

MANISTEE CITY BROWNFIELD REDEVELOPMENT AUTHORITY

July 17, 2019

2:00 pm - Council Chambers, City Hall

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

At this time the Brownfield Redevelopment Authority can act to approve\amend the agenda.

4. PUBLIC HEARING

None

5. PUBLIC COMMENTS

At this time the Chair will ask if there are any public comments.

6. APPROVAL OF MINUTES

At this time the Brownfield Redevelopment Authority can act to approve the December 18, 2018 meeting minutes.

7. FINANCIAL REPORTS

At this time the Brownfield Redevelopment Authority can act to approve the financial reports.

- Balance Sheet
- Revenue & Expense
- Bills Paid

8. OLD BUSINESS

None

9. NEW BUSINESS

a. Election of Officers

According to the By-Laws of the City of Manistee Brownfield Redevelopment Authority their annual election of Officers is held at their annual meeting in January. There was no January meeting and this is the first meeting the year.

At this time the meeting will be turned over to Ed Bradford who will ask for nominations.

Chair - The Brownfield Redevelopment Authority will select a Chair for 2019.

Vice-Chair - The Brownfield Redevelopment Authority will select a Vice Chair for 2019.

Sec/Treasurer - The Brownfield Redevelopment Authority will select a Sec/Treasurer for 2019.

b. Bylaw Review

According to the By-Laws of the City of Manistee Brownfield Redevelopment Authority shall annually review their By-Laws at their annual meeting in January. There was no January meeting and this is the first meeting the year.

At this time the Brownfield Redevelopment Authority could take action to make changes to their By-Laws if necessary.

c. Oath of Office/Section 6 Conflict of Interest

Annually the Brownfield Redevelopment Authority members will take an Oath of Office and agree to abide by Section 6 Conflict of Interest of the By-Laws of the City of Manistee Brownfield Redevelopment Authority.

At this time the members of the Brownfield Redevelopment Authority will take their Oath of Office and agree to abide by Section 6 Conflict of Interest of the By-Laws of the City of Manistee Brownfield Redevelopment Authority.

d. Approval of FY 2020 Budget

The Brownfield Redevelopment Authority fiscal year runs from July 1 to June 30. The Brownfield Administrator has prepared a budget for consideration.

At this time the Brownfield Redevelopment Authority can act to adopt the FY 2020 budget.

e. Approval of Reimbursement of South Washington Area Eligible Expenses (North Channel Investors, LLC)

The Brownfield Redevelopment Authority must approve expenses submitted for reimbursement pursuant to adopted Brownfield plans. The BRA has received a request for reimbursement of eligible environmental and non-environmental expenses incurred by North Channel Investors, LLC. The submitted expenses have been reviewed by the Brownfield Consultant and the Brownfield Administrator. After review, the expenses submitted were in excess of the State-approved budget including contingency. The total amounts deemed eligible for reimbursement at this time are \$13,297 for environmental and \$367,693 for non-environmental.

At this time the Brownfield Redevelopment Authority can act to approve the eligible expenses for reimbursement.

10. STAFF REPORTS

Staff will update the Brownfield Redevelopment Authority on the status of current projects and any other information the Commissioners should be aware of.

11. CORRESPONDENCE

At this time the Chair will ask if any correspondence has been received to be included in the record.

12. NEXT MEETING DATE(S)

13. MEMBERS DISCUSSION

At this time the Chair will ask members of the Brownfield Redevelopment Authority if they have any items they want to discuss.

14. ADJOURN

MANISTEE CITY BROWNFIELD REDEVELOPMENT AUTHORITY

December 18, 2018

MEETING MINUTES

A meeting of the Manistee City Brownfield Redevelopment Authority was held on December 18, 2018 at 3:00 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 3:06 pm by Vice Chairman Stege.

Roll Call:

Members Present: Marlene McBride, Kipp Pomranky, Jeffrey Stege, Meagan Kempf arrived at 3:10

Members Absent: Roger Yoder

Others: Ed Bradford (BRA Administrator)

APPROVAL OF AGENDA

Motion by Pomranky, seconded by McBride that the agenda be approved. Motion passed unanimously.

PUBLIC HEARING

None

PUBLIC COMMENTS

None

CORRESPONDENCE

None

APPROVAL OF MINUTES

Motion by Pomranky, seconded by McBride that the minutes of the October 30, 2018 Brownfield Redevelopment Authority Meeting be approved as submitted. Motion passed unanimously.

FINANCIAL REPORTS

Financial Statements - Finance Director and Brownfield Administrator Ed Bradford gave a financial status update on the Brownfield Redevelopment Authority Funds.

Motion by McBride, seconded by Pomranky to accept the financial report. Motion passed unanimously.

OLD BUSINESS

Consideration of Entering into an Agreement with Fishbeck, Thompson, Carr & Huber, Inc.

The BRA conducted an RFQ\RFP process for a new brownfield consultant. A committee consisting of Chair Meagan Kempf, Administrator Ed Bradford and current consultant T. Eftaxiadis conducted interviews with the three finalists and recommends that Fishbeck, Thompson, Carr & Huber, Inc. be selected. The City Attorney has prepared an agreement which FTCH has executed.

