Washtenaw County Brownfield Redevelopment Authority

IN-PERSON MEETING AGENDA

Thursday, August 22nd 2024 10:00 a.m.

200 N. Main, Ann Arbor, Lower Level Large Conference Room

Zoom Link to Webinar for Public to Join the Meeting:

https://washtenawcounty.zoom.us/j/89810263368?pwd=cUvAYyVoRGXB4JKFQrGWGkqkEkp49e.1

Dial In Number: (number based on your current location):
+1 312 626 6799 US (Chicago) +1 470 250 9358 US (Atlanta) +1 470 381 2552 US (Atlanta) +1 267 831 0333 US (Philadelphia) +1 301 715 8592 US (Washington DC)

1. **Call to Order**
2. **Public Comment***
3. **Approval of Agenda**
4. **Approval of Minutes**
   a. June 13th, 2024 Meeting
5. **Board Member Conflict of Interest Disclosure**
6. **Business**
   1. 1510 Stadium Blvd Env. Assessment Application for Phase II/BEA – Action
   2. 90 Maple St. Env. Assessment Application for Phase II/BEA – Action
   3. Maple Oaks 2024 TIF Capture – Discussion/Action
   4. 310 E. Huron, AC Hotel, Brownfield Plan – Action
   5. Act 381 Work Plan Implementation as an Eligible Activity – Discussion
   6. Annual Meeting, Nomination of Officers – Action
      i. Chairperson
      ii. Vice-Chairperson
      iii. Secretary/Treasurer
   7. June/July 2024 Financial Report – Information
7. **Other Business**
8. **Public Comment***
9. **Adjournment**

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

For more information on this agenda please contact Nathan Voght, Washtenaw County Office of Community and Economic Development at (734) 660-1061 or voghtn@washtenaw.org.

Washtenaw County
Brownfield Redevelopment Authority (WCBRA)
Meeting held in-person at 200 N. Main, downtown Ann Arbor
Lower Level LARGE Conference Room

DRAFT MEETING MINUTES
Thursday, June 13, 2024, 9:00 a.m.

Board Present: Allison Krueger – Chair, Sam Baushke – Secretary, Christy Maier, Trevor Woollatt, Katie Jones

Board Absent: Colleen O'Toole – Vice Chair, Justin Hodge, Jenn Cornell, James Harless, Justin Hodge

Staff: Nathan Voght – OCED

Joining the Meeting: Greg Copp – MAV Development, and Ken Garber – a member of the public, and Brett Border, with Dahlmann Properties, and Andy Andre on Zoom and Bret Stuntz on Zoom.

Handouts: None

1. Call to Order

Chair Krueger called the meeting to order at 9:02 a.m.

2. Public Comment

None.

3. Approval of Agenda

A Krueger moved to postpone Business Item #3 to a future meeting, as election of officers needs more board members to be available. K. Jones moved to postpone Business Item #3, (2nd T. Woollatt), and the motion passed unanimously.

4. Approval of May 9th, 2024 Meeting Minutes

C. Maier had several typos to be corrected. C. Maier moved to approved the minutes with the minor corrections (2nd S. Baushke) and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

None declared.

6. Business

1. 90 Maple Street Environmental Assessment Grant Application – Action

   Staff updated the Board on the proposed redevelopment of the Depot in Depot Town. This project will require many incentives, and the developers are talking to the MEDC, and has met with staff about Brownfield incentives.

   This request is to fund 50% of the cost of a Phase I on the Depot, with a Phase II application expected, and will be cost-shared with the Downriver Community Conference. They will switch environmental consultants to one of the ones on retainer with the DCC.

C. Maier asked about the 11 ft. strip of land. Brett Border, with Dahlmann Properties, provided clarification.

Mr. Border continued to discuss the improvements they envision, including a raised area on the north side of the site with a fountain or other amenity.

T. Woollatt made a motion to approve 50% of the cost of the proposed Phase I Environmental Assessment for 90 Maple Street (2^{nd} C. Maier), and the motion passed unanimously.

