



Washtenaw County Brownfield Redevelopment Authority

REGULAR MEETING AGENDA

Thursday, January 10, 2019

200 N. Main, Ann Arbor, MI

Lower Level Large Conference Room

- 1. Call to Order**
- 2. Public Comment***
- 3. Approval of Minutes**
 - a. December 6, 2018 Meeting
- 4. Board Member Conflict of Interest Disclosure**
- 5. Business**
 1. Election of Officers – Action
 2. Packard Square Eligible Activity Approval – Action
 3. Downriver Community Conference Dues – Discussion/Action
 4. Review of By-Laws – Information
 5. Review Combined BF Application for City/County – Discussion
 6. December 2018 Financial Report – Action
- 6. Other Business**
- 7. Public Comment***
- 8. Adjournment**

*All public comment will be limited to three (3) minutes per person

Washtenaw County
Brownfield Redevelopment Authority (WCBRA)
200 N. Main, Lower Level Conference Room

DRAFT MEETING MINUTES
Thursday, December 6, 2018

Board Present: James Harless-Chair, Trevor Woollatt, Matt Naud, Todd Campbell, Joe Meyers
Board Absent: Jeremy McCallion-Vice Chair, Allison Krueger, Victoria Pebbles, Conan Smith,
Staff: Nathan Voght
In Attendance: Mark Quimby – SME, Ronald Mucha – Morningside, Mary Miller - MDEQ
Handouts: 2019 BRA proposed meeting schedule, Revised Agenda, adding 2050 Commerce Brownfield Plan Sub-Committee as a business item

1. Call to Order

Chair Harless called the meeting to order at 9:04 a.m.

2. Public Comment

J. Harless asked if there was any public comment, and there was none.

3. Approval of November 1, 2018 Meeting Minutes

J. Meyers moved to approve the minutes as amended (2nd M. Naud), and the motion passed unanimously.

4. Board Member Conflict of Interest Disclosure

J. Harless indicated a conflict on business item #1, #2 and #3 on today's agenda.

5. Business

1. 1140 Broadway Assignment of Reimbursement Agreement - Action

N. Voght explained that an updated assignment agreement was provided, based on the Board feedback from the last meeting. The developer, Ron Mucha of Morningside, made revisions that were reviewed by staff, Curt Hedger, and the Vice-Chair that addressed the comments. Staff recommends approval at this time.

M. Naud moved to approve the Reimbursement Agreement Assignment (2nd T. Woollatt), and the motion passed unanimously, with J. Harless abstaining.

2. 1140 Broadway Environmental Assessment Grant Application – Action

The MDEQ and 1140 Broadway developer are requesting funding assistance for a Pilot Study to be conducted on the 1140 site, in order to test the larger-scale in-situ injections of the source treatment area, as part of the larger CMI MDEQ \$1 million grant for the site. The Pilot Study is an additional cost, which has been incorporated into the grant budget under SME's scope of work.

However, it reduces the available funds for the larger treatment, therefore any funding contribution will help.

Mary Miller from the MDEQ spoke about the project and introduced Mark Quimby, from SME, to discuss the Pilot Study further.

The Board discussed whether LBRB funding can be utilized. The Brownfield Plan was not written to allow use of LBRF, so may not be eligible. J. Harless indicated there may be an administrative way to allow it. He will research Act 381 further. Also, language in the LBRF section of Brownfield Plans could be added to allow flexibility to use LBRF funds on a brownfield site at the discretion of the Brownfield Authority.

M. Naud moved to approve the Environmental Assessment Grant of \$15,000 to support the Pilot Study for 1140 Broadway, as part of the MDEQ CMI grant (2nd T. Campbell) and the motion passed unanimously with J. Harless abstaining from the vote.

3. Broadway Park Brownfield Plan Review Sub-Committee – Action

This project will make formal application soon, and therefore a sub-committee is needed to assist with Plan review.

M. Naud and J. McCallion volunteered to assist, and the Board volunteered Sybil Kolon, the newest member who will start in January, to join as well.

4. 2050 Commerce Brownfield Plan Review Sub-Committee – Action

N. Voght indicated a sub-committee was needed for this project, expected to be submitted within several months.

T. Woollatt, J. Harless, and T. Campbell volunteered to serve on the sub-committee.

5. Brownfield Project GIS Story Map Update – Discussion

Nick Fiori, intern with OCED, presented the updated story map to the Board. The Board discussed having a separate page for grants and loans awarded to project, with links to the grant application and a direct link to either the project page or the GIS Story Map project location.

Mr. Fiori will work on that update.

6. Banner and Sign Concept Designs – Discussion

N. Voght showed updated designs. The Board felt the high rise image doesn't represent all towns in the County. Perhaps putting taller buildings on the left and shorter on the right is an option. The Board requested that staff hire a graphic designer to develop some options.

7. November 2018 Financial Report – Information Only

The Board held further discussions regarding the City hiring TetraTech, Patti McCall, to assist with Brownfield Plan technical reviews, now that Matt Naud has left the City. N. Voght mentioned the Packard Square has submitted an additional \$1.2 million in eligible activities. Staff will review and submit for Board review and approval.

J. Harless mentioned that a combined City/County Brownfield application may make more sense, since both applications request essentially the same information. N. Voght indicated he would talk to the City and propose something.

6. Public Comment: There was no public comment.

7. Adjournment:

M. Naud moved to adjourn the meeting at 10:47 a.m. (2nd J. McCallion), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the _____ Meeting.



Washtenaw County Brownfield Redevelopment Authority

Agenda Summary Memo Regular Board Meeting

9:00 a.m., Thursday, January 10, 2018

200 N. Main, Lower Level Conference Room

TO: Washtenaw County Brownfield Authority

FROM: Nathan Voght, Washtenaw County Brownfield Coordinator

DATE: January 5, 2019

1. Election of Officers – Action

The current officers were elected in January 2018. Currently, James Harless is Chair, Jeremy McCallion Vice-Chair, and Trevor Woollatt is Secretary. Section V, Officers, of the By-Laws provides for election of Officers. Each position is nominated for not less than one-year terms. Officers are nominated and approved by vote by the Board.

2. Packard Square Eligible Activity Approval – Action

The Packard Square project is expected to be completed this year. The County received an MDEQ CMI \$1 million grant in 2012 for the project, which funded building demolition, partial site demolition, soil remediation, Vapor Intrusion Mitigation System for the south 10,000 s.f. retail area, and other activities such as transformer relocation and construction fencing. The County is coordinating final VMS completion and the MDEQ grant will close out in 2019.

The project went into receivership in 2016, as a result of court action initiated by the construction lender in California. The court appointed McKinley to complete construction of the project. The lender foreclosed on the property in November 2018, which forced an auction of the property. The lender bid on the project to protect their own investment, and ended winning the property in auction. However, the previous owner has a 6-month redemption period that ends in May 2019. If the previous owner can't purchase the project back, it will revert to the lender.