Motion by Kempf, seconded by Pomranky to enter into a five year agreement with Fishbeck, Thompson, Carr & Huber, Inc. Motion passed unanimously.

NEW BUSINESS

None

STAFF REPORTS

Bradford updated the members on Joslin Cove, Iron Works and Arthur St (Rengo Oil) projects.

NEXT MEETING DATES

The BRA decided to tentatively meet on Tuesday January 15, 2018 at 2:00 p.m. at City of Manistee, 70 Maple St., Manistee, MI 49660 – Council Chambers; if needed.

MEMBERS DISCUSSION

None.

ADJOURNMENT

Meeting adjourned at 3:20 pm

MANISTEE CITY BROWNFIELD REDEVELOPMENT AUTHORITY

Edward Bradford, Administrator

Fund 243 BROWNFIELD REDEVELOPMENT AUTHO

| GL Number | Description | Balance |
|---|---------------------|-------------------|
| *** Assets *** | | |
| 243-000-001.000 | CASH - CHECKING | 72,335.79 |
| 243-000-123.000 | PREPAID EXPENSES | 245.83 |
| Total Assets | | 72,581.62 |
| *** Liabilities *** | | |
| 243-000-210.000 | TAX CAPTURE PAYABLE | 56,768.83 |
| Total Liabilities | | 56,768.83 |
| *** Fund Balance *** | | |
| 243-000-390.000 | FUND BALANCE | 18,767.42 |
| Total Fund Balance | | 18,767.42 |
| Beginning Fund Balance | | 18,767.42 |
| Net of Revenues VS Expenditures | | (2,954.63) |
| Ending Fund Balance | | 15,812.79 |
| Total Liabilities And Fund Balance | | 72,581.62 |

REVENUE AND EXPENDITURE REPORT FOR MANISTEE CITY

PERIOD ENDING 06/30/2019

% Fiscal Year Completed: 100.00

| GL NUMBER | DESCRIPTION | 2018-19 | YTD BALANCE | ACTIVITY FOR | ENCUMBERED | UNENCUMBERED | % BDGT |
|--|------------------------------------|----------------|---------------|----------------|--------------|--------------|--------|
| | | AMENDED BUDGET | 06/30/2019 | MONTH 06/30/19 | | | |
| | | | NORM (ABNORM) | INCR (DECR) | YEAR-TO-DATE | BALANCE | USED |
| Fund 243 - BROWNFIELD REDEVELOPMENT AUTHO | | | | | | | |
| Revenues | | | | | | | |
| Dept 000 | | | | | | | |
| 243-000-402.000 | TAXES - REAL/PERSONAL PROPERT | 0.00 | 0.00 | (4,722.08) | 0.00 | 0.00 | 0.00 |
| 243-000-540.000 | STATE GRANT - OTHER | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 243-000-626.000 | CHARGE FOR SERVICE | 5,000.00 | 0.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 243-000-626.001 | BROWNFIELD ADMINISTRATION SERVICES | 3,500.00 | 0.00 | 0.00 | 0.00 | 3,500.00 | 0.00 |
| 243-000-665.000 | INVESTMENT - INTEREST | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 243-000-676.000 | REIMBURSEMENT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 243-000-699.000 | TRANSFERS IN | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Dept 000 | | 8,500.00 | 0.00 | (4,722.08) | 0.00 | 8,500.00 | 0.00 |
| TOTAL REVENUES | | 8,500.00 | 0.00 | (4,722.08) | 0.00 | 8,500.00 | 0.00 |
| Expenditures | | | | | | | |
| Dept 000 | | | | | | | |
| 243-000-752.000 | SUPPLIES - OPERATING | 500.00 | 0.00 | 0.00 | 0.00 | 500.00 | 0.00 |
| 243-000-801.000 | PROFESSIONAL & CONSULTING SER | 5,000.00 | 2,362.50 | 0.00 | 0.00 | 2,637.50 | 47.25 |
| 243-000-803.000 | ADMINISTRATION | 4,000.00 | 0.00 | 0.00 | 0.00 | 4,000.00 | 0.00 |
| 243-000-900.000 | PRINTING & PUBLISHING | 200.00 | 59.55 | 0.00 | 0.00 | 140.45 | 29.78 |
| 243-000-913.000 | TRAVEL & TRAINING | 500.00 | 241.74 | 0.00 | 0.00 | 258.26 | 48.35 |
| 243-000-915.000 | MEMBERSHIPS & DUES | 300.00 | 290.84 | (4.16) | 0.00 | 9.16 | 96.95 |
| 243-000-955.000 | MISCELLANEOUS EXPENSE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 243-000-995.000 | TRANSFERS OUT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Dept 000 | | 10,500.00 | 2,954.63 | (4.16) | 0.00 | 7,545.37 | 28.14 |
| TOTAL EXPENDITURES | | 10,500.00 | 2,954.63 | (4.16) | 0.00 | 7,545.37 | 28.14 |
| Fund 243 - BROWNFIELD REDEVELOPMENT AUTHO: | | | | | | | |
| TOTAL REVENUES | | 8,500.00 | 0.00 | (4,722.08) | 0.00 | 8,500.00 | 0.00 |
| TOTAL EXPENDITURES | | 10,500.00 | 2,954.63 | (4.16) | 0.00 | 7,545.37 | 28.14 |
| NET OF REVENUES & EXPENDITURES | | (2,000.00) | (2,954.63) | (4,717.92) | 0.00 | 954.63 | 147.73 |
| BEG. FUND BALANCE | | 18,767.42 | 18,767.42 | | | | |
| END FUND BALANCE | | 16,767.42 | 15,812.79 | | | | |