2. <u>312/314 Detroit Street Act 381 Work Plan Amendment – Action</u>

The Brownfield Plan was amended in 2023, and an updated Work Plan is needed to submit to the State. Gregg Copp, the developer with MAV Development, updated the Board on the project. 12 of 15 condo units have sold.

Bret Stuntz, with SME, explained what aspects of the work that EGLE would not pay for, which included the remediation of the southern part near the barbecue restaurant. EGLE was ok with all the activities on the northern part of the site. Staff explained in the Board memo in more detail the costs that EGLE would not cover, which were in the original Brownfield Plan.

C. Maier moved to approve the Act 381 Work Plan Amendment (2^{nd} T. Woollatt), and the motion passed unanimously.

3. <u>May 2024 Financial Report – Information</u>

Staff referred to the updated Financial Report, which was for information only.

7. Other Business

There was no other business.

8. Public Comment:

None
.

9. Adjournment:

C. Maier moved to adjourn the meeting at 9:26 a.m. (2^{nd} K. Jones), and the motion passed unanimously.

C. Maier agreed to replace S. Baushke on the 310 E. Huron Brownfield Plan Review sub-committee, due to potential conflict of interest.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the ______________________, 2024 meeting, held at 200 N. Main, lower level large conference room, downtown Ann Arbor.

Washtenaw County Brownfield Redevelopment Authority

Agenda Summary Memo

REGULAR IN-PERSON MEETING

10:00 a.m. Thursday, August 22nd, 2024

200 N. Main, Lower Level Large Conference Room, Ann Arbor

TO: Washtenaw County Brownfield Authority
FROM: Nathan Voght, Washtenaw County Brownfield Coordinator
DATE: August 16th, 2024

This regular board meeting will be held in-person, at 200 N. Main, lower level Large Conference Room, downtown Ann Arbor. Any public wishing to participate can attend the meeting in-person, or use the provided Zoom Webinar link on the meeting agenda.

Business Items:

1. **1510 Stadium Blvd Env. Assessment Application for Phase II/BEA – Action**

   Please see enclosed application for a Phase II and BEA, with a total estimated cost of $35,200, per the application (the SME cost proposal has a range of $27,200 to $36,200). The Board previously approved a Phase I for the site (to be emailed soon), which is complete, and now is seeking approval for Phase II and BEA. The DCC has already approved a cost-share for the Phase II/BEA, and our approval would fund the other 50% of the work. The Board could approve up to the $15,000 maximum, matching the DCC's $15,000, or approve an additional $6,200, up to the maximum estimate from SME.

2. **90 Maple St. Environmental Assessment Grant Application for Phase II/BEA – Action**

   Please see enclosed an application for a Phase II and BEA Environmental Assessment Grant for $30,000. The Board approved the Phase I in June, which is completed. The owner applied to the DCC for 50% of the $30,000 cost, which was sent out on August 15th for DCC membership approval. A consultant will be assigned, and a more detailed work order and scope will be developed, which will be provided to the Board. Staff recommends approval of up to $15,000 in Phase II/BEA costs, subject to review/approval of a more detailed scope from the DCC-assigned consultant.

   The site is the former Ypsilanti Train Station in Depot Town. A development partnership has been formed to tackle potential redevelopment of the former Depot. Jon Carlson, part of the 2Mission (Now 3Mission) development team that redeveloped the Thompson Block, across River Street, is involved.

3. **Maple Oaks TIF Capture – Discussion**

   The approved Brownfield Plan for Maple Oaks in Saline from 2021, included $105,800 in "Look Back" activities that were previously conducted, related to demolition. The full amount of the developer activities was $550,000. The bulk of the remaining Eligible Activities, not including the Look Back expenses, are for Due Care Activities on the "North Parcel" future second phase of the condominium development, which has not materialized. Plans have also not been submitted to the City.

The Board has approved a total of $176,469 in Eligible Activities, and reimbursed $102,397. The City of Saline placed a condition that 50% of the $105,800 in Look Back activities be reimbursed once various engineering issues are addressed on the first/original phase of the development. The remaining 50% would be reimbursed when the northern phase began construction. The Board decided to capture sufficient funds from the City to pay the first 50% of the Look Back costs, but not the remaining 50%, as it's not clear if/when the 2nd phase will occur.

