MANISTEE CITY BROWNFIELD REDEVELOPMENT AUTHORITY

July 14, 2020

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. OATH OF OFFICE

Brownfield Redevelopment Authority Members must be sworn in to serve in their office.

At this time, Ronald Kipp Pomranky will be sworn in.

7. INTRODUCTION OF GATEWAY PROJECT – LITTLE RIVER HOLDINGS, LLC

8. APPROVAL OF MINUTES

At this time the Brownfield Redevelopment Authority can act to approve the July 17, 2019 meeting minutes.

9. FINANCIAL REPORTS

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

- Balance Sheet
- Revenue & Expense
- Bills Paid

10. OLD BUSINESS

None

11. 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 2020.

Vice-Chair - The Brownfield Redevelopment Authority will select a Vice Chair for 2020.

Sec/Treasurer - The Brownfield Redevelopment Authority will select a Sec/Treasurer for 2020.

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. Consideration of FY 2021 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 2021 budget.

d. Consideration of Revised Brownfield Application Process and Fees

The Brownfield Administrator and Consultant Roman Wilson of FTCH reviewed the BRA's brownfield application process and fee schedule. The process was deemed cumbersome for the applicant and to administer. A new, simplified policy and fee schedule has been created.

At this time the Brownfield Redevelopment Authority can act to approve the revised brownfield application process and fees.

12. 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.

13. CORRESPONDENCE

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

14. NEXT MEETING DATE(S)

15. MEMBERS DISCUSSION

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

16. ADJOURN

CITY OF MANISTEE BROWNFIELD REDEVELOPMENT AUTHORITY

July 17, 2019

MEETING MINUTES

A meeting of the City of Manistee Brownfield Redevelopment Authority was held on July 17, 2019 at 2:00 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 2:05 pm by Chairman Kempf.

Roll Call:

Members Present: Meagan Kempf, Shelly Memberto, Roger Yoder

Members Absent: Marlene McBride, Kipp Pomranky

Others: Ed Bradford (BRA Administrator), Roman Wilson (Brownfield Consultant)

APPROVAL OF AGENDA
Motion by Yoder, seconded by Memberto to amend the agenda to move New Business: e. Approval of Reimbursement of South Washington Area Eligible Expenses (North Channel Investors, LLC) up on the agenda following Public Comments. Motion passed unanimously.

PUBLIC HEARING
None

PUBLIC COMMENTS
None

NEW BUSINESS
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.

T. Eftaxiadis, part owner of North Channel Investors, LLC., discussed the project and answered questions.

MOTION by Yoder, seconded by Memberto, to approve reimbursement of costs in the amounts of $13,297 for environmental and $367,693 for non-environmental. Motion passed unanimously.

APPROVAL OF MINUTES
Motion by Yoder, seconded by Memberto that the minutes of the December 18, 2018 Brownfield Redevelopment Authority Meeting be approved as submitted. Motion passed unanimously.

FINANCIAL REPORTS
Brownfield Administrator Ed Bradford gave a financial status update on the Brownfield Redevelopment Authority.

OLD BUSINESS
None

NEW BUSINESS
1. 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 was turned over to Ed Bradford who will ask for nominations.

Bradford asked for nominations for Chair. Yoder nominated Kempf. Kempf nominated Yoder. Roll call vote - Yoder: Kempf; Memberto: Yoder; Kempf: Yoder. Yoder was elected Chair for 2019.

Yoder asked for nominations for Vice-Chair. Memberto nominated Kempf. Kempf was unanimously elected Vice-Chair for 2019.

Yoder asked for nominations for Secretary\Treasurer. Kempf nominated Memberto. Memberto was unanimously elected Secretary\Treasurer for 2019.

2. 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. No changes were proposed to the Bylaws.

3. Oath of Office/Section 6 Conflict of Interest

Annually the Brownfield Redevelopment Authority members must 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.

Deputy City Clerk Lora Laurain administered the Oath of Office to the Board members.

4. 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.

The Brownfield Administrator explained the various components of the budget to the Board.