EXPENDITURE REPORT FOR MANISTEE CITY
 Balances as of 06/30/2019

Fund 243 - BROWNFIELD REDEVELOPMENT AUTHO

| Account | Description | 2018-19 Amended Budget | YEAR-TO-DATE THRU 06/30/19 | Available Balance | % Used |
|--------------------|---|---------------------------|-------------------------------|--|-----------|
| Expenditures | | | | | |
| Department 000: | | | | | |
| 752.000 | SUPPLIES - OPERATING | 500.00 | 0.00 | 500.00 | 0.00 |
| 801.000 | PROFESSIONAL & CONSULTING SER | | | | |
| 11/02/2018 | AP BRA CONSULTANT PROCUREMENT/ MAPS BLDG RE | | 179357 2,362.50 | Inv #: 'CMBRA-1210' Vendor 'EFTAXIADIS' | |
| 801.000 | PROFESSIONAL & CONSULTING SER | 5,000.00 | 2,362.50 | 2,637.50 | 47.25 |
| 803.000 | ADMINISTRATION | 4,000.00 | 0.00 | 4,000.00 | 0.00 |
| 900.000 | PRINTING & PUBLISHING | | | | |
| 10/31/2018 | AP ADVERTISEMENTS | | 179340 42.20 | Inv #: '41100167 10/18' Vendor 'PIONEER GR | |
| 10/31/2018 | AP ADVERTISEMENTS | | 179340 17.35 | Inv #: '41100167 10/18' Vendor 'PIONEER GR | |
| 900.000 | PRINTING & PUBLISHING | 200.00 | 59.55 | 140.45 | 29.78 |
| 913.000 | TRAVEL & TRAINING | | | | |
| 10/10/2018 | AP REGISTRATION FALL ECON. DEV. TOOLBOX - B | | 179018 105.00 | Inv #: 'MEDA-8542486' Vendor 'MI EDA' | |
| 01/15/2019 | AP 11/29-12/30/18 ACCT4436037031078866 | | 181381 136.74 | Inv #: '12302018' Vendor 'PNC BANK' | |
| 913.000 | TRAVEL & TRAINING | 500.00 | 241.74 | 258.26 | 48.35 |
| 915.000 | MEMBERSHIPS & DUES | | | | |
| 05/02/2019 | AP 2019 DUES ED BRADFORD | | 184083 295.00 | Inv #: '13059' Vendor 'MI EDA' | |
| 06/27/2019 | GJ RECLASS 10 MOS MEDA TO PREPAID | | 185856 (245.83) | JE# 5596 | |
| 06/27/2019 | GJ REV 4561 17/18 10 MOS MEDA PREPD | | 185858 241.67 | JE# 5598 | |
| 915.000 | MEMBERSHIPS & DUES | 300.00 | 290.84 | 9.16 | 96.95 |
| Total - Dept 000 | | 10,500.00 | 2,954.63 | 7,545.37 | 28.14 |
| Total Expenditures | | 10,500.00 | 2,954.63 | 7,545.37 | 28.14 |

BYLAWS OF THE CITY OF MANISTEE BROWNFIELD REDEVELOPMENT AUTHORITY

ARTICLE 1: NAME AND ADDRESS

Name: The name of the Authority is the City of Manistee Brownfield Redevelopment Authority (hereinafter referred to as the Authority).

Address: The address of the Authority is: 70 Maple Street, Manistee, Michigan 49660.

ARTICLE 2: DIRECTORS

- 2.1 **General Powers.** The business and affairs of the Authority shall be managed by its Board, except as otherwise provided by statute or by these Bylaws.
- 2.2 **Board of Directors.** The Board of Directors (hereinafter referred to as the Board) of the Authority shall consist of not less than five (5) persons and not more than nine (9) persons. BRA Board members are to be city residents or persons with an interest in property in the City of Manistee.
- 2.3 **Terms, Replacement and Vacancies.** Of the initial members appointed, an equal number, or as near as practicable, shall be appointed for one year, two years and three years. Thereafter, each member shall serve for a term of three years. Subsequent Directors shall be appointed in the same manner as original appointments at the expiration of each Director's term of office. A Director whose term of office has expired shall continue to hold office until his/her successor has been appointed with the advice and consent of the City Council. A Director may be reappointed with the advice and consent of the City Council to serve additional terms. If a vacancy is created by death or resignation, a successor shall be appointed with the advice and consent of the City Council within thirty (30) days to hold office for the remainder of the term of office so vacated.
- 2.4 **Board Absences.** In order to maintain the maximum participation of all appointed Brownfield Redevelopment Authority members at all scheduled meetings, 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 meeting of the Brownfield Redevelopment Authority.
 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 meeting; the Commission Chair or Staff Liaison to the Brownfield Redevelopment Authority should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Board Member upon this notification will receive an "excused absence" for the involved scheduled meeting.
 3. If any Board Member is absent from three (3) consecutive scheduled meetings without an "excused absence" for any of the three (3) meetings, the Board Member shall be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question his/her continued ability or interest in being on the Commission, giving the member a chance to rectify the attendance issue or submit a resignation.

