



CITY COUNCIL ACTION REPORT

May 16, 2007

TO: Phillip L. Nelson, City Manager ^{PLN}

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services ^{BPM}

SUBJECT: Approval of Project Plan for Expansion and Improvements at the Bharatiya Temple, 6850 N. Adams, and Waiver of Jurisdiction of the Troy Economic Development Corporation for the Issuance of Bonds

Background

- The Bharatiya Temple at 6850 N. Adams plans to expand and improve their current facility by adding classrooms, a banquet hall and a larger prayer hall. City Council granted preliminary site plan approval on July 12, 2005.
- The Bharatiya Temple intends to issue \$4.3 million in bonds through the Oakland County Economic Development Corporation (EDC) to fund the project.
- Act 338 of the Michigan Public Acts of 1974 requires the municipality to waive jurisdiction when a project is to be financed by the Oakland County EDC if the municipality has an economic development corporation, as does the City of Troy.

Financial Considerations

- There are no financial considerations to the City of Troy in this matter.

Legal Considerations

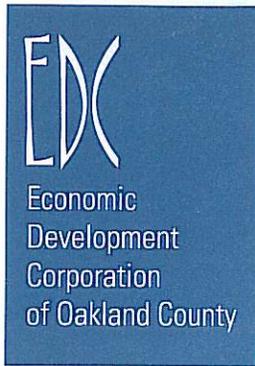
- Mary Langhauser, Supervisor of Financial Services of the EDC of Oakland County has requested that Troy City Council approve the project plan and waive jurisdiction for the issuance of bonds to fund this project.

Policy Considerations

- The Bharatiya Temple's plans to expand and improve their facility illustrates Council's intentions by establishing **Goal III, "Retain and attract investment while encouraging redevelopment"**.

Options

- It is recommended that City Council approval the project plan for the Bharatiya Temple and waive the jurisdiction of the Troy economic development corporation in the issuance of bonds through the Oakland County EDC.



Oakland County
Planning and Economic
Development Services

1200 N. Telegraph Rd.
Pontiac, Michigan
48341-0412

Tel: 248.858.0765
Fax: 248.975.9555



David F. Courtney
Chairperson

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Vice Chairperson

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Mary P. Langhauser
Assistant Secretary

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Legal Counsel

Daniel P. Hunter
Manager

May 10, 2007

Brian Murphy
Assistant City Manager
City of Troy
500 W. Big Beaver Rd
Troy, MI 48084

RE: The Bharatiya Temple Project Plan

Mr. Murphy:

Attached please find the Resolution of Waiver of Jurisdiction and the Resolution Recommending the Project Plan as well as 15 copies of the plan. I would like to request that this be placed on the City Council's agenda for May 21, 2007.

I will be available that evening if the council has any questions.

If you have any questions or concerns please feel free to contact me at (248) 858-0879.

Sincerely,

Mary Langhauser
Supervisor-Financial Services

PROJECT PLAN

SUMMARY DESCRIPTION OF THE BHARATIYA TEMPLE EXPANSION PROJECT

OWNER OF PROJECT:

The Bharatiya Temple
6850 N. Adams Rd.,
Troy, MI 48098

CONTACT PERSON: (Name, address, telephone number)

Mr. Jayanti Shah
Secretary, Long Range Planning Committee
The Bharatiya Temple
Troy, MI 48098

LOCATION OF PROJECT: (Local municipality)

Troy

PROJECT AREA/DISTRICT AREA: See Exhibit A

NATURE OF PROJECT:

Extension of the current structure with the addition of class rooms, banquet hall, and a larger prayer hall.

TOTAL PROJECT COST:

9.3 M\$

BONDS TO BE ISSUED:

4.3 M\$

LETTER OF CREDIT ISSUER OR BOND PURCHASER:

The Fifth Third Bank

PROJECT PLAN CERTIFICATION

THIS PROJECT PLAN WAS PREPARED FOR THE ECONOMIC DEVELOPMENT CORPORATION OF THE COUNTY OF OAKLAND IN ACCORDANCE WITH THE REQUIREMENTS OF THE ECONOMIC DEVELOPMENT

**THE ECONOMIC DEVELOPMENT CORPORATION
OF THE COUNTY OF OAKLAND
Oakland County, Michigan**

The Bharatiya Temple Expansion Project

PROJECT PLAN

CONTENTS

1. Summary Description of Project (Page 1)
2. Project Plan Certification by Company (Page 2)
3. Statutorily Required Information (Page 3)
4. Exhibits

"A" - Project Area Legal Description

"B" - Letter of Credit or Bond Purchaser's Commitment Letter

"C" - Company Certificate Regarding Transfer of Employment

"D" - Company Certificate Regarding Payment of Prevailing Wages

Other

CORPORATIONS ACT, ACT NO. 338 OF THE MICHIGAN PUBLIC ACTS OF 1974, AS AMENDED.