McKinley previously submitted in July 2018, and the Board approved, \$594,000 in eligible brownfield expenses. An additional \$1,281,912.95 in Eligible Activities has been submitted by Jennifer Van Volkinburg, a representative from McKinley, the project Receiver. Please see attached spreadsheet, and the column called "Request No. 2." Note that these costs are from D & V Excavating, a contractor under the previous owner who was not fully paid. This resulted in several Liens from D & V, which were resolved by McKinley in 2017. The costs incurred were site demolition, water, sewer and the urban stormwater management system (underground detention) activities. Staff is reviewing the costs, but needs additional information from Ms. Van Volkinburg, who is out of the office until Jan. 7th. Staff anticipates a recommendation for approval for the Board at the January 10th meeting. More information will be provided at the meeting.

3. Downriver Community Conference Associate Membership Dues – Discussion/Action

Attached is an invoice from the DCC for \$3,000 for an annual Associate Membership Fee. Also included is a DCC Board resolution establishing the current year's and future year's membership fees. Minutes from a financial committee meeting are also included, where the fee structure recommendation was made.

The 18-19 fee is intended to be a one-year fee, with a significant increase to \$31K proposed for 2019-2020. However, it's not clear if the future years' fee structure is final.

The DCC operates a Brownfield Consortium that utilizes EPA Assessment and Revolving Loan Fund funds to support brownfield assessment, remediation and redevelopment for about 25 downriver communities. Additional jurisdictions were invited to join the DCC Brownfield Consortium in 2010, in order to expand the organizations ability to secure funding. Washtenaw, Monroe, and Tecumseh are examples of the newer communities that joined the Brownfield Consortium, but are not members of the DCC downriver communities, which have access to a wide variety of federal funding, such as workforce development and weatherization.

Washtenaw County has benefited greatly by joining the DCC, with approximately \$300,000 in assessment grants and \$500,000 in RLF clean up grants/loans over the years. The majority of incentives over the last 5 years have totaled closer to \$10 to \$30,000 per year in assessment grants.

With the ARRA funding provided by the federal government after the 2008 recession, the DCC was financially stable and was able to support (subsidize) the brownfield consortium activities over the years. However, with ARRA funds gone, and many program expenses ineligible by the EPA as reimbursable costs, the brownfield program is not covering costs, and the DCC is not as able to cover the losses. Therefore, the DCC is requesting membership support from non-DCC communities. The Brownfield Authority previously discussed the DCC's request and determined that \$3,000 was an appropriate fee level in return for access to EPA funding to support County-wide brownfield redevelopment. However, staff questions whether the benefits warrant a \$30,000 fee for future years.

4. Review of By-Laws – Information

Staff will provide hard copies of the Board By-Laws, which were updated last year, and adopted by the County Board of Commissioners in November.

Two sections were updated: Section III, E., Conflict of Interest, which provided more specific guidance on determining Conflict of Interest on the part of Board Members; and Section IV, Board Operations, E. Board Absences, to clarify that any member absent for 50% of the meetings within any 12 month period will be considered for appointment nullification.

5. Review Combined Brownfield Application for City/County – Discussion

A draft brownfield application is in the packet, which combines both versions of the application used for projects within, and outside of the City of Ann Arbor. Separate applications have been used as the City charges a separate application fee to cover administrative expenses, such as the financial analysis, in

reviewing proposed Brownfield Plans. However, both applications are very similar, so a combined application may be appropriate.

6. December 2018 Financial Report – Information

For information only.

Other Business:

SB 110: SB 110 was signed by the Governor in December. This bill amends PA 226 of 1988, which was the “rent control prohibition” statute, which prevented any unit of government from passing any law or resolution that “controls rent on private property,” unless that unit has an ownership interest in the property. SB 110 added sub-sections, #3 and #4, below.

Sec. 1. (1) As used in this section, “local governmental unit” means a political subdivision of this state including, but not limited to, a county, city, village, or township, if the political subdivision provides local government services for residents in a geographically limited area of this state as its primary purpose and has the power to act primarily on behalf of that area.

(2) Subject to subsections (3) and (4), a local governmental unit shall not enact, maintain, or enforce an ordinance or resolution that would have the effect of controlling the amount of rent charged for leasing private residential property.

(3) This section does not impair the right of any local governmental unit to manage and control residential property in which the local governmental unit has a property interest.

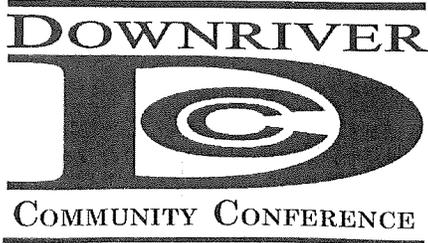
(4) This section does not limit the power of a local governmental unit to adopt an ordinance or resolution to implement a plan to use voluntary incentives and agreements to increase the supply of moderate- or low-cost private residential property available for lease.

In the 2016 and 2017, the BRA launched the LBRF grant/loan incentive program. The initial inclination was to align this program with other regional and County interests in advancing affordable housing. With the completion of the 2014 Affordable Housing Study, including specific goals of creating hundreds of new affordable housing units within the City of Ann Arbor over 20 years, there was a push by the Board of Commissioners to ensure that the LBRF funds only supported projects in the City of Ann Arbor that provided affordable housing. However, some BRA members felt that adopting a policy that may supersede the land use policies and goals of the local unit was not appropriate. In particular, the City of Ann Arbor was not in favor of restricting LBRF funds in this way, as there was no statutory tool to enforce the affordable housing units.

With the SB110 Amendment, local units within Michigan now have more authority to enter into *enforceable* affordable housing agreements with private developers to provide affordable housing. We look forward to further discussions on this issue moving forward, and the opportunity to consider more tightly aligning Brownfield goals with local land use and community goals.