The Brownfield Project account has $61,310.28, which is sufficient in reserve to reimburse the first 50% of the Look Back, and allow some Admin fees to be captured for 2024. However, the expected capture for summer 2024 from the project is about $65,000. However, I am hesitant to capture additional funds at this time.

I would like to discuss this further with the Board at the meeting.

4. 310 E. Huron, AC Hotel, Brownfield Plan – Action

Please see enclosed a proposed Brownfield Plan for the new hotel at 310 E. Huron, which was presented to the Board informally at the May meeting. A sub-committee was formed, and assisted with review of the Draft Brownfield Plan. The Plan is on the Ann Arbor City Council Agenda for Monday, September 3rd.

The final Draft of the Brownfield Plan includes $1,167,448 in Eligible Environmental Activities only, including Due Diligence (Pre-Approved Activities), and Due Care Activities. Due to project timelines, the developer will not be seeking Act 381 Work Plan approval with the State, but rather will seek to be reimbursed 61.5% of any actual activity costs submitted and approved from the project (the local millages proportion of all available millages, *had* the State participated). This 61.5% amount is projected at $749,529 maximum.

A five-year reimbursement period is projected, and the City is proposing a cap of 8 years.

Staff is supportive of the Brownfield Plan and the Authority's approval recommendation, and any approval should be "subject to" Ann Arbor City Council approval on September 3rd.

5. Act 381 Work Plan Implementation as an Eligible Activity – Discussion

Board member Harless has conducted research on Act 381, and Work Plan Implementation as an Eligible Activity, and contacted staff in May to discuss further:

> *A recent interpretation of Act 381 by MEDC led me to research the statutory language for what TIR a brownfield authority can capture to reimburse its operating expenses. What I found then led me to confer with legal counsel to test my new interpretations. What follows is a brief summary of what we have determined.*
>
> *Our conclusion is that a BRA can capture TIR for three components of their operating expenses:*
>
> - *Administrative expenses – incremental* ***local taxes*** *[Sec. 13b.(7)(c)]*

    - *Up to the statutory limit annually for the applicable number of active projects*
    - *2% additional annual capture for each community with which a BRA administrative management agreement is in effect [Sec. 13b.(7)(e)(ii)]*
- *Preparation of Brownfield Plan and Act 381 Work Plan (cumulative) – incremental **school operating taxes** [Sec. 13b.(7)(b)(i)]*
    - *Up to $30,000 for legal and consulting services per eligible property (project)*
    - *No limit for other BRA expenses directly related to plan preparation*
- *Implementation of Brownfield Plan and Act 381 Work Plan (cumulative) – incremental **school operating taxes** [Sec. 13b.(7)(b)(ii)]*
    - *Up to $50,000 per eligible property (project)*
- *The activities and reimbursements above are not subject to approval in a work plan by either MSF or EGLE and do not need to be included in an Act 381 Work Plan, as also for the exempt department specific activities. Neither agency has any statutory power over these reimbursements.*

The brownfield community, MEDC, and EGLE have routinely misinterpreted the last three bullet points in ways that have unnecessarily limited the amount of TIR available to BRAs to reimburse these costs. This has been reflected in policy decisions and published guidance from the two agencies and in common practices in the consulting community, hence, in previously approved WCBRA BF Plans. The misinterpretations have included automatically assuming that costs for both preparation and implementation of the plans are developers' expenses (to be reimbursed with both local and school operating taxes) instead of the BRA's expenses to be reimbursed only with school operating taxes; and the reimbursements are limited by the number of BF Plans, not number of eligible properties, if multiple developments are included in one BF Plan.

Mr. Harless, Ms. O'Toole, Mr. Woollatt and I meet in early July to discuss further the implications of including Work Plan Implementation Eligible Activities within Brownfield Plans, to allow the Authority to capture additional operating income to fund Authority operations, including the additional anticipated costs of administering the new MSHDA Housing TIF program.