THE UNDERSIGNED HAS PROVIDED ALL OF THE INFORMATION CONTAINED HEREIN AND HEREBY CERTIFIES AS TO THE ACCURACY AND VALIDITY OF SUCH INFORMATION AS OF THIS DATE.

THE UNDERSIGNED UNDERSTANDS THAT THIS PROJECT PLAN IS STATUTORILY REQUIRED AND, IF IT CONTAINS ANY MATERIAL MISREPRESENTATION OR INACCURACY, COULD RESULT IN THE INVALIDATION OF THE ECONOMIC DEVELOPMENT CORPORATION PROCEEDINGS REGARDING THE PROJECT TO WHICH THE PROJECT PLAN PERTAINS.

Nutan R Oak

By: Nutan Oak
Chairperson of the Board of Trustees

Dated: 02/15/07

PROJECT PLAN
STATUTORILY REQUIRED INFORMATION REGARDING
THE BHARATIYA TEMPLE EXPANSION PROJECT

I. THE LOCATION AND EXTENT OF EXISTING STREETS AND OTHER PUBLIC FACILITIES WITHIN THE PROJECT DISTRICT AREA; THE LOCATION, CHARACTER, AND EXTENT OF THE CATEGORIES OF PUBLIC AND PRIVATE LAND USES NOW EXISTING AND PROPOSED FOR THE PROJECT AREA, INCLUDING RESIDENTIAL, RECREATIONAL, COMMERCIAL, INDUSTRIAL, EDUCATIONAL, AND OTHER USES; AND A LEGAL DESCRIPTION OF THE PROJECT AREA:

Legal description of Project Area attached as Exhibit A.

II. A DESCRIPTION OF EXISTING IMPROVEMENTS IN THE PROJECT AREA TO BE DEMOLISHED, REPAIRED, OR ALTERED; A DESCRIPTION OF REPAIRS AND ALTERATIONS; AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION:
Renovation of the existing structure is not part of this phase of expansion. Renovations will be executed in the future.

III. THE LOCATION, EXTENT, CHARACTER, AND ESTIMATED COST OF THE IMPROVEMENTS, INCLUDING REHABILITATION CONTEMPLATED FOR THE PROJECT AREA, AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION:

The expansion will be to the North of the current structure.

The estimated cost of the expansion is 9.3 M\$

The additional square footage that will be added is 36,500 sq.ft.

The time required for completion of the project is 2 years from start of construction.

IV. A DESCRIPTION OF THE CONSTRUCTION OR STAGES OF CONSTRUCTION PLANNED, AND THE ESTIMATED TIME OF COMPLETION OF EACH STAGE:

I. Excavation & Foundation	4 months
II. Construction of Structure	8 months
III. Exterior and Interior Finsihing	12 months
Total duration of Project	24 months

V. A DESCRIPTION OF THE PARTS OF THE PROJECT AREA TO BE LEFT AS OPEN SPACE AND THE USE CONTEMPLATED FOR THE SPACE:

- I. Wetlands and Ravines – Non usable
- II. Open Space Next to Parking Lot – Future Parking Lot Expansion

VI. A DESCRIPTION OF PORTIONS OF THE PROJECT AREA WHICH THE ECONOMIC DEVELOPMENT CORPORATION OR THE COMPANY DESIRES TO SELL, DONATE, EXCHANGE OR LEASE TO OR FROM THE MUNICIPALITY AND THE PROPOSED TERMS:

Not Applicable

VII. A DESCRIPTION OF DESIRED ZONING CHANGES AND CHANGES IN STREET, STREET LEVELS, INTERSECTIONS AND UTILITIES:

NONE

VIII. A DESCRIPTION OF THE PROPOSED METHOD OF FINANCING THE PROJECT, INCLUDING ATTACHMENT OF A COPY OF THE LETTER OF CREDIT OR BOND PURCHASER'S COMMITMENT LETTER:

Internal Resources including Fund Raising	5M\$
Bond Financing through Fifth Third Bank	4.3M\$
TOTAL	9.3M\$

Copy of Letter of Credit or bond purchaser's commitment letter attached as Exhibit B.