4. There will be no limit on the number of consecutive "excused absences" for any Board Member. However, if the Board Member is repeatedly absent for at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question the member's continued ability or interest to be on the Commission. The Board Member will be considered for an appointment nullification when the absences total six in the calendar year.
 5. The appointment nullification action would be initiated by the City Manager and forwarded on to the City Council for official action.
- 2.5 **Removal.** A Director may be removed from office for inefficiency, neglect of duty, or misconduct or malfeasance, by a majority vote of the City Council.
 - 2.6 **Conflict of Interest.** A Director who has a direct interest in any matter before 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 shall further refrain from participation in the Authority's action to the matter. Each Director, upon taking office and annually thereafter, shall acknowledge in writing that they have read and agree to abide by this section.
 - 2.7 **Meetings.** Meetings of the Board may be called by or at the request of the Chairperson of the Board or any two Directors. The meetings of the Board shall be public, and the appropriate notice of such meetings shall be provided to the public. The Board shall hold an Annual Meeting in January of each year at which time officers of the Board shall be elected as provided in Article 3, Section 2.
 - 2.8 **Notice.** Notice of any meetings shall be given in accordance with the Open Meetings Act (Act No. 267 of the Public Acts of 1976).
 - 2.9 **Quorum.** A majority of the members of the Directors then in office constitutes 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 any further notice. The vote of the majority of the Directors present at a meeting at which a quorum is present constitutes the action of the Board, unless the vote of a larger number is required by statute or by these Bylaws. Amendment of the Bylaws by the Board requires the vote of not less than a majority of the members of the Board then in office.
 - 2.10 **Participation by Communication Equipment.** A member of the Board or of a committee designated by the Board may participate in a meeting by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this provision constitutes presence at the meeting.
 - 2.11 **Committees.** The Board may, by resolution passed by a majority of the whole board, designate one or more committees, each committee to consist of two 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 or disqualification of a member of a committee, the members thereof present at a meeting and not disqualified from voting, whether or not they constitute a quorum, may unanimously appoint another member of the Board 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, may exercise all powers and authority of the Board in the management of the business and affairs of the Authority, except that such committee so may exercise all powers and authority to: (a) recommend to members a dissolution of the Authority, or revocation of dissolution, (b) amend the Bylaws of the Authority, or (c) fill vacancies in the Board.

ARTICLE 3: OFFICERS

- 3.1 **Officers.** The officers of the Authority shall be elected by the Board and shall consist of a Chairperson, Vice Chairperson, and Secretary/Treasurer. The Board may also appoint a Recording Secretary who need not be a member of the Board. 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 excluded, acknowledged, or verified by two or more officers.
- 3.2 **Nomination, Election and Term of Office.** The officers of the Authority shall be elected by the Board at an Annual Meeting held in January of each year. Candidates shall be nominated by any Brownfield Redevelopment Authority Board member present at the meeting.
- 3.3 **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 terms of such office.
- 3.4 **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. He or she, or in his/her absence, the Vice Chairperson, shall preside at all meetings of the Board, he or she shall 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. He or she shall be ex-officio a member of all standing committees, and shall have the general powers and duties of supervision and management of the Authority.
- 3.5 **Secretary/Treasurer and Recording Secretary.** The Secretary/Treasurer shall attend all meetings of the Board and record all votes and the minutes of all proceedings in a book to be kept for that purpose, and shall perform like duties for the standing committees when required. They shall further perform all duties of the office of Secretary/Treasurer as provided by law or these Bylaws. They shall be sworn to the faithful discharge of these duties. For the purposes of recording minutes the Secretary/Treasurer may appoint a Recording Secretary.
- 3.6 **Delegation of Duties of Offices.** 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.
- 3.7 **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 \$500.00 for any expense listed as an eligible item for expenditure under the

approved Authority funding guidelines. The Executive Committee must report any such expenditures to the Board at the next regularly scheduled Board meeting.

ARTICLE 4: CONTRACTS, LOANS, CHECKS AND DEPOSITS

- 4.1 **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 authority may be general or confined to specific instances.
- 4.2 **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 City Council. Such authority may be general or confined to specific instances.
- 4.3 **Checks, Drafts, etc.** All checks, drafts or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Authority, shall be signed by such officer or officers, agent or agents of the Authority and in such manner as shall from time to time be determined by resolution of the Board.
- 4.4 **Deposits.** All funds of the Authority not otherwise employed shall be deposited from time to time to the credit of the Authority in such banks, trust companies or other depositories as the Board may select.

ARTICLE 5: FISCAL YEAR

The fiscal year of the Authority shall correspond at all times to the fiscal year of the City of Manistee.

ARTICLE 6: Miscellaneous

- 6.1 **Seal.** The Board shall provide a corporate seal which shall be the official seal of the Authority.
- 6.2 **Waiver of Notice.** When the Board or any committee thereof may take action after notice to any person or after lapse of a prescribed period of time, the action may be taken without notice and without lapse of the period of time, if at any time before or after 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.