It is accurate that in all previous approved Brownfield Plans we have only included Brownfield Plan/Work Plan Preparation and Implementation costs as developer-reimbursable costs, and never capturable by the Authority to reimburse our own costs.

We would like to discuss this with the full Board, as to whether these Eligible Activities should be handled differently in future Brownfield Plans.

6. Annual Meeting, Nomination of Officers – Action

Every spring, nominations of Officers of the Authority are nominated. See Section V of the current By-Laws, included in the packet. The three Officers are Chairperson, Vice-Chairperson and Secretary/Treasurer, held by A. Krueger, C. O'Toole, and S. Baushke. The By-Laws require that we elect Officers annually, but the term "..shall be not less than one (1) year." The Board could continue with the current slate of Officers, or make new nominations/elections for a one-year term or longer.

7. June/July 2024 Financial Report – Information

Please see the financial report for June/July, for information only. The City of Ann Arbor has disbursed TIF Capture for Summer 2024, and will be presented to the Board in September.

WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

Environmental Assessment Grant Program
APPLICATION FORM

The WCBRA Environmental Assessment Grant Program provides grants for conducting Department Specific Activities, as defined by Act 381, by, or on behalf of, the Brownfield Authority on prospective eligible properties to be included in a Brownfield Plan. These include, but are not limited to, Phase I and II studies, as part of Baseline Environmental Assessments, Due Care Activities and Hazardous Materials Surveys.

The program is funded using available Brownfield Administrative Funds from active brownfield projects. Municipal and Non-Profit sites are eligible for 100% of the cost of eligible assessment activities, up to $15,000, and privately-owned sites are eligible for 50% of the cost, up to $15,000. Higher awards may be given on a case-by-case basis.

Type of Application

X Publicly-Owned or Non-Profit-Owned Property

☐ Privately-Owned Property

☐ Site is located within a Low or Very Low Opportunity Area, within the Washtenaw County Opportunity Index

Owner Information

Property Owner: City of Ann Arbor, Fire Station #2 __________ Contact: ____________________________________

Property Address: 1510 E. Stadium Blvd, Ann Arbor 48107 Phone No.: ____________________________________

Property Tax ID #: 09-09-33-410-003 __________

Applicant Information

Applicant Name: Jennifer Hall, Treasure, Ann Arbor Housing Development Corp.

Phone No.: 734-794-6720 ___________________________

Address: 727 Miller Ave, Ann Arbor 48104 _____

Developer (Entity) Name (if different than applicant): ____

Project Information

Project Name: Former Fire Station – 1510 E. Stadium Blvd

Project Description: Former Fire Station #2 to be redeveloped for Ann Arbor Housing Development Commission office space with plans for demolition and residential redevelopment in the future.

Please provide a Site Map, Aerial, and/or Site Plan for the redevelopment.

Property Information

Previous Owners: City of Ann Arbor

Historic Property Uses: Vacant land until Fire Station was built in the mid-1950's. Operated as a fire station until 2010. Currently used for office space and storage/garage for large vehicles by Police Department. Documented – historical fuel oil/diesel and gasoline UST's areas and gasoline dispenser, and incinerator at the Property.

Property Acreage: 0.78 Acres

Zoning: R1C Residential Surrounding Land Use: Residential and Commercial

Proposed Environmental Activities:

	Estimated Cost
X Phase I	$3,700
X Phase II	$24,000
X BEA Report	$4,000
X Due Care Plan	$3,500
☐ Hazardous Material Survey	
TOTAL	$35,200*

****DCC to support $15,000, WCBRA request to support $15,000***

Please attach a price quote from a qualified environmental firm.

Please describe Previous Environmental Assessments Completed: Phase I completed: RECs – Historical UST usage, and incinerator usage on the Property, West-adjoining LUST site. Known ACM's throughout building/roofing materials (2023 HAZMAT report)

Please describe environmental conditions: Unknown subsurface conditions. Known ACM's and universal wastes

Please provide cloud links to any relevant environmental reports.