IX. A STATEMENT REGARDING THE PAYMENT OF PREVAILING WAGE AND FRINGE BENEFIT RATES AS DETERMINED PURSUANT TO ACT NO. 166 OF THE MICHIGAN PUBLIC ACTS OF 1965, AS AMENDED (REGARDING WAGES ON STATE CONTRACTS):

See Exhibit D

X. A LIST OF PERSONS WHO WILL MANAGE OR BE ASSOCIATED WITH THE MANAGEMENT OF THE PROJECT FOR A PERIOD OF NOT LESS THAN 1 (ONE) YEAR FROM THE DATE OF APPROVAL OF THE PROJECT PLAN:

1. Jayanti Shah P.E.
Secretary, Long Range Planning Committee
2. Nutan Oak
Chairperson – Board of Trustees

XI. DESIGNATION OF THE PERSON OR PERSONS, NATURAL OR CORPORATE, TO WHOM THE PROJECT IS TO BE LEASED, SOLD OR CONVEYED AND FOR WHOSE BENEFIT THE PROJECT IS BEING UNDERTAKEN, TO THE EXTENT THAT INFORMATION IS PRESENTLY AVAILABLE:

Not Applicable

XII. IF THERE IS NOT AN EXPRESS OR IMPLIED AGREEMENT WITH A PERSON OR PERSONS, NATURAL OR CORPORATE, THAT THE PROJECT WILL BE LEASED, SOLD, OR CONVEYED TO THOSE PERSONS, THE PROCEDURES FOR BIDDING FOR THE LEASING, PURCHASING OR CONVEYING OF THE PROJECT UPON ITS COMPLETION:

Not Applicable

XIII. ESTIMATES OF THE NUMBER OF PERSONS RESIDING IN THE PROJECT AREA AND THE NUMBER OF FAMILIES AND INDIVIDUALS TO BE DISPLACED. IF OCCUPIED RESIDENCES ARE DESIGNATED FOR ACQUISITION AND CLEARANCE, INCLUDE A SURVEY OF THE FAMILIES AND INDIVIDUALS TO BE DISPLACED, INCLUDING THEIR INCOME AND RACIAL COMPOSITION, A STATISTICAL DESCRIPTION OF THE HOUSING SUPPLY IN THE COMMUNITY, INCLUDING THE NUMBER OF PRIVATE AND PUBLIC UNITS IN EXISTENCE OR UNDER CONSTRUCTION, THE CONDITION OF THOSE IN EXISTENCE, THE NUMBER OF OWNER-OCCUPIED AND RENTER-OCCUPIED UNITS, THE ANNUAL RATE OF TURNOVER OF THE VARIOUS TYPES OF HOUSING AND THE RANGE OF RENTS

AND SALE PRICES, AN ESTIMATE OF THE TOTAL DEMAND FOR HOUSING IN THE COMMUNITY, AND THE ESTIMATED CAPACITY OF PRIVATE AND PUBLIC HOUSING AVAILABLE TO DISPLACED FAMILIES AND INDIVIDUALS:

Not Applicable

XIV. A PLAN FOR ESTABLISHING PRIORITY FOR THE RELOCATION OF PERSONS DISPLACED BY THE PROJECT IN NEW HOUSING IN THE PROJECT AREA:

Not Applicable

XV. PROVISION FOR THE COSTS OF RELOCATING PERSONS DISPLACED BY THE PROJECT AND FINANCIAL ASSISTANCE AND REIMBURSEMENT OF EXPENSES, INCLUDING LITIGATION EXPENSES AND EXPENSES INCIDENT TO THE TRANSFER OF TITLE, IN ACCORDANCE WITH THE STANDARDS AND PROVISIONS OF THE FEDERAL UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970, 42 U.S.C. 4601 TO 4655:

Not Applicable

XVI. A PLAN FOR COMPLIANCE WITH ACT NO. 227 OF THE MICHIGAN PUBLIC ACTS OF 1972, WHICH PERTAINS TO PROVIDING FINANCIAL ASSISTANCE, ADVISORY SERVICES AND REIMBURSEMENT OF CERTAIN EXPENSES TO DISPLACED PERSONS:

Not Applicable

XVII. OTHER MATERIAL AS THE ECONOMIC DEVELOPMENT CORPORATION, LOCAL PUBLIC AGENCY, OR GOVERNING BODY CONSIDERS PERTINENT:

Not Applicable

02/14/2007 17:42 FAX 313 822 4202

DCHC ADMINISTRATION

009/010

FEB-14-2007(WED) 16:52 RAMA RAD & ALFRED, INC

(FAX)3135357262

P.002/003



6850 N. Adams Road.
Troy, Michigan 48098

Mailing Address:
P.O. Box 61
Troy, Michigan 48099

Attachment A:
Legal Description of Property
Involved

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 CORNER SECTION 6,
TOWN 2N., R. 11 E.,
COMMENCING AT THE CENTER POST OF SECTION 8, TOWN 1 NORTH RANGE 11 EAST,
THENCE PROCEEDING ALONG N89° 33'00" E., 165.00 FEET TO THE POINT OF BEGINNING;
THENCE N88° 33'00" E., 693.00 FEET; THENCE S11° 58'00" W., 1132.52 FEET;
THENCE S86° 25'30" W., 620.71 FEET; THENCE N00° 1'00" W., 875.88 FEET;
THENCE N89° 33'00" E., 165.00 FEET; THENCE N00° 1'00" W., 264.00 FEET
TO THE POINT OF BEGINNING CONTAINING 18.00 ACRES, SUBJECT TO THE
EASEMENTS OF RECORD, IF ANY.

SID WELL NUMBER 88 -20-06-101-016

SITE ENGINEERING

STELLAR CONSULTING SERVICES, INC.