Packard Square TIF Reimbur Spread 12.17.2018 njv

Approved Act 381 Brownfield Activity	Approved Amount for Act 381 Work Plan Activity	Eligible Activity	WHO	DATE WORK COMPLETED	Subcontractor Cost Paid to Date	Quandel Fee (Pro-Rata)	Quandel General Conditions (Pro-Rata)	Total Cost	Initial Request	Request No. 2	Subcontractor Name	Subcontractor Invoice Number(s)	Invoice Date(s)	Draw #(s)	Invoice(s) Attached? (Insert "√" when Complete)	Cancelled Check(s) Attached? (Insert "√" when Complete)	Lien Waiver(s) Attached? (Insert "√" when Complete)
BEA Environmental Assessment Activities	\$24,180																
Phase II	\$15,000																
Supplemental Phase II	\$5,680																
BEA	\$3,500																
Demolition	\$122,471																
Site Demo (Parking Lot)	\$72,471																
Building Demo (1&2)	\$50,000	Building Demolition (Areas 1 & 2)	D&V Excavating	11/16/2015	\$ 90,350.00			\$ 90,350.00		\$ 90,350.00	D&V			1, 2	x		x
Infrastructure Improvements	\$4,013,881				\$ 1,273,345.70												
Water	\$325,000																
		Water Mains	D&V Excavating	11/16/2015	\$ 249,800.00			\$ 249,800.00		\$ 249,800.00	D&V				x		x
Sanitary Sewer	\$490,000																
		Esch Road Offsite Sanitary Sewer	Evergreen Civil, LLC	2/28/2017	\$ 174,864.70			\$ 174,864.70	\$ 174,864.70		Evergreen		2/28/2017	1-4	x		x
		Sanitary Sewer On-Site	D&V Excavating	11/16/2015	\$ 102,953.00			\$ 102,953.00		\$ 102,953.00	D&V			4,5,6	x		x
1,500' of Sanitary Sewer Upsizing	\$475,000																
Residential Sewer Disconnects	\$650,000																
Underground/ Multilevel Parking	\$2,398,881																
		Concrete Slab for Garage	Albanelli Cement	2/16/2017	\$ 364,200.00			\$ 364,200.00	\$ 364,200.00		Albanelli	240		1-2	x		x
Urban Storm Water Management System [Capped @ \$325,000]	\$325,000																
		Stormwater Detention System	D&V Excavating	11/16/2015	\$ 381,528.00			\$ 381,528.00		\$ 325,000.00	D&V			4,5,6	x		x
Lead and Asbestos Abatement	\$60,000																
Asbestos, Lead and Hazardous Material Survey	\$10,000																
		Add Invoices															
Asbestos Abatement	\$25,000																
		Add Invoices															
Hazardous Abatement	\$20,000																
		Add Invoices															
Oversight and Reporting	\$5,000																
Site Preparation	\$645,000				\$ 568,769.95			\$ 568,769.95									
Soil Erosion Control	18,100																
Retaining Wall	115,000	Retaining Walls	Landtek	2/28/2017	\$ 54,960.00			\$ 54,960.00	\$ 54,960.00		Landtek			1	x		x
Land Balancing	113,000	Grading	D&V Excavating	11/16/2015	\$ 513,809.95			\$ 513,809.95		\$ 513,809.95	D&V			2,3,4,5,6	x		x
Fill	368,900																
Construction Staking	30,000																
Preparation of Work Plans (Brownfield Plan/Work Plan)	\$20,000							\$ -		\$ -							
Contingency Requested	\$362,751																
	\$4,885,532				\$ 3,774,581.30	\$ -	\$ -	\$ 3,774,581.30	\$ 594,024.70	\$ 1,281,912.95							



15100 Northline Rd. Suite 134
Southgate, MI 48195
734-362-7070

INVOICE

Invoice #: 6094
Invoice Date: 10/1/2018

Billing To:

Washtenaw County
Office of Community & Economic Dev.
415 W. Michigan Ave, 2nd Floor, Suite
2200
Ypsilanti, MI 48197-5326

Ship To:

Washtenaw County
Office of Community &
Economic Dev.
415 W. Michigan Ave, 2nd
Floor, Suite 2200
Ypsilanti, MI 48197-5326

DCC Associate Membership Dues 2018/2019

Date	Description	Quantity	Amount
10/1/2018	DCC Associate Membership Dues 2018/2019	1.00	\$3,000.00

Total: \$3,000.00

Notes:

- 1) Total Payment is due within 30 days.
- 2) Please include invoice number on check.

Remit Payment To:
Downriver Community Conference
15100 Northline Rd.
Southgate, MI 48195
Attn: Accounts Receivable

If you have any questions regarding this invoice, please contact:
terra.gutenschwager@dccwf...

Joint Executive-Finance Minutes

November 7, 2018

Present:

Mayor Jonathan Dropiewski, Flat Rock (Chair)
Supervisor David Glaab, Huron Twp.
Tim Keyes, Economic Dev. Director, Romulus
Mayor Dan Guzzi, Rockwood
Bill Irving, Asst. Corp. Counsel, Dearborn

Others Present:

Jim Perry, DCC
Sue Pilon, DCC
Cari Eggleton, DCC
Lisa Wayne, DCC
Maria Mancos, DCC
Nicole Chavez, DCC
Kurt Kobiljak, Legal Counsel

Not present:

Mayor Lamar Tidwell, Ecorse (Finance Chair)
Mayor Joe Peterson, Wyandotte
Mayor Dan Paletko, Dearborn Heights

Board Chair, Mayor Jonathan Dropiewski, opened the meeting at 8:31 am with introductions.

Checks over \$5,000 for approval:

Bob Heck, DMA 911 System Administrator, reported

Carousel Maintenance for 911 System: The invoice represents seven months. The purpose of the invoice is to sync up the annual software and maintenance fees imposed by Motorola for the 911 system and the Carousel Essentials support (call outs for service). Motion by Supervisor Glaab, supported by Bill Irving, to approve the payment of \$28,821.21 as presented. The motion carried.

Geo-Redundancy Cost proposal for DMA's 800 MHz radio system: This is a back-up system to prevent power issues in the 911 system. A site controller will be moved to the Ecorse shelter to provide more diverse backup. Motion by Supervisor Glaab, supported by Mayor Guzzi, to approve the proposal for \$43,023 by Vesta Solutions (formerly known as Airbus DS Communications), to complete the work. The motion carried.

Chief Forfeiture Disbursement Checks: Motion by Mayor Guzzi, supported by Supervisor Glaab, to approve the disbursement checks from the CHIEF case as presented, for \$92,842.32. The motion carried.

Stevenson Company - Liability Insurance: Maria Mancos, Controller, reported.

Last year an RFP was let for liability insurance for DCC and DMA. Two bids were submitted (Stevenson Company and Gallagher), and Stevenson Company was selected for a 3-year contract. There was a significant decrease for both DCC and DMA. Motion by Supervisor Glaab, supported by Tim Keyes, to approve the second year of the 3-year contract with Stevenson Company for \$45,234.00/year for DCC and \$39,167.00/year for DMA as presented. The motion carried.

DCC By-laws Revision Follow-up – Develop an Assessment Plan for Associate Membership:

Kurt Kobiljak, legal counsel, reported that the Executive-Finance Committee requested a follow-up meeting be held after the November 7th Committee meeting, when a By-laws revision was recommended:

'Associate Membership' - to be added under **ARTICLE I: MEMBERSHIP:**

C. Associate Membership: An Associate Membership of the Downriver Community Conference (DCC) may consist of any city, village, township, county, authority or other entity constituting a public agency as such term is defined in the Urban Cooperation Act of the State of Michigan, as amended. Associate Members of the DCC may participate and be actively involved in those specialty programs of the DCC (i.e. Brownfield Consortium, Economic Development) as designated by the full board. Associate Members possess no DCC voting rights. No full members of the DCC are eligible to become associate members. Such Associate Membership must be approved prior to, and as a condition of, the effectiveness of such membership by an affirmative vote of no less than two-thirds (2/3) of the full DCC Board of Directors.