MOTION by Kempf, seconded by Memberto to adopt the FY 2020 budget. Motion approved unanimously.

STAFF REPORTS
Bradford updated the members on the activities of the Brownfield Authority, including developer interest, stalled projects and planned meeting with City Manager.

CORRESPONDENCE
Bradford informed Board that he and the Brownfield Consultant would be looking at any options\tools to remediate residential blight.

NEXT MEETING DATES
Members were reminded to keep the first Tuesday of each month open for potential meetings, though none are currently scheduled.

MEMBERS DISCUSSION
None.

ADJOURNMENT
MOTION by Kempf, seconded by Memberto to adjourn. Meeting adjourned at 2:42 pm

MANISTEE CITY BROWNFIELD REDEVLOPMENT AUTHORITY

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Edward Bradford, Administrator

BALANCE SHEET FOR MANISTEE CITY
Period Ending 06/30/2020

Fund 243 BROWNFIELD REDEVELOPMENT AUTHO

GL Number	Description	Current Year Beg. Balance	Balance
*** Assets ***			
243-000-001.000	CASH - CHECKING	72,335.79	100,730.35
243-000-123.000	PREPAID EXPENSES	245.83	254.17
Total Assets		**72,581.62**	**100,984.52**
*** Liabilities ***			
243-000-202.000	ACCOUNTS PAYABLE	49,493.53	0.00
243-000-210.000	TAX CAPTURE PAYABLE	7,275.30	78,902.36
Total Liabilities		**56,768.83**	**78,902.36**
*** Fund Balance ***			
243-000-390.000	FUND BALANCE	15,812.79	15,812.79
Total Fund Balance		**15,812.79**	**15,812.79**
Beginning Fund Balance			**15,812.79**
Net of Revenues VS Expenditures			**6,269.37**
Ending Fund Balance			**22,082.16**
Total Liabilities And Fund Balance			**100,984.52**

REVENUE AND EXPENDITURE REPORT FOR MANISTEE CITY

PERIOD ENDING 06/30/2020

GL NUMBER	DESCRIPTION	2019-20 AMENDED BUDGET	YTD BALANCE 06/30/2020 NORMAL (ABNORMAL)	ENCUMBERED YEAR-TO-DATE	UNENCUMBERED BALANCE	% BDGT USED
Fund 243 - BROWNFIELD REDEVELOPMENT AUTHO						
Revenues						
Dept 000						
243-000-626.000	CHARGE FOR SERVICE	4,000.00	0.00	0.00	4,000.00	0.00
243-000-626.001	BROWNFIELD ADMINISTRATION SERVICES	3,000.00	8,129.45	0.00	(5,129.45)	270.98
243-000-665.000	INVESTMENT - INTEREST	0.00	80.38	0.00	(80.38)	100.00
Total Dept 000		7,000.00	8,209.83	0.00	(1,209.83)	117.28
TOTAL REVENUES		7,000.00	8,209.83	0.00	(1,209.83)	117.28
Expenditures						
Dept 000						
243-000-752.000	SUPPLIES - OPERATING	100.00	0.00	0.00	100.00	0.00
243-000-801.000	PROFESSIONAL & CONSULTING SER	3,000.00	1,389.63	0.00	1,610.37	46.32
243-000-803.000	ADMINISTRATION	3,000.00	0.00	0.00	3,000.00	0.00
243-000-900.000	PRINTING & PUBLISHING	100.00	0.00	0.00	100.00	0.00
243-000-913.000	TRAVEL & TRAINING	500.00	0.00	0.00	500.00	0.00
243-000-915.000	MEMBERSHIPS & DUES	300.00	550.83	0.00	(250.83)	183.61
Total Dept 000		7,000.00	1,940.46	0.00	5,059.54	27.72
TOTAL EXPENDITURES		7,000.00	1,940.46	0.00	5,059.54	27.72
Fund 243 - BROWNFIELD REDEVELOPMENT AUTHO:						
TOTAL REVENUES		7,000.00	8,209.83	0.00	(1,209.83)	117.28
TOTAL EXPENDITURES		7,000.00	1,940.46	0.00	5,059.54	27.72
NET OF REVENUES & EXPENDITURES		0.00	6,269.37	0.00	(6,269.37)	100.00