20300 W 12 MILE ROAD, SUITE 101
SOUTHFIELD, MI 48076

TEL: 248- 351-9800

FAX 248- 351-9818

02/14/2007 17:42 FAX 313 822 4202
FEB-14-2007(WED) 16:52

DCHC ADMINISTRATION
RAMA RAO & ALFRED, INC

(FAX)8135357262

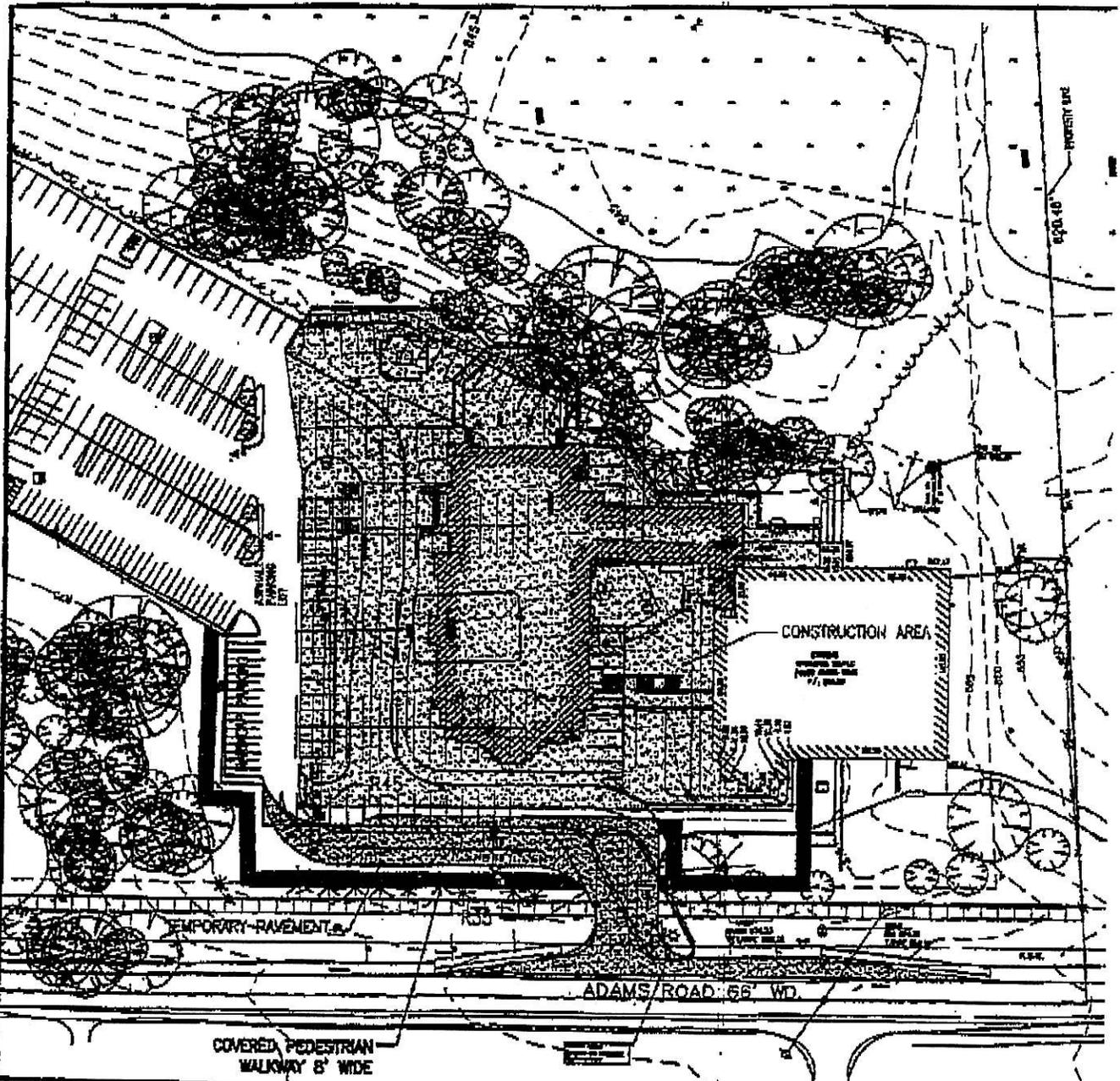
010/010
P.003/003



Attachment B:
Site Plan and Area Map

6850 N Adams Road.
Troy, Michigan 48098

Mailing Address:
P.O. Box 61
Troy, Michigan 48099



SITE PLAN		BHARATIYA TEMPLE BUILDING ADDITION		METCO	
DATE	BY	DATE	BY	DATE	BY

02/14/2007 18:03 FAX 313 822 4202

DCHC ADMINISTRATION

003/003

FEB-14-2007(WED) 17:45

RAMA RAO & ALFRED, INC

(FAX)3135357262

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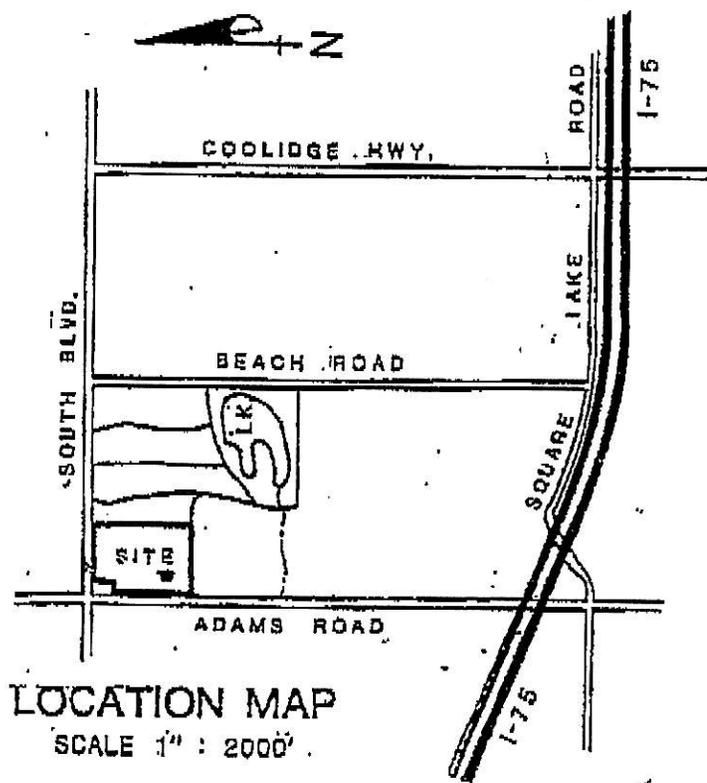


6850 N. Adams Road
Troy, Michigan 48098

Mailing Address:
P.O. Box 61
Troy, Michigan 48099

PROPERTY DESCRIPTION

Part of the NW 1/4 of Section 6,
T.2N., R.11E., City of Troy,
Oakland County, Michigan, more
particularly described as
beginning at a point on the north
line of said Section 6, said
point N89°33'00"E 165.00 feet
from the NW corner of Section 6,
and proceeding thence along the
north line of said Section 6,
N89°33'00"E 593.00 feet; thence
S11°58'00"W 1132.52 feet; thence
S86°25'30"W 620.71 feet to a
point on the west line of Section
6, thence along said line
N00°11'00"W 875.88 feet; thence
N89°33'00"E 165.00 feet; thence
N00°11'00"W 254.00 feet to the
point of beginning. Containing
18.00 acres.