A formal resolution will be included in the December 6th agenda for final approval.

Sue Pilon prepared a memo explaining the methodology for developing an assessment dues plan for associate membership. The communities outside the DCC membership who are currently participating in the Brownfield program were recently invoiced for a total of \$7,000 over all which temporarily helps to defray costs, however, DCC membership dues are currently based on a formula that takes into account population, as approved by the DCC Board of Directors last year. It is reasonable that the issue be examined in the same way, and a formula proposed for the future, beginning with Fiscal Year 2019-20. This will give those potential associate members more than adequate time to get through whatever approval process they may have.

This also provides us with a system and methodology for the future in case other communities/ counties/public agencies desire to join DCC as an Associate Member. Sue also reviewed the proposed dues chart providing three different scenarios, with a range of totals. Our goal is to take in dues that cover as much of the operating cost as possible and reasonable for the DCC's Economic Development department (that is not covered by their grants). The department generally needs an additional \$50,000 to \$60,000 annually to cover costs. We desire to be reasonable with all members and potential members, implementing a cost structure as fair and inclusive as possible.

Motion by Mayor Guzzi, supported by Mayor Dropiewski, to approve Scenario #3, which represents a fixed rate plus a per capita rate of .075 amount. The fixed rate is based on population (Less than 10,000 is \$1,000; 10,001 – 25,000 is \$2,000; 25,001 – 50,000 is \$3,000; 50,001 – 100,000 is \$4,000; and 100,000 and over is \$5,000).

Discussion followed:

- of the potential Associate Members to determine whether the value they would receive through their membership is worth the cost
- the requirement to be an Associate Member to be part of the Brownfield Program
- regarding the \$50,000 deficit - is it all related to the Brownfield program, and what causes the deficit? Sue Pilon responded that it represents about 90% of the department's shortfall (for rent; cross-charging, etc.)
- Jim Wagner said the Brownfield board is working to get additional funding - moving toward more Economic Development related operations. They are working with different scenarios related to funding now, versus how things were in 2012. He spoke to Congresswoman Dingell about the current funding situation.
- How is it determined a community has the ability to participate and be part of DCC's Brownfield funding? Those that choose to participate, are then part of the Brownfield Board.
- For future funding allocations, DCC will be able to use up to 10% of funding received to help with operating costs, and 5% for admin.

- Mayor Dropiewski referenced that most communities have had to change the way things operate with reduced municipal programs in recent years. This is no different.
- This change will require Associate Membership or full Membership in the DCC to participate in the Brownfield program.

Jim Perry thanked Sue Pilon and Maria Mancos for putting everything together. He gave background on when Congressman Dingell asked DCC in 2012 to take over Brownfield operations for the other communities when the re-districting occurred.

Jim Wagner, Chairman of the Downriver Brownfield Consortium, said there is a potential to lose one of the larger entities. He doesn't believe it will impact the overall funding. This suggested solution is a start – we are moving in the right direction to ensure the Brownfield program continues. We needed to do something to offset the shortfall in the program.

The Chairman indicated a motion and support were still on the floor. The motion carried.

New Business:

- 1) Mayor Guzzi said Rockwood received a notice from the Wayne County Treasurer's office over properties that his community exercised 'Right of First Refusal' for back taxes, received a clear title from the County, and then resold the property. Wayne County Treasurer's office is asking for the profit made from those properties. Tim Keyes said Romulus received a letter too. Kurt Kobiljak asked for a copy of the letter. Mayor Guzzi said he has requested that the County rescind the notice. He will bring this up at the next full DCC board meeting.
- 2) Jim Perry reported that DCC's Employment Service (Wagner-Peyser) and related program funding has been reduced significantly. Jim distributed an email sent to Greg Pitoniak at SEMCA requesting additional funding. Sue Pilon explained the allocation provided would reduce the ES staff from 20 to 8 staff members, covering six sites. Jim further said it would be impossible to operate as a One Stop if that occurred. Discussion followed of the significance in this year's funding cut and the history of funding in past years has been piece-meal. Jim said that SEGA (Southeast Governmental Alliance) is the governing board that oversees SEMCA. Mayor Jack O'Reilly is the person who represents DCC's interests on that board. Bill Irving will talk to Mayor O'Reilly to help get this funding situation resolved.

This situation has made it effectively near-impossible for DCC to budget for, manage, staff and operate these programs in a manner that is efficient and effective for jobseekers, employers and other stakeholders, as DCC has done for many years, also putting the region at risk of non-compliance with Federal requirements (One Stop Minimum Standards /Certification Guidelines) for the provision of these programs.

Motion by Mayor Guzzi, supported by Mayor Dropiewski, to prepare a resolution requesting the Executive Director to take appropriate action to resolve the funding issue with SEMCA in a manner that does not negatively impact services to constituents, including major lay-offs of staff, which would have immediate and long-term consequences for the staffing of the programs/services. The motion carried.

Motion by Mayor Guzzi, supported by Tim Keyes, to adjourn at 9:17 a.m. The motion passed unanimously.

RESOLUTION
OF THE DCC BOARD OF DIRECTORS
December 6, 2018

ASSOCIATE MEMBERSHIP DUES

WHEREAS, the Downriver Community Conference (DCC), a consortium of twenty Downriver communities in Wayne County whose total population exceeds 500,000, has joined in an effort to improve local government and enhance the quality of life for area residents through municipal cooperation; and

WHEREAS, the DCC Board of Directors approved a By-laws revision on December 6, 2018 allowing for associate membership;

'Associate Membership' - to be added under **ARTICLE I: MEMBERSHIP:**

C. Associate Membership: An Associate Membership of the Downriver Community Conference (DCC) may consist of any city, village, township, county, authority or other entity constituting a public agency as such term is defined in the Urban Cooperation Act of the State of Michigan, as amended. Associate Members of the DCC may participate and be actively involved in those specialty programs of the DCC (i.e. Brownfield Consortium, Economic Development) as designated by the full board. Associate Members possess no DCC voting rights. No full members of the DCC are eligible to become associate members. Such Associate Membership must be approved prior to, and as a condition of, the effectiveness of such membership by an affirmative vote of no less than two-thirds (2/3) of the full DCC Board of Directors; and

WHEREAS, the Executive-Finance Committee reviewed the three possible scenarios presented (attached) and recommends Scenario #3, which represents a fixed rate based on population plus a per capita rate of .075 amount.

NOW THEREFORE BE IT RESOLVED, that the DCC Board of Directors approves establishing "Associate Membership Dues" rates as referenced above and attached.

