BROWNFIELD REDEVELOPMENT AUTHORITY FINAL March 31, 2008
SPECIAL MEETING MINUTES

The meeting was called to order at 10:05 a.m. at Troy City Hall, Council Boardroom by Bruce Wilberding.

Members Present: Jim Campbell*
Art Cotsonika
Victor Lenivov
Robert Swartz
Philip Sanzica
Lon Ullmann
Bruce Wilberding (Chairman)

Members Absent: Katherine Lee

Also Present: Brian Murphy, Assistant City Manager/Economic Development Services
Lori Bluhm, City Attorney
Mark Miller, Planning Director
Patti Holland, Real Estate and Development Secretary

OLD BUSINESS

A. Presentation on Brownfield Plan #5 – Pavilions of Troy

Presentation given by Rick Rattner and Paul Bohn on the Pavilions of Troy – Brownfield Plan #5 followed with discussion from the Board regarding the Agreement.

B. Brownfield Tax Increment Financing Reimbursement Agreement Resolution for Brownfield Plan # 5 - Pavilions of Troy

Resolution # BRA-08-02
Moved by: Sanzica
Seconded by: Campbell*

WHEREAS, on March 20, 2008, the City of Troy Brownfield Redevelopment Authority (TBRA) was presented with the March 17, 2008 draft of proposed Brownfield Plan #5, Brownfield Plan for the Pavilions of Troy Redevelopment Project; and

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WHEREAS, the TBRA had the opportunity to review the concepts of the TBRA Brownfield Plan #5, as well as to ask questions and obtain additional details about the plan at the March 20, 2008 TRBA meeting; and

WHEREAS, the TBRA also had the opportunity to review a proposed Brownfield Reimbursement Agreement between the TBRA and the developer, Diamond Troy JV, LLC, a Delaware limited liability company; and

WHEREAS, the final authority for the approval of the TBRA Brownfield Plan #5 rests with the Troy City Council, after public notice and a public hearing, which is anticipated to be scheduled on April 21, 2008.

NOW THEREFORE, BE IT RESOLVED that the TBRA recommends approval of the TBRA Brownfield Plan #5, Brownfield Plan for the Pavilions of Troy Redevelopment Project, since the proposed plan is permitted under the recent amendments to PA 1996, No. 381 (MCL 125.2651 et. seq.), which allows for eligible activities, including the demolition of structures and lead and asbestos abatement, on eligible properties that are functionally obsolete; and

BE IT FURTHER RESOLVED, that the TBRA has determined that the proposed Brownfield Plan #5 constitutes a public purpose under PA 1996, No. 381 (MCL 125.2651), and recommends that Troy City Council concur in this determination; and

BE IT FURTHER RESOLVED, that the TBRA has determined that the proposed Brownfield Plan #5 satisfies all of the statutory requirements for a Brownfield Plan, as set forth in Section 13 of the Act (MCL 125.2663), and recommends that Troy City Council concur in this determination; and

BE IT FURTHER RESOLVED, that the TBRA has determined that the proposed method of financing the costs of the eligible activities, as described in the proposed Brownfield Plan #5, are reasonable and necessary to carry out the purposes of PA 1996, No. 381 (MCL 125.2651), and recommends that Troy City Council concur in this determination; and

BE IT FURTHER RESOLVED, that the TBRA has determined that the amount of captured taxable value estimated to result from the adoption or approval of TBRA Brownfield Plan #5 is reasonable, and recommends that Troy City Council concur in this determination; and

BE IT FURTHER RESOLVED, that upon the approval of Brownfield Plan #5, the TBRA also recommends approval of a Brownfield Reimbursement Agreement that provides for reimbursement of the Developer's costs for eligible activities on eligible properties from the tax increment capture for the Property, in an amount not to exceed $8,440,000.00, plus actual interest expense, as long as the total amount of reimbursement does not exceed $13,200,000.00, provided that the capture of the TBRA controlled millages (SMART, ISD) shall not exceed $3,872,203.00, and shall not be captured for a period that exceeds 20 years; and

BE IT FURTHER RESOLVED, that a copy of the TBRA Brownfield Plan #5, and the Brownfield Reimbursement Agreement, shall incorporate the changes discussed at the TBRA meeting of March 31, 2008, and that the revised TBRA Brownfield Plan #5 and the Brownfield Reimbursement Agreement shall be distributed to TBRA members on or before April 8, 2008, to allow for TBRA final review before submittal to Troy City Council.

Yes: Campbell*, Cotsonika, Sanzica, Wilberding
No: Lenivov, Swartz, Ullmann
Absent: Lee

MOTION FAILED

NEW BUSINESS

None

EXCUSE ABSENT MEMBERS

Resolution # BRA-08-03
Moved by: Ullmann
Seconded by: Sanzica

Yeas: All (6)
Absent: Lee

RESOLVED, That Lee be excused.

PUBLIC COMMENT

Mary Ann Bernardi and Frank Howrylak commented on Brownfield Plan # 5 – Pavilions of Troy.

* Jim Campbell not a board member. Term effective 05/01/08.

The meeting was adjourned at 2:08 p.m.

The next meeting scheduled is April 15, 2008.

Bruce J. Wilberding

Bruce Wilberding, Chairman

Mark Miller, Secretary/Treasurer

BRA Special Meeting Minutes
03-31-08