Please return the completed form and attachments to:

Nathan Voght
Economic Development Specialist
Washtenaw County Office of Community and Economic Development
415 W. Michigan Ave.
Ypsilanti, MI 48197
734-660-1061
voghtn@washtenaw.org

The Kramer Building
43980 Plymouth Oaks Blvd.
Plymouth, MI 48170-2584

T (734) 454-9900

www.sme-usa.com

June 26, 2024

Ms. Jennifer Hall
Executive Director
Ann Arbor Housing Development Corporation
727 Miller Avenue
Ann Arbor, Michigan 48103

Via E-mail: jhall@a2gov.org

RE: Proposal for Environmental Due Diligence Services
1510 E. Stadium Boulevard
Ann Arbor, Michigan 48104
SME Proposal: P02560.24
SME Project No.: 097194.00

Dear Ms. Hall:

As requested, we prepared this proposal to provide environmental due diligence services on the former City of Ann Arbor Fire Station #2 at 1510 E. Stadium Boulevard (Property) in Ann Arbor, Oakland County, Michigan. Our proposed scope of service is summarized below.

SCOPE OF SERVICE

PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)

The Phase I ESA was requested by you on behalf of the City of Ann Arbor Housing Development Corporation *(Phase I ESA "User")* in conformance with the requirements of the ASTM Standard on Environmental Site Assessments for Commercial Real Estate, designation E 1527-21 (Standard), which by rule (40 CFR 312) satisfies the CERCLA AAI requirements. The Phase I ESA will be conducted under the supervision of an Environmental Professional (EP) as defined in the Standard. All appropriate inquiry into the past uses and potential environmental impacts associated with the Property also is a component of the Michigan Baseline Environmental Assessment process for mitigating liability for contamination existing on the Property at time of purchase, occupancy, or lease. We will generate a report to document our assessment activities and findings. The findings, opinions, and conclusions will be based upon observed conditions, the results of our records review, interviews, and User-supplied information.

We understand that the City of Ann Arbor Housing Development Corporation will rely upon the professional opinions and representations contained in the Phase I ESA report. This reliance is not to be construed as a warranty or guarantee on the part of SME.

PHASE II ENVIRONMENTAL SITE ASSESSMENT

We will conduct a Phase II ESA to further evaluate the impact of environmental concerns identified by the Phase I ESA and to obtain data to support environmental due diligence, liability management, and evaluation of due care (safe use) compliance. We are unable to estimate a specific scope of services for the Phase II ESA until we complete a substantial portion of the Phase I ESA; however, below is a summary of the anticipated activities based on our current understanding of the Property and potential issues:

- We will prepare a Sampling and Analysis Plan (SAP) as required by the US EPA for grant-funded projects. The SAP outlines the scope of services needed to address the environmental concerns identified in the Phase I ESA. The SAP must be submitted and approved by the Grant Project Offices prior to conducting field activities.
- We will prepare a health and safety plan for the proposed Phase II ESA field activities.
- We will mobilize with a direct-push drill rig and advance up to seven soil borings on the Property. The soil borings will be advanced to an approximate depth of 20 feet below the ground surface (bgs) or until saturated conditions are encountered. Soil samples will be collected and submitted for laboratory analysis of volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), and 10-Michigan metals. Up to seven soil samples and an appropriate number of quality control samples will be submitted for analysis based on field screening or observations, and the Property's historical uses.
- We will log and classify soil samples in the field following the Standard Practice for Description and Identification of Soils (Visual-Manual Procedure) (ASTM D 2488). SME field staff will screen the soil in the field using a photoionization detector (PID).
- We will install up to four sub-slab vapor monitoring points within the fire station basement to evaluate the potential vapor intrusion risk, based on the Property's historical uses. We will also install up to two soil gas vapor monitoring points outside of the building. We will return within 48 hours of vapor pin and soil gas monitoring well installations to collect soil gas samples. We will submit up to six soil gas samples and an appropriate number of quality control samples for laboratory analysis of VOCs.
- If groundwater is encountered, we will install temporary monitoring wells and collect a representative number (not to exceed three) of groundwater samples, an appropriate number