CERTIFICATION

The undersigned duly qualified Board Secretary of the Downriver Community Conference certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Downriver Community Conference held on December 6, 2018, and that said resolution has not been rescinded.

Secretary: 
Tim Keyes, Board Secretary

Downriver Community Conference
Associate Membership Dues Options by Community
Per Capita by Population
(Developed 12-2018)

For 2019-2020 Fiscal Year

CITY/TOWNSHIP	CENSUS	Percentage	18-19 Dues Paid	Scenario 1	Scenario 2	Scenario 3
Monroe (City)	20,733	5.25%	1,500.00	2,000.00	1,554.98	3,554.98
Port of Monroe	20,733	5.25%	1,600.00	2,000.00	1,554.98	3,554.98
Tecumseh	8,521	2.16%	900.00	1,000.00	639.08	1,639.08
Washentaw County	344,791	87.34%	3,000.00	5,000.00	25,859.33	30,859.33
TOTALS	394,778	100.00%	7,000.00	10,000.00	29,608.35	39,608.35

Category	Dues Structure	Fixed Fee
A	Less than 10,000	1,000.00
B	10,001 - 25,000	2,000.00
C	25,001 - 50,000	3,000.00
D	50,001 - 100,000	4,000.00
E	100,000 +	5,000.00

Scenario 1 - Chart 1 Fixed Fee

Scenario 2 - Straight Per Capita rate of .075

Scenario 3 - Fixed Rate + Per Capita rate of .075

DCC Full Member Dues for 2018-2019	CENSUS	18-19 Dues Paid
ALLEN PARK	28,210	9,572.06 *
BROWNSTOWN	30,627	9,942.37 *
DEARBORN	98,146	20,536.96 *
DEARBORN HTS	57,774	14,351.57 *
ECORSE	9,512	6,207.34 *
FLAT ROCK	9,878	6,263.41 *
GIBRALTAR	4,656	5,463.35 *
GROSSE ILE	10,371	6,588.94 *
HURON TWP	15,879	7,432.82 *
LINCOLN PARK	38,144	11,094.05 *
MELVINDALE	10,715	6,641.65 *
RIVER ROUGE	7,903	5,960.82 *
RIVERVIEW	12,486	6,912.98 *
ROCKWOOD	3,289	5,253.91 *
ROMULUS	23,989	8,675.36 *
SOUTHGATE	30,047	9,853.51 *
TAYLOR	63,131	15,172.31 *
TRENTON	18,853	7,888.47 *
WOODHAVEN	12,875	6,972.58 *
WYANDOTTE	25,883	9,215.54 *
Total Population	512,368	180,000.00

*Indicates membership on Brownfield Board



**WASHTENAW COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY
BYLAWS**

I. Purpose

The purpose of the Washtenaw County Brownfield Redevelopment Authority is to facilitate the implementation of plans relating to the identification and remediation of environmentally distressed areas and to promote site revitalization in Washtenaw County.

II. Legal Basis

The Washtenaw County Brownfield Redevelopment Authority is created pursuant to and in accordance with the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of the State of Michigan of 1996, As Amended, and Resolutions 99-0072, Intent to Create a Brownfield Redevelopment Authority, and 99-0122, Appointing Members to the Brownfield Redevelopment Authority, of the Washtenaw County Board of Commissioners.

III. Directors

- A. General Powers. The business and affairs of the Authority shall be managed by its Board of Directors, except as otherwise provided by statute or by these Bylaws.
- B. Board of Directors. The Board of Directors (hereinafter referred to as the “Board”) of the Authority should maintain a membership that generally reflects some or all of the following representation: :

Board of Commissioners
Legal Professional
Environmental Professional
County Municipality
Countywide Development Organization
Development Company
Nonprofit Environmental Group
Nonprofit Community Group
Public/Community At-Large

- C. Appointment, Replacement and Vacancies. Directors of the Washtenaw County Brownfield Redevelopment Authority Board shall be appointed by the Washtenaw County Board of Commissioners for a term of three years, staggered for implementation. A Director whose term has expired shall continue to hold office until his/her successor has been appointed. A Director may be reappointed, with the advice and consent of the Board, to serve additional terms. If a vacancy is created by death, resignation, or removal, a successor shall be appointed within (90) ninety days to hold office for the remainder of the term of office so vacated.

- D. Removal. After notice and an opportunity to be heard, a Director may be removed for cause by the Washtenaw County Board of Commissioners. The Board may recommend the dismissal of any Director if the Director is considered a detriment to the viability of the Board. The recommendation shall be made by four (4) Directors, and is subject to the approval of the Washtenaw County Board of Commissioners.
- E. Conflict of Interest. A Director, or a Director whose employer, that has a direct financial interest in any matter requiring action by the Authority shall disclose his/her interest prior to any discussion of that matter by the Authority, which disclosure shall become a part of the record of the Authority's official proceedings. The interested Director, where a conflict of interest has been disclosed, shall take the following actions:
- 1) if the conflicted Director is Chair, control of the meeting for that matter will be passed to the Vice Chair, or to the Secretary if the Vice Chair is absent or also conflicted, or to another Director if the Vice Chair and Secretary are absent or also conflicted;
 - 2) the conflicted Director shall refrain completely from discussion of the matter and remove him/her-self from the table;

If a conflict of interest is declared, the conflicted Director shall recuse himself/herself from action on the matter. Each Director, upon taking office and annually thereafter, shall acknowledge in writing that he/she has read and agree to abide by this section.

IV. Board Operations

- A. Meetings. The Board holds regularly scheduled meetings and may hold special meetings at the call of the chair or any two Directors. Directors shall be contacted 48 hours in advance of any special meeting.
- B. Open Meetings. Meetings of the Board of the Authority shall be open to the public in accordance with the Open Meetings Act, Public Act 267 of 1976. Appropriate notice shall be provided.
- C. Quorums; Voting. A majority of the Directors appointed and serving shall constitute a quorum for the transaction of business at any meeting of the Board, provided, that a majority of the Board present may adjourn the meeting from time to time without further notice. The vote of a majority of those Directors present at any meeting at which a quorum is present is the vote of the Board, unless the vote of a larger number is required by statute or by these Bylaws.
- D. Committees. The Board may, by resolution passed by a majority of the full Board, designate one or more committees, each committee to consist of one or more of the Directors of the Authority. The Board may designate one or more Directors as alternate members of a committee, who may replace an absent or disqualified member at a meeting of the committee. In the absence of or disqualification of a member of the committee, the members thereof present at a meeting and not disqualified from voting, whether or not they constitute a quorum, may unanimously

appoint another Director to act at the meeting in place of such an absent or disqualified member.