INVOICE GL DISTRIBUTION REPORT FOR MANISTEE CITY
EXP CHECK RUN DATES 08/01/2019 - 06/30/2020
JOURNALIZED
PAID

GL Number	Invoice Date	Vendor	Invoice Desc.	Invoice	Chk Date	Amount	heck #
Fund 243 BROWNFIELD REDEVELOPMENT AUTHO							
Dept 000							
243-000-210.000	09/20/19	STATE OF MICHIGAN	BROWNFIELD REDEVELOPMENT FUND SITE-	INV-0000124	09/26/19	2,721.00	48210
243-000-801.000	08/19/19	FISHBECK, THOMPSON, CARR &	BROWNFIELD CONSULTING SERVICE	385388	08/23/19	1,509.40	1317
243-000-801.000	10/04/19	FISHBECK, THOMPSON, CARR &	BROWNFIELD CONSULTING	386842	05/07/20	134.40	1825
243-000-915.000	04/24/20	MICHIGAN ECONOMIC DEVELOPERS A	2020 DUES ED BRADFORD	13847	05/05/20	305.00	49153
			Total For Dept 000			4,669.80	
			Total For Fund 243 BROWNFIELD REDEVELOPMENT AUTHO			4,669.80	

GL Number	Invoice Date	Vendor	Invoice Desc.	Invoice	Chk Date	Amount	heck #
		Fund Totals:					
			Fund 243 BROWNFIELD REDEVELOPMENT AUT			4,669.80	
			Total For All Funds:			4,669.80	

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 form 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 depositaries 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, Se3ction 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 2021 Budget

243 Brownfield Authority	Actual 2018	Actual 2019	Projected 2020	Budget 2021	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	24,000	Application & priocessing fees
626.001 BRA Administration Fee	4,438	0	8,129	4,000	Brownfield plan administrative fees
665.000 Interest	0	0	80	100	
676.000 Reimbursement	0	0	0	0	
699.000 Operating Transfer In	0	0	0	0	
Total Revenues	**$4,438**	**$0**	**$8,209**	**$28,100**	
752.000 Operating Supplies	$0	$0	$0	$500	
801.000 Professional & Consulting Services	563	2,363	1,390	22,000	Consultant
820.000 Administration	0	0	0	3,000	City staff time
913.000 Travel & Training Expense	0	242	0	500	MEDA Conferences\Workshops
915.000 Memberships & Dues	48	291	300	300	MEDA
900.000 Printing & Publishing	0	60	0	100	
970.000 Capital Outlay	0	0	0	0	
Total Expenses	**$611**	**$2,955**	**$1,690**	**$26,400**	
Net Income\Loss	**$3,827**	**-$2,955**	**$6,520**	**$1,700**	
Beginning Fund Balance	$ 14,941	$ 18,768	$ 15,813	$ 22,333	
Ending Fund Balance	$ 18,768	$ 15,813	$ 22,333	$ 24,033	

CITY OF MANISTEE BROWNFIELD REDEVELOPMENT AUTHORITY

Redevelopment Project Funding Assistance Policy

July 14, 2020

This document provides an outline of the steps and activities required to process requests for funding assistance by the City of Manistee Brownfield Redevelopment Authority ("CMBRA") in support of redevelopment projects within the City.

STEP 1 PRE-APPLICATION ACTIVITIES (No Fee Required)

1. Receipt by CMBRA, CMBRA Consultant ("Consultant") or City of a property Owner or Developer ("Developer") inquiry concerning assistance with pursuing redevelopment financial support through City and/or State.

2. Initial staff and Consultant discussion of inquiry.

3. Initial site visit and prospective project discussion with Developer.

4. Staff review of inquiry, documentation of inquiry and initial determination of project viability and desirability. At this point, a decision is made whether the Developer should submit an application or not.