LOCATION MAP

SCALE 1" : 2000'

AREA MAP

CITY OF TROY. N-W CORNER.

PART OF EXHIBIT. B



1000 TOWN CENTER, SUITE 1400
MAIL DROP JTWN5G
SOUTHFIELD, MI 48075
TEL. (248) 603-0465
FAX (248) 603-0633

May 8, 2007

Via E-Mail

Ms. Mary Langhauser
Supervisor, Financial Services
Oakland County Economic Development Corporation
1200 N. Telegraph Road
Pontiac, MI 48341-0412

Re: Letter of Intent to Underwrite up to \$4,300,000
The Economic Development Corporation of the County of Oakland
(The Bharatiya Temple Project), Series 2007

Dear Ms. Langhauser:

I am writing this letter on behalf of Fifth Third Bank, an Ohio banking corporation (the "Bank"), for you to attach as Exhibit B to the Project Plan for The Bharatiya Temple Project (the "Project").

Fifth Third Bank has verbally committed to issue a Letter of Credit to secure the bonds proposed to be issued by the Economic Development Corporation of the County of Oakland ("EDC") for the Project, subject to the customary terms and conditions of the Bank under such circumstances and the terms of the Bank's credit approval.

Please consider this letter as evidence of our intention to issue the subject Letter of Credit for the bonds to be issued by the Project, on the basis set forth above.

Very truly yours,

/LS/ Louis Orcutt

Vice President

Exhibit C

**COMPANY CERTIFICATE REGARDING
TRANSFER OF EMPLOYMENT**

(The Bharatiya Temple Expansion Project)

The undersigned, The Bharatiya Temple, a Michigan Non Profit Organization (the "Company"), hereby certifies to The Economic Development Corporation of the County of Oakland (the "EDC") as follows:

1. This Certificate is made and based upon the best of the Company's knowledge and belief, only after thorough investigation and discussion with all owners of the Company and others who might have knowledge regarding the subject matter.

2. The Company acknowledges that this Certificate will be employed by the EDC as the sole basis for the EDC's certification to the Board of Commissioners of the County of Oakland as to transfer of employment as required by Section 8(3) of the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act").

3. The Company understands that the EDC's Certification to the Board of Commissioners of the County of Oakland is a statutory requirement which, if improperly made or based upon any material misrepresentation or inaccuracy, might invalidate the proceedings regarding the Bharatiya Temple Expansion Project (the "Project") pursuant to which the EDC expects ultimately to issue its limited obligation economic development revenue bonds to finance all or part of the Project.

4. As of the date hereof, the Project shall not have the effect of transferring employment of more than 20 full-time persons from a municipality (as that term is defined in the Act) of this State to NOT APPLICABLE, Michigan, the municipality in which the Project will be located.

5. The Company understands that a covenant to effectuate the purposes of this Certificate will be included in those covenants to be made by the Company when bonds are issued by the EDC for the benefit of the Project.

The Bharatiya Temple. a
Michigan Non Profit Organization

Nutan R Oak
By: Nutan Oak

Its: Chairperson of the Board of Trustees

Dated: ¹⁵03/10/07
3/15/07

Exhibit D

**COMPANY CERTIFICATE REGARDING
PAYMENT OF PREVAILING WAGES**

(The Bharatiya Temple Expansion Project)

The undersigned, The Bharatiya Temple, a Michigan Non Profit Organization (the "Company"), hereby certifies to The Economic Development Corporation of the County of Oakland (the "EDC") as follows:

1. The Company understands that this Certificate is a statutory requirement under the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act") which, if improperly made or based upon any material misrepresentation or inaccuracy, might invalidate the proceedings regarding the Bharatiya Temple Expansion Project (the "Project") pursuant to which the EDC expects ultimately to issue its limited obligation economic development revenue bonds to finance all or part of the Project.

2. Within the meaning and intent of Section 8(4)(h) of the Act, all persons performing work on the construction of the Project will be paid the prevailing wage and fringe benefit rates for the same or similar work in the locality in which the work is to be performed, as determined pursuant to Act No. 166 of the Michigan Public Acts of 1965, as amended.

Nutan R Oak

By: Nutan Oak

Its: Chairperson of the Board of Trustees

Dated: 03/15 /07

BH 561467v1