A committee and each member thereof, shall serve at the pleasure of the Board. A committee so designated by the Board, to the extent provided in the resolution by the Board, will act in an advisory capacity to the Board in the management of the business and affairs of the Authority. A committee shall not have the power or authority to: (a) recommend to members a dissolution of the Authority, or a revocation of dissolution; or (b) amend the Bylaws of the Authority.

- E. Board Absences. In order to maintain the maximum participation of all appointed Washtenaw County Brownfield Redevelopment Authority (WCBRA) Board members at all scheduled meetings of the WCBRA Board, the following is the attendance guide and Board member replacement policy for “excused” or unexcused” absences:
1. When appointed, each Board member should state his/her willingness and intention to attend each scheduled monthly meeting of the WCBRA Board.
 2. In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Board member from attending the scheduled monthly meeting; the WCBRA Board professional staff at Washtenaw County’s Brownfield Redevelopment Program should be notified prior to the meeting start hour of their inability to attend the scheduled meeting. The Board member upon this notification will receive an “excused absence” for the involved scheduled meeting.
 3. If any WCBRA Board member is absent from three (3) consecutive scheduled monthly WCBRA Board meetings without an “excused absence” for any of the three (3) meetings, the Board member is subject to an automatic appointment nullification immediately after the third missed meeting without proper prior notification as noted above. The County Board of Commissioners should replace the Board member as soon as possible in order to maintain the prescribed number of WCBRA Board members.
 4. There will be no limit on the number of consecutive “excused absences” for any member of the WCBRA Board. However, it is expected that if the interest of any other concern changes for any WCBRA Board member that causes that Board member to be absent for at least 50% of the scheduled meetings in any 12-month period, the Board member will be canvassed and be considered for an appointment nullification.
 5. The “appointment nullification” action as required would be initiated by the WCBRA Board and forwarded on to the County Commissioners for official action.

V. **Officers**

- A. Officers. Directors shall elect a Chairperson, Vice Chairperson and Secretary/Treasurer to serve as the officers of the Authority. Two or more offices may be held by the same person, but an officer shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or Bylaws to be executed, acknowledged or verified by two or more offices.
- B. Nomination, Election. The officers of the Authority shall be elected following the initial adoption of the bylaws and, subsequently, at the first meeting held during the second calendar quarter of each year. Candidates shall be nominated by the Directors. The term of each office shall be not less than one (1) year. Each officer shall hold the same office until his/her successor is appointed.
- C. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled at any meeting of the Board for the unexpired portion of the term of such office.
- D. Chairperson and Vice Chairperson. The Chairperson shall be the chief executive officer of the Authority, but he or she may from time to time delegate all or any part of his/her duties to the Vice Chairperson. The Chair, or in his or her absence, the Vice Chair, shall preside over meetings of the Board, have general and active management of the business of the Authority and shall perform all the duties of the office as provided by law or these Bylaws.
- E. Secretary/Treasurer. The Secretary/Treasurer or his/her designee shall attend all meetings and record all votes of the Board in the meeting minutes, and may perform like duties for standing committees when required. He or she shall further perform all duties of the office as provided by law or these Bylaws and shall serve as Chair in the absence of both the chair and vice chair.
- F. Recording Secretary. An Office of Community and Economic Development employee or other Washtenaw County staff person will be designated by the County Administration/ Designee as the attendance and minute taker and should be present at all meetings.
- G. Delegation of Duties. In the absence of any officer of the Authority, or for any other reason that the Board may deem sufficient, the Board may delegate, from time to time and for such time as it may deem appropriate, the powers or duties, or any of them, of such officer to any other officer, or to any Director, provided a majority of the Board then in office concurs therein.
- H. Executive Committee. The Chairperson, Vice Chairperson, and Secretary/Treasurer shall comprise the Executive Committee. The Executive Committee may, upon a majority vote, authorize the expenditure of up to \$5000 for any expense listed as an eligible item under Act 381 of 1996, As Amended. The Executive Committee must report any such expenditures to the Board at the next regularly scheduled Board meeting.

VI. Financial Transactions

- A. Public Record. All financial records of the Authority shall be open to the public under the Freedom of Information Act, Act 442 of the Public Acts of 1976.
- B. 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 authorization may be general or confined to specific instances.
- C. Loans/Grants. No grant or loan shall be contracted on behalf of the Authority and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board and approved by the Washtenaw County Board of Commissioners. Such authority may be general or confined to specific instances.
- D. 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 or the Authority and in such manner as shall from time to time be determined by resolution of the Board.
- E. Fiscal Year. The fiscal year of the Authority shall correspond at all times to the fiscal year of Washtenaw County.

VII. Cooperation with Local Units

- A. Notice and Review. The Authority shall give notice and an opportunity of not less than 10 business days for review and comment to local government units for a site included in the Authority's Brownfield Plan and within the local government unit's jurisdiction prior to adoption by the Board. The above process will apply to any subsequent Work Plans.
- B. Waiver of Notice. When the Board or any committee thereof may take action after notice and lapse of the prescribed period of time, the action may be taken without further notice or without lapse of the period of time if at any time before the action is completed the person entitled to notice or to participation in the action to be taken submits a signed waiver of such requirements.
- C. Program Policy. Separate Program Policy will outline parameters for local government involvement and criteria for the formal project review process.

VIII. Adoption; Amendment

- A. These bylaws shall be effective upon adoption by a majority of the Board.
- B. These bylaws are subject to the review and approval of the Washtenaw Board of Commissioners.
- C. These rules may be amended in the same manner as the initial adoption.

These Bylaws were adopted by the Washtenaw County Brownfield Redevelopment Authority Board at a meeting of the Board on October 22, 1999; and approved, as amended, by the Washtenaw County Board of Commissioners on February 2, 2000 per Resolution 00-0035; and approved, as amended, by the Washtenaw County Board of Commissioners on June 4, 2003 per Resolution 03-0107; and approved, as amended, by the Washtenaw County Board of Commissioners on October 18, 2006 per Resolution 06-0210; and approved, as amended by the Washtenaw County Board of Commissioners on January 21, 2015 per Resolution 15- , as amended by the Washtenaw County Board of Commissioners on November 7, 2018 per Resolution 18-165

Adopted: 10/22/1999
Amended: 4/14/2000
Amended: 06/04/2003
Amended: 10/18/2006
Amended: 2/4/2015
Amended 11/8/18



OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

Washtenaw County Brownfield Redevelopment Authority
Project Application Form for the City of Ann Arbor

This application form must be completed by the applicant to initiate the brownfield process by the Washtenaw County Brownfield Redevelopment Authority (WCBRA). The completed application will then be submitted to the appropriate representative of the local municipality within which the proposed project is located. There are no deadlines for the submittal of applications -- applications will be accepted on an ongoing basis.

NOTE: The Project Concept Application (Application) is the first step for all brownfield redevelopment projects coming through the WCBRA. The Project Application is part of our commitment to partner with each Municipal Member throughout the brownfield redevelopment process.