ARTICLE 7: REVIEW AND AMENDMENTS

These Bylaws will be reviewed annually at the Annual Meeting. These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the Board then in office at any regular or special meeting called for that purpose. Any proposed changes are subject to review and approval of the City Council.

I HEREBY CERTIFY that the above Bylaws were adopted the 3rd day of January, 2017.



Edward Bradford, BRA Administrator

[Annotation: Article III Officers, Section 7 Executive Committee amended to be authorized to spend up to \$5,000.00. Approved by BRA 7/27/06]

[Annotation: As approved by the City Council at their June 2, 2009 Meeting – Council authorized the bylaw amendments for all Boards and Commissions to include the new Board Absences language; directed all boards or commissions to implement and follow these changes as Council has requested; and authorized the Mayor to sign the amended bylaws. Approved by BRA 7/7/09]

[Annotation: Article II Directors, Section 2, Board of Directors was amended to add “BRA Board members are to be city residents or persons with an interest in property in the City of Manistee.” Article III Officers, Section 2. Nomination, Election and Term of Office was amended by adding “any Brownfield Redevelopment Authority Board member present at the meeting” DELETING “a nomination committee composed of three members appointed by the Chairperson. The term of each office shall be for one (1) year. Each officer shall hold office until his/her successor is appointed. No persons shall hold the same office for more than three successive terms.” Approved by BRA 9/7/10]

[Annotation: Article II, Directors, Section 2, Board of Directors was amended to delete “unless an EDC, DDA, TIFA, or LDFA board was appointed.” Section 7, Meetings, was amended to delete “second calendar quarter of each year” and add “third calendar quarter of each year.” Article VII, Review and Amendments, was amended to change “Organizational Meeting” to “Annual Meeting.” Article III, Officers, Section 2, Nomination, Election and Term of Office was amended to delete “during the second calendar quarter of each year” and add “during the third calendar quarter of each year.” Approved by BRA 6/7/11]

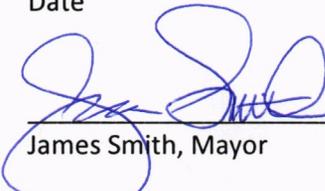
[Annotation: Article 2, Directors, Section 2.7 Meetings was amended by adding: “Regular meetings of the Brownfield Redevelopment Authority shall be held in each calendar quarter of each year. In no event shall there be less than four (4) meetings per year. The Board shall hold an Annual Meeting in January” deleting “during the third calendar quarter” and Article 3 Officers, Section 3.2 Nomination, Election and Term of Office adding “held in January” deleting “during the third calendar quarter”]

[Annotation: Article 2, Directors, Section 2.7 Meetings was amended by deleting: “Regular meetings of the Brownfield Redevelopment Authority shall be held in each calendar quarter of each year. In no event shall there be less than four (4) meetings per year.” APPROVED BY BRA 1/3/17]

Approved by the City of Manistee Council

01/17/2017

Date



James Smith, Mayor

City of Manistee Brownfield Redevelopment Authority

Proposed FY 2020 Budget

| 243 Brownfield Authority | Actual 2017 | Actual 2018 | Actual 2019 | Budget 2020 | Notes |
|--|-----------------|----------------|-----------------|----------------|-------------------------------------|
| 501.000 Federal Grant | \$0 | \$0 | \$0 | \$0 | |
| 539.000 State Grants | 0 | 0 | 0 | 0 | |
| 626.000 Charge for Service | 0 | 0 | 0 | 4,000 | Various applicants |
| 626.001 BRA Administration Fee | 0 | 4,438 | 0 | 3,000 | Brownfield plan administrative fees |
| 676.000 Reimbursement | 9,140 | 0 | 0 | 0 | American Materials loan |
| 699.000 Operating Transfer In | 0 | 0 | 0 | 0 | |
| Total Revenues | \$9,140 | \$4,438 | \$0 | \$7,000 | |
| 752.000 Operating Supplies | \$14 | \$0 | \$0 | \$100 | |
| 801.000 Professional & Consulting Services | 1,961 | 563 | 2,363 | 3,000 | Consultant |
| 820.000 Administration | 0 | 0 | 0 | 3,000 | City staff time |
| 913.000 Travel & Training Expense | 0 | 0 | 242 | 500 | MEDA Conferences\Workshops |
| 915.000 Memberships & Dues | 0 | 48 | 291 | 300 | MEDA |
| 900.000 Printing & Publishing | 0 | 0 | 60 | 100 | |
| 970.000 Capital Outlay | 0 | 0 | 0 | 0 | |
| 999.000 Transfer Out | 0 | 0 | 0 | 0 | |
| 991.001 Amer. Mat Loan | 9,140 | 0 | 0 | 0 | |
| Total Expenses | \$11,115 | \$611 | \$2,955 | \$7,000 | |
| Net Income\Loss | -\$1,975 | \$3,827 | -\$2,955 | \$0 | |
| Beginning Fund Balance | | \$ 14,941 | \$ 18,768 | \$ 15,813 | |
| Ending Fund Balance | \$ 14,941 | \$ 18,768 | \$ 15,813 | \$ 15,813 | |