STEP 2 APPLICATION FOR REDEVELOPMENT PROJECT FUNDING (Fees Required)

1. Submittal of Application for Redevelopment Project Funding prepared by Developer and receipt of non-refundable application fee of **$2,000.**

2. Administrative and technical review of application by CMBRA and Consultant (and City if needed). More information from the Developer may be requested if needed.

3. Evaluation of applicant's request for financial assistance by CMBRA and City and a decision on whether to proceed is rendered.

STEP 3 BROWNFIELD PLAN, ACT 381 WORKPLAN AND DEVELOPMENT & REIMBURSEMENT AGREEMENT PREPARATION & PROCESSING

1. The CMBRA and Consultant will prepare the Brownfield Plan, Act 381 Work Plan and Development & Reimbursement Agreement. The cost to prepare the plans will be determined by the CMBRA depending on the complexity of the project but shall not exceed **$20,000,** subject to #5 below. Developer shall pay ½ of the established fee up-front and ½ prior to final approval.

2. Meetings with Developer, CMBRA, City, Michigan Department of Environment, Great Lakes and Energy (EGLE) and Michigan Economic Development Corporation (MEDC), as needed.

3. Preparation by CMBRA of the Brownfield Plan, including eligible costs and tax increment financing (TIF) tables (if applicable) based on information provided in application.

4. Preparation by CMBRA of the Act 381 Work Plan, if needed. Meeting of CMBRA to discuss and act on Work Plan. Submittal by CMBRA, and coordination with EGLE and/or MEDC of Work Plan for review and approval.

5. Preparation by CMBRA and City, of Standard Development & Reimbursement Agreement between CMBRA, City and Developer. Legal fees incurred by the CMBRA and City for the preparation, review or negotiation of a non-standard or complex Development & Reimbursement Agreement will be invoiced to the applicant at cost and will be payable prior to proceeding to the approval process.

6. Scheduling of CMBRA public hearing, preparation of resolution, and posting appropriate notice of public hearing.

7. Public hearing on BRA Plan by CMBRA, followed by meeting of CMBRA to discuss and act on BRA Plan, Act 381 Work Plan and Development & Reimbursement Agreement.

8. Meeting of City Council to discuss and act on BRA Plan and Development & Reimbursement Agreement.

STEP 4. OTHER FORMS OF ASSISTANCE

1. Projects that include additional forms of financial support that may be pursued by the CMBRA or City on behalf of the Developer such as MSHDA, USDA, MEDC grants and/or loans or EGLE grants and\or loans, will require an additional fee of **$2,000** per grant/loan application.

STEP 5. PROJECT IMPLEMENTATION

Following project initiation, the CMBRA will oversee the implementation of the project as approved in the BRA Plan, Act 381 Work Plan and Development & Reimbursement Agreement including, but not limited to:

1. Review and approval of applicant's invoices for "eligible" costs.

2. Review of environmental assessment and remediation reports, if applicable.

3. Inspections of project construction and completion.

4. Capture of, and accounting for incremental tax revenues.

5. Reimbursement of "eligible" costs to applicant.

6. Preparation of annual reports to State.

7. The CMBRA's costs for performing these functions will be reimbursed through the Administrative Fees and\or Implementation Fees included in the BRA Plan and the Act 381 Work Plan.

CITY OF MANISTEE BROWNFIELD REDEVELOPMENT AUTHORITY

Redevelopment Project Funding Assistance Process Outline

7-15-2015

This document provides an outline of the steps and activities required to process requests for funding assistance by the City of Manistee Brownfield Redevelopment Authority (CMBRA) in support of redevelopment projects within the City.

STEP 1. PRE-APPLICATION ACTIVITIES (No Fee Required)

1. Receipt by staff (CMBRA Administrator, Zoning Administrator, CMBRA Consultant) of new/prospective property Owner or Developer ("Owner/Developer") inquiries concerning CMBRA/City assistance with pursuing redevelopment financial support through City and/or State (MEDC, MSHDA, etc.).