Approval of the Application by the local municipality is NOT approval of the brownfield project/plan and the requested Tax Increment Financing (TIF). Approval gives Staff permission to assist the developer in creating a Brownfield Plan.

If a local municipality initially approves a project application, it is not obligated to approve the brownfield plan.

The following separate application fees are due upon processing and acceptance of the brownfield application by the City of Ann Arbor.

County Brownfield Authority Fee, based on total project investment:

- \$0- \$5Million = \$3,000;
\$5M - \$10M = \$4,000; and
\$10 M and over = \$5,000

Additional Application Fee for Projects within the City of Ann Arbor- due to administrative review costs associated with the Financial Proforma Return on Investment Analysis and review of environmental criteria above the County process: Brownfield Application flat fee: \$3,915

Submit a PDF Two (2) hard copies and one digital of the completed application forms and any supplemental materials must be submitted to the Washtenaw County Office of Community and Economic Development, Brownfield Program, 415 W. Michigan Ave., 2nd Floor, Ypsilanti, MI 48197 City of Ann Arbor, Planning and Development Services, 301 E. Huron, 1st floor, Ann Arbor, MI 48107.

For assistance in completing this application form, please contact the Washtenaw County Office of Community and Economic Development:

Nathan Voght, Brownfield Redevelopment Coordinator (734) 544-3055 phone
voghtn@ewashtenaw.org (734) 544-6749 fax

Additional information regarding Brownfield Applications and the Washtenaw County Brownfield Authority process is available online at http://www.ewashtenaw.org/brownfields .

Before submitting a project application, please make sure all items on the attached checklist are included. Project Application will not be reviewed until items are completed.

Field Code Changed

Field Code Changed



OFFICE OF COMMUNITY &
ECONOMIC DEVELOPMENT

PROJECT APPLICANT INFORMATION

Date:

Project Applicant
Name:

Mailing Address:

Contact Person for
Applicant:

Telephone/Fax
Numbers:

E-mail Address:

Property Owner Name:

Mailing Address:

Contact Person for
Property Owner:

Telephone/Fax
Numbers:

E-mail Address:

PROJECT INFORMATION

Project Address:

Parcel ID Number(s):

Legal Description:

Located within WCBRA Member Municipality: YES NO



OFFICE OF COMMUNITY &
ECONOMIC DEVELOPMENT

Is the project located within a Downtown Development Authority (DDA)?

If yes, has the DDA been contacted? Do they support the project? If so, what level of support has been identified?

--

Proposed Project Description:

- Attach copies of proposed preliminary site development or concept plans to illustrate how the proposed redevelopment and land uses will be situated on the subject property, and documenting access to all necessary utilities and infrastructure.*

Proposed Redevelopment Use(s):

Anticipated Project Schedule/Critical Dates:

Status of Development Permits and Applications:



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ECONOMIC DEVELOPMENT

Description of Known or Suspected Environmental Contamination Concerns

List all environmental activities and reports completed to date.

Report/Activity	Date	Attached (y/n)

Attach additional pages if needed and supporting documentation or reports if available.

Summary of Needed Eligible Activities and Projected Costs (if known):

Attach additional pages if needed and supporting documentation or reports if available.



OFFICE OF COMMUNITY &
ECONOMIC DEVELOPMENT

Projected Private Investment in Redevelopment:

For City of Ann Arbor Projects: Proforma / Financial Analysis:

- Attach, or provide under separate cover, detailed proforma and project budget illustrating all related project expenses, sources of financing, and project financing gap.*
- Contact Staff to schedule a meeting with City of Ann Arbor's Finance Office to conduct a Financial Analysis utilizing the ROI Financial Forecaster Model. Please ensure the attached proforma includes the information necessary to complete the Financial Analysis.*

Anticipated Job Creation or Retention Impacts:

Other Significant Project Information:



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ECONOMIC DEVELOPMENT

PROJECT APPLICATION CHECKLIST

Before submitting the project application, please make sure all items on the checklist are included. Project Application will not be reviewed until items are completed.

Ownership Documentation

- If the property owner is not the project applicant, please attach a signed and notarized letter from the property owner authorizing the applicant to submit this application form for consideration by the WCBRA.
- Attach copy of current title commitment and proof of ownership.

Site Plan

- Attach copies of proposed preliminary site development or concept plans to illustrate how the proposed redevelopment and land uses will be situated on the subject property, and documenting access to all necessary utilities and infrastructure.

Financial Information and Eligible Activities

- Attach a copy of Eligible Activity Table and TIF Table broken down by taxing jurisdiction.
- Attach detailed project budget/proforma illustrating all related project expenses, sources of financing, and project financing needs.
- ~~Ensure project proforma is adequate to conduct Financial Analysis. Contact Staff for more information.~~

Environmental Work Completed

- Attach ~~all~~ environmental reports sufficient to document brownfield eligibility, such as Facility Status, and current site conditions that have been completed for this site. (i.e. Phase I, Phase II, BEA, RCRA, Closure, Due Care, etc)