Memo

To: Manistee Brownfield Redevelopment Authority Directors and Administrator
From: Roman Wilson, Fishbeck, Thompson, Carr & Huber, Inc. (FTCH)
Date: July 12, 2019
Re: South Washington Area Brownfield Project TIF Reimbursement
Private Development Portion, Submittal No. 3 (North Channel Component)

On behalf of the City of Manistee Brownfield Redevelopment Authority (CMBRA), FTCH has reviewed the Reimbursable Expense Compilation & Evaluation table, Submittal #3, provided by North Channel Investors, LLC (“Developer”), for the subject project. The submittal is for North Channel property redevelopment expenses related to Exterior and Interior Demolition & Removals, Site Grading & Balancing, ACM & LBP Abatement, Structural Reinforcements, Environmental Assessments and Due Care Planning, and preparation of the Brownfield Plan and Act 381 Work Plan. These non-environmental and environmental activities and associated costs were included in the Act 381 Work Plan for the South Washington Area Brownfield Redevelopment Project approved by the Michigan Strategic Fund in total, and by the Michigan Department of Environmental Quality (now called the Michigan Department of Environment, Great Lakes, and Energy – EGLE) in part.

The North Channel expenses submitted for reimbursement through future tax increments as presented in the Submittal #3 table, are \$434,531 for non-environmental costs and \$22,327 for environmental costs. Reimbursement amounts available based on the approved Act 381 Work Plan for the North Channel Component of the subject project and previously approved reimbursement amounts by the CMBRA in October 2018 include \$367,693 for non-environmental costs and \$13,297 for environmental costs.

FTCH acknowledges that the activities itemized in Submittal #3 are eligible activities and that sufficient supporting documentation has been provided.

Given the above, FTCH recommends that the CMBRA approve Developer reimbursement of eligible activity expenses in the amount of \$367,693 for non-environmental costs and \$13,297 for environmental costs.

Respectfully submitted,

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SOUTH WASHINGTON AREA BROWNFIELD REDEVELOPMENT PROJECT
PRIVATE DEVELOPMENT COMPONENT

SUBMITTAL #3 01-24-19 (North Channel Component)

