; THENCE NORTH 89E42'28" WEST, 4.00 FEET; THENCE NORTH 00E10'03" WEST, 192.01 FEET ALONG THE EASTERLY LINE OF WASHINGTON AVENUE (100' WIDE) TO THE POINT OF BEGINNING. CONTAINING 180,701 SQUARE FEET OR 4.15 ACRES.

Ingress/Egress  
Bar codes placed around  
access drive

Right turn only onto Washington Ave.  
Signage to be provided by  
City.

Ingress/Egress  
Microchips (12.5' x 10') w/9  
Access Drive