Project	Maple Shoppes (5)	Michigan Inn	Zingerman's (4)	Arbor Hills	618 S. Main (3)	Jiffy Warehouse/140 Buchanan	544 Detroit (2)	Packard Square (6)	Water Street	221 Felch-A2	615 S. Main -A2	Grand View Commons-Dexter	1140 Broadway-A2	Thompson Block
Project Parameters														
*Brownfield Plan - Approved Maximum Activities	\$ 1,209,027.00	\$ 655,640.00	\$ 1,428,410.00	\$ 6,658,624.00	\$ 4,628,636.00	\$ 580,676.00	\$ 698,773.00	\$ 5,840,557.00	\$ 22,874,634.00	\$ 4,000,000.00	\$ 4,489,510.00	\$ 3,370,613.00	\$ 13,159,069.00	
Approved Eligible Activity Expenses	\$ 1,010,042.00	\$ 397,839.13	\$ 600,218.85	\$ 5,400,000.00	\$ 2,420,266.00	\$ 298,463.97	\$ 383,368.00	\$ 594,024.70			\$ 2,609,663.57			
Approved Eligible Activity Expense Reimbursed to Date	\$ 490,817.58	\$ 304,991.42	\$ 169,723.20	\$ 2,034,420.75	\$ 686,406.83	\$ 172,970.33	\$ 86,876.64	\$ 594,024.70			\$ 139,847.86			
Remaining Approved Eligible Activity Expenses	\$ 519,224.42	\$ 92,847.71	\$ 430,495.65	\$ 3,365,579.25	\$ 1,733,859.17	\$ 125,493.64	\$ 296,491.36	\$ -	\$ -	\$ -	\$ 2,469,815.71	\$ -	\$ -	\$ -
Project Financial Activity														
12/31/17 Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 217,571.64	\$ 34,006.51					
TOTAL 2018 REVENUES														
Application Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Revenue														\$ 1,304.50
TIF Revenue/Capture	\$ 60,191.91	\$ 49,630.31	\$ 40,170.81	\$ 555,203.65	\$ 260,373.16	\$ 67,135.35	\$ 28,885.26	\$ 771,031.59	\$ 35,654.24	\$ -	\$ 139,847.86	\$ -	\$ 1,819.01	\$ -
Total Revenues	\$ 60,191.91	\$ 49,630.31	\$ 40,170.81	\$ 555,203.65	\$ 260,373.16	\$ 67,135.35	\$ 28,885.26	\$ 771,031.59	\$ 35,654.24	\$ -	\$ 139,847.86	\$ -	\$ 1,819.01	\$ 1,304.50
2018 EXPENDITURES														
Certified Expense Reimbursement	\$ 57,002.91	\$ 47,783.31	\$ 26,330.46	\$ 475,203.65	\$ 234,780.00	\$ 67,225.16	\$ 21,901.26	\$ 594,024.70	\$ -	\$ -	\$ 139,847.86	\$ -	\$ -	\$ -
Administrative Fee Transfer	\$ 3,189.00	\$ 1,847.00	\$ 3,952.11	\$ 80,000.00	\$ 25,593.16	\$ 6,651.01	\$ 5,192.00	\$ 32,037.00	\$ 3,565.42	\$ -	\$ -	\$ -	\$ -	\$ -
LBRF Revenue or Deposit	\$ -	\$ -	\$ 4,888.24	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 55.00	\$ -
State of MI Brownfield Fund (Approved after 2014)						\$ 3,541.00	\$ 1,792.00		\$ 1,512.50	\$ -	\$ -	\$ -	\$ -	\$ -
Total Expenditures	\$ 60,191.91	\$ 49,630.31	\$ 35,170.81	\$ 555,203.65	\$ 260,373.16	\$ 77,417.17	\$ 28,885.26	\$ 626,061.70	\$ 5,077.92	\$ -	\$ 139,847.86	\$ -	\$ 55.00	\$ -
		<i>Misc Refund</i>												
Current Brownfield Account Balance	\$ -	\$ -	\$ 5,000.00	\$ -	\$ -	\$ (10,281.82)	\$ -	\$ 362,541.53	\$ 64,582.83	\$ -	\$ -	\$ -	\$ 1,764.01	\$ 1,304.50
* Includes Admin and LBRF Funds														
Total of all 2018 TIF Reimburse Transfers	\$ 1,664,099.31													
Total of all CY 2018 Admin Transfers	\$ 167,595.72													
Total of all CY 2017 Admin Transfers	\$ 164,113.00													
Total of all CY 2016 Admin Transfers	\$ 150,739.88													
Total of all CY 2015 Admin Transfers	\$ 114,437.35													
Total of all CY 2014 Admin Transfers	\$ 87,198.19													
2018 LBRF Capture Running Total	\$ 4,943.24													
				Admin Fund Cash Reserves as of 12-7-18		\$ 194,854.00								
				LBRF Interest earned as of 11/21/2018										
				LBRF Balance as of 12-7-18		\$ 1,744,480.00								
				*Max 2018 Admin Capture (in Spring of 2019) will be \$165,000 per Act 381, with 12 active projects										

TRANSACTION APPROVALS REQUESTED:

- (1) LaFontaine BF Plan terminated in December 2016, max TIF Reimbursement set at \$64,004.21, Surplus admin of \$1,285.40+33,125.47 was refunded Feb 2017 back to City as part of MTT settlement
- (2) Does not include 544 Detroit interest of up to an additional: \$70,648, for a grand total of \$454,016
- (3) Does not include 618 S.Main 4% interest of up to an additional: \$642,903
- (4) Does not include Zingermans interest of up to an additional: \$229,072.15
- (5) Does not include Maple Shoppes Interest on unreimbursed environmental expenses at 3% estimated at an additional \$41,282
- (6) Does not include 5% interest, estimated up to an additional \$717,236

Legislative Analysis



INCENTIVES FOR AFFORDABLE HOUSING

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 110 (S-1) as reported from House committee
Sponsor: Sen. Wayne Schmidt
House Committee: Local Government
Senate Committee: Local Government
Complete to 12-17-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 110 would amend Public Act 226 of 1988 to specify that the prohibition of local governmental units from controlling the amount of rent charged for leasing private residential property would not prohibit local governments from implementing voluntary incentives to increase the supply of moderate- or low-cost private residential property available for lease.

The act prohibits local governments from practicing “rent control,” where local governments enact an ordinance or resolution that controls how much rent private residential property owners can lease their property for, with the belief that it will make local housing more affordable. This prohibition does not apply to residential property in which the local government has a property interest.

The bill would specify that the prohibition on rent control does not limit local governments from implementing a plan to use voluntary incentives and agreements to increase the supply of moderate- or low-cost private residential property available for lease.

The act defines *local governmental unit* as any political subdivision of the state that provides local government services for residents in a geographically limited area and is empowered to act on that area’s behalf, such as a county, city, village, or township.

The bill would take effect 90 days after its enactment.

MCL 123.411

HOUSE COMMITTEE ACTION:

The House Committee on Local Government reported the Senate-passed version of the bill without amendment.

FISCAL IMPACT:

Since the provisions of the bill are permissive, the bill would have no identifiable fiscal impact on state or local government.

Legislative Analyst: Nick Kelly
Fiscal Analyst: Ben Gielczyk

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Senators Schmidt, Hildenbrand, Bieda and Hertel

ENROLLED SENATE BILL No. 110

AN ACT to amend 1988 PA 226, entitled “An act to limit the powers of a local governmental unit regarding the leasing of private residential property,” by amending section 1 (MCL 123.411).

The People of the State of Michigan enact:

Sec. 1. (1) As used in this section, “local governmental unit” means a political subdivision of this state including, but not limited to, a county, city, village, or township, if the political subdivision provides local government services for residents in a geographically limited area of this state as its primary purpose and has the power to act primarily on behalf of that area.

(2) Subject to subsections (3) and (4), a local governmental unit shall not enact, maintain, or enforce an ordinance or resolution that would have the effect of controlling the amount of rent charged for leasing private residential property.

(3) This section does not impair the right of any local governmental unit to manage and control residential property in which the local governmental unit has a property interest.

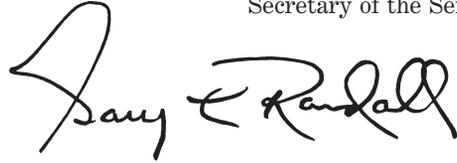
(4) This section does not limit the power of a local governmental unit to adopt an ordinance or resolution to implement a plan to use voluntary incentives and agreements to increase the supply of moderate- or low-cost private residential property available for lease.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

.....
Governor