| NORTH CHANNEL COMPONENT | | | | | | | | | | | | | | |
|---|-------------|------------------|------------------|---|--|-------|-------------------------|-------------------------|-----------------------|---|--------------------|------------------|---------------------|---|
| ELIGIBLE ACTIVITY CATEGORY | 381 WP TASK | 381 WP AMOUNT | APPROVED AMOUNT | Previously Approved for River Parc Place Component (Note 1) | Amount Available for North Channel Component | Doc # | PAYMENT or INVOICE ID # | PAYMENT or INVOICE DATE | VENDOR | SERVICE / EXPENSE | DATE(s) OF SERVICE | SUBMITTAL AMOUNT | TIF ELIGIBLE AMOUNT | DETERMINATION / COMMENTS |
| NON-ENVIRONMENTAL (MSF) 06/28/16 | | | | | | | | | | | | | | |
| REMOVALS / DEMOLITION | 2.2.2 | \$50,000 | \$50,000 | \$22,000 | \$28,000 | 1 | NCI-1705T | 05/31/17 | Eftaxiadis Consulting | Demolition Oversight | Jan-May '17 | \$4,025.00 | \$2,501.25 | Allocation |
| | | | | | | 2 | 5756 | 12/19/16 | Concept Design Studio | Demolition architectural plans (6 of 24); inv. #989 | May-Nov '16 | \$54,500.00 | \$24,500.00 | Demolition portion of \$98,000+ A/E fee |
| | | | | | | 3 | 1701/1702/1703 | 05/05/17 | Orshal Construction | Exterior & Interior Demolition & Removals | Jan-Apr '17 | \$245,902.95 | \$68,825.00 | Invoice allocated among several WP tasks; pd AIA #1 |
| | | | | | | 4 | Application #2 | 05/07/17 | Schepers Masonry | Demo north wall window openings | May '17 | \$66,000.00 | \$30,000.00 | Eligible portion of invoice |
| | | | | | | 5 | Application #3 | 05/07/17 | Schepers Masonry | Demo north wall window openings | Jun '17 | \$25,000.00 | \$5,000.00 | Eligible portion of invoice |
| | | | | | | 6 | Application #2 | 06/23/17 | Premier Caulking | West wall brick removal for restoration | Jun '17 | \$29,000.00 | \$2,000.00 | Eligible portion of invoice |
| | | | | | | 7 | CO #9 & #11 | 07/14/17 | Swidorski Excavating | Structure and site demolition | Jun '17 | \$3,278.00 | \$2,428.00 | Eligible portion of change orders |
| | | | | | | 8 | Draw #4 | 08/08/17 | Orshal Construction | Old window removal (partial) | Jun-Jul '17 | \$45,350.00 | \$4,000.00 | Eligible portion of invoice |
| | | | | | | 9 | Draw #5 | 09/28/17 | Orshal Construction | Old window removal (partial) | Aug '17 | \$12,555.00 | \$2,235.00 | Eligible portion of invoice |
| | | | | | | 10 | #24 | 05/19/18 | Schepers Masonry | New window openings demo and supports | Apr '18 | \$4,000.00 | \$4,000.00 | |
| \$145,489.25 | | | | | | | | | | | | | | |
| ASBESTOS & LEAD ABATEMENT | 2.2.3 & 4 | \$75,000 | \$75,000 | \$0 | \$75,000 | 1 | NCI-1712T | 01/02/18 | Eftaxiadis Consulting | LBP abatement oversight (N & S walls) | Aug-Dec '17 | \$498.75 | \$498.75 | |
| | | | | | | 2 | 1701/1702/1703 | 05/05/17 | Orshal Construction | Mold abatement and ACM disposal | Jan-Apr '17 | See above | \$4,322.50 | Invoice allocated among several WP tasks; pd AIA #1 |
| | | | | | | 3 | 043366 | 06/20/17 | Halligan Painting | 1st floor LBP wall encapsulation | May-Jun '17 | \$10,800.00 | \$6,600.00 | Eligible portion of invoice |
| | | | | | | 4 | Appl. #3 | 08/20/17 | Halligan Painting | Exterior wall LBP encapsulation | Aug '17 | \$14,000.00 | \$8,400.00 | Eligible portion of invoice |
| | | | | | | 5 | Appl. #5 | 03/20/18 | Halligan Painting | Interior 2nd floor LBP brick walls encapsulation | Feb-Mar '18 | \$18,000.00 | \$3,750.00 | Eligible portion of invoice |
| | | | | | | 6 | Appl. #6 | 04/20/18 | Halligan Painting | Interior 2nd floor LBP brick walls encapsulation | Apr '18 | \$27,000.00 | \$2,250.00 | Eligible portion of invoice |
| \$25,821.25 | | | | | | | | | | | | | | |
| SITE GRADING & BALANCING | 2.2.5.a | \$15,000 | \$15,000 | \$13,999 | \$1,001 | 1 | 15396 | 06/15/18 | Nordlund & Assoc. | Engineering design grade revisions | Spring '17 | \$3,015.00 | \$877.50 | Eligible portion of invoice |
| | | | | | | 2 | 114066 | 05/25/16 | Abonmarce | Survey for grading plan | May '16 | \$220.00 | \$220.00 | |
| | | | | | | 3 | NCI-1806T | 07/02/18 | Eftaxiadis Consulting | Oversight balancing & grading (west side) | Jan-Jun '17 | \$866.25 | \$866.25 | |
| | | | | | | 4 | AIA #1 | 05/09/17 | Swidorski Excavating | Soil grading for interior fill | Feb-May '17 | \$15,000.00 | \$15,000.00 | |
| | | | | | | 5 | 1706 | 05/25/17 | Orshal Construction | Balance crawl space fill w/ contaminated soils | Feb-May '17 | \$42,814.00 | \$18,400.00 | Invoice allocated among two WP tasks; pd by AIA #2 |
| | | | | | | 6 | AIA #2 | 05/26/17 | Swidorski Excavating | Exterior & interior grading/balancing | May '17 | \$70,733.90 | \$24,235.00 | Eligible portion of invoice; pd by Gibson AIA #2 |
| | | | | | | 7 | Appl. #5 | 09/15/17 | Swidorski Excavating | Exterior grading/balancing | Aug-Sep '17 | \$22,737.00 | \$1,125.00 | Eligible portion of invoice |