2. Initial staff discussion of inquiry. Assignment of staff contact with Owner/Developer.

3. Initial site visit and prospective project discussion with Owner/Developer.

4. Request for completion and submittal by Owner/Developer of CMBRA Redevelopment Pre-Application Form (Attachment A).

5. Staff review of Pre-Application and initial determination of project viability and desirability.

STEP 2. APPLICATION FOR REDEVELOPMENT PROJECT FUNDING (Fees Required)

1. Submittal of Application for Redevelopment Project Funding prepared by applicant and receipt of application fee **($2,000).**

2. Administrative and technical review of Application by CMBRA, and City representatives (if needed).

3. Evaluation of applicant's request for financial assistance by CMBRA and City. Make Go – No Go decision.

4. Meeting with applicant, CMBRA, City and Michigan Department of Environmental Quality (MDEQ) and Michigan Strategic Fund (MSF).

5. Preparation by BRA of standard BRA Plan, including Eligible Costs and Tax Increment Financing (TIF) tables (if applicable) based on information provided in application.

6. Preparation by BRA and City, of Standard Development & Reimbursement Agreement between CMBRA, City (if appropriate) and applicant.

The application fee of **$2,000** is due with the submittal of the Application and it is non-refundable. Legal fees incurred by the BRA and City for the preparation, review or negotiation of a <u>non-standard</u> Development & Reimbursement Agreement will be invoiced to the applicant at cost and will be payable prior to proceeding with Step 3 of the redevelopment assistance process.

STEP 3. BROWNFIELD PLAN PROCESSING

1. Scheduling of CMBRA public hearing, preparation of resolution, and posting (twice) of notice of public hearing.

2. Public hearing on BRA Plan by CMBRA, followed by meeting of CMBRA to discuss and act on BRA Plan and Development & Reimbursement Agreement.

3. Meeting of City Council to discuss and act on BRA Plan.

A non-refundable BRA Plan processing base fee **($1,500**) is due prior to scheduling the CMBRA's meeting to act on the BRA Plan. An additional fee **(1%)** of the requested TIF reimbursement amount, not to exceed $10,000, will be added to the $1,500 base fee.

Substantially more complex projects that require integration of additional forms of financial support that may be pursued by the CMBRA or City on behalf of the Owner/Developer (MSHDA, USDA or MEDC Grants and/or Loans), will require an additional fee (**$3,000)** per grant/loan application or a (**2.5%) fee** of the grant/loan application amount, whichever is more.

STEP 4. BROWNFIELD ACT 381 WORK PLAN PROCESSING

1. Preparation by CMBRA staff of Brownfield Act 381 Work Plan (Work Plan) for reimbursement of the Owner/Developer's "eligible" redevelopment costs.

2. Meeting of CMBRA to discuss and act on Work Plan.

4. Submittal by CMBRA, and coordination with MDEQ and/or MSF of Work Plan for review and approval.

A development and processing fee for the Work Plan **($4,000)** is due prior to the preparation of the Work Plan. The Work Plan development and processing fee covers the CMBRA's actual costs (estimated at $1,000 to $4,000 depending on the complexity of the project). The processing fee of $4,000 will be placed in escrow to be used for payment of CMBRA's costs. The unused portion of the fee will be refunded to the Owner/Developer. This processing fee is an "eligible" cost, therefore it will be included in the BRA Plan and in the Work Plan to be reimbursed to the Owner/Developer by the CMBRA through future incremental tax revenues.

STEP 5. PROJECT IMPLEMENTATION

Following project initiation, the CMBRA will oversee the implementation of the project as approved in the BRA Plan, Work Plan and Development & Reimbursement Agreement including, but not limited to:

1. Review and approval of applicant's invoices for "eligible" costs.

2. Review of environmental assessment and remediation reports, if applicable.

3. Inspections of project construction and completion.

4. Capture of, and accounting for incremental tax revenues.

5. Reimbursement of "eligible" costs to applicant.

6. Preparation of annual reports to State.

The CMBRA's costs for performing these functions will be reimbursed through the Administrative Fees included in the BRA Plan and the Act 381 Work Plan.