| | | | | | | 8 | Draw #5 | 09/28/17 | Orshal Construction | Move/balance exterior soils | Aug '17 | See above | \$3,100.00 | Eligible portion of invoice |
| \$63,823.75 | | | | | | | | | | | | | | |
| DEBRIS & FILL MGMT | 2.2.5.b | \$5,000 | \$5,000 | \$0 | \$5,000 | 1 | 78047 | 04/21/17 | Fibertec | Excess Soil Characterization | Apr '17 | \$349.00 | \$349.00 | |
| | | | | | | 2 | CO #6 | 07/14/17 | Swidorski Excavating | Excess soil disposal | Jun '17 | \$12,800.00 | \$12,800.00 | |
| \$13,149.00 | | | | | | | | | | | | | | |
| STRUCTURAL IMPROVEMENTS | 2.2.5.c | \$200,000 | \$200,000 | \$0 | \$200,000 | 1 | 15395 | 06/15/18 | Nordlund & Assoc. | Structural changes for contaminated soils | Spring '17 | \$5,955.00 | \$1,140.00 | Eligible portion of invoice |
| | | | | | | 2 | NCI-1707T | 08/15/17 | Eftaxiadis Consulting | Oversight structural reinforcements | Jun-Jul '17 | \$1,863.75 | \$1,181.25 | Allocation |
| | | | | | | 3 | 1701/1702/1703 | 05/05/17 | Orshal Construction | Structural reinforcements for demo & building | Jan-Apr '17 | See above | \$123,267.50 | Invoice allocated among several WP tasks; pd AIA #1 |
| | | | | | | 4 | Draw #1 | 04/20/17 | Northwoods Products | Structural (steel) building reinforcements | Jan-Apr '17 | \$44,095.00 | \$37,765.80 | Eligible portion of invoice |
| | | | | | | 5 | 1706 | 05/25/17 | Orshal Construction | Structural reinforcements roof and 2nd-3rd floors | Feb-May '17 | See above | \$15,976.00 | Invoice allocated among two WP tasks; pd by AIA #2 |
| \$179,330.55 | | | | | | | | | | | | | | |
| BRA PLAN / 381 WP / D&RA (MSF PORTION) | 2.2.9 | \$10,000 | \$10,000 | \$3,058 | \$6,942 | 1 | NCI-1607T | 09/01/17 | Eftaxiadis Consulting | BRA Planning (MSF portion) | Mar-Jul '16 | \$2,966.25 | \$945.00 | Allocation |
| | | | | | | 2 | SWA-1512T | 01/04/16 | Eftaxiadis Consulting | BRA Planning (MSF portion) | Jun-Dec '15 | \$5,171.25 | \$2,401.87 | Allocation & eligible portion of invoice |
| | | | | | | 3 | SWA-1602T | 03/02/16 | Eftaxiadis Consulting | BRA Planning (MSF portion) | Jan-Feb '16 | \$7,297.50 | \$3,570.00 | Allocation & eligible portion of invoice |
| \$19,576.00 | | | | | | | | | | | | | | |
| CONTINGENCY (15%) | 2.2.10 | \$51,750 | \$51,750 | | \$51,750 | | | | | | | | | |
| MSF SUBTOTAL: | | \$406,750 | \$406,750 | \$39,057 | \$367,693 | | | | | | | \$795,794 | \$434,531 | |
| ENVIRONMENTAL (MDEQ) 04/15/16 | | | | | | | | | | | | | | |
| ESA, SURVEYS, DC PLANS | 2.1.2.a,b,c | \$10,000 | \$8,000 | \$443 | \$7,557 | 1 | 72953 | 05/05/16 | Fibertec | Suppl Soil Sampling | April '16 | \$728.00 | \$364.00 | Allocated 50/50 between NC and RPP |
| | | | | | | 2 | CRE-1608T | 08/31/16 | Eftaxiadis Consulting | Due Care planning | Aug '16 | \$840.00 | \$78.75 | Allocation |
| | | | | | | 3 | NCI-1607T | 08/01/17 | Eftaxiadis Consulting | Due Care planning | Mar-Jul '16 | \$2,966.25 | \$1,076.25 | Allocation |
| | | | | | | 4 | CRE-1405NCO | 06/13/14 | Eftaxiadis Consulting | Due Care planning | Mar-May '14 | \$2,966.25 | \$393.75 | Allocation |
| | | | | | | 5 | NCI-1705T | 05/31/17 | Eftaxiadis Consulting | DC Oversight | Jan-May '17 | \$4,025.00 | \$1,265.00 | Allocation & eligible portion of invoice |
| | | | | | | 6 | NCI-1707T | 08/15/17 | Eftaxiadis Consulting | Oversight removals/relocation | Jun-Jul '17 | \$1,863.75 | \$682.50 | Allocation |
| \$12,327.50 | | | | | | | | | | | | | | |
| INTERIOR CONTAMINATED SOIL CAPPING/DISPOSAL | 2.1.2.d | \$35,000 | \$0 | \$0 | \$0 | 1 | 1701/1702/1703 | 05/05/17 | Orshal Construction | Interior soil capping (1st floor) | Jan-Apr '17 | See above | \$14,400.00 | Invoice allocated among several WP tasks; pd AIA #1 |
| \$14,400.00 | | | | | | | | | | | | | | |
| EXTERIOR CONTAMINATED SOIL CAPPING/DISPOSAL | 2.1.2.e | \$90,000 | \$0 | \$0 | \$0 | | | | | | | | | |
| \$0 | | | | | | | | | | | | | | |
| BRA PLAN / 381 WP / D&RA (MDEQ PORTION) | 2.1.6 | \$10,000 | \$10,000 | \$5,460 | \$4,540 | 1 | CRE-1409TIF | 10/09/14 | Eftaxiadis Consulting | BRA Planning (MDEQ portion) | Jul-Sep '14 | \$5,927.50 | \$2,963.75 | Allocation |
| | | | | | | 2 | CRE-1412T | 01/20/15 | Eftaxiadis Consulting | BRA Planning (MDEQ portion) | Oct-Dec '14 | \$630.00 | \$157.50 | Allocation |
| | | | | | | 3 | NCI-1607T | 09/01/17 | Eftaxiadis Consulting | BRA Planning (MDEQ portion) | Mar-Jul '16 | \$2,966.25 | \$945.00 | Allocation |
| \$4,066.25 | | | | | | | | | | | | | | |
| CONTINGENCY (15%) | 2.1.7 | \$21,750 | \$1,200 | \$0 | \$1,200 | | | | | | | | | |
| MDEQ SUBTOTAL: | | \$166,750 | \$19,200 | \$5,903 | \$13,297 | | | | | | | \$22,913 | \$22,327 | |
| TOTAL: | | \$573,500 | \$425,950 | \$44,960 | \$380,990 | | | | | | | \$818,707 | \$456,857 | |

TIF IMPLEMENTATION PLAN APPROVED: 6/28/2016

NOTE 1: TIF reimbursement for River Parc Place II component approved by CMBRA on October 30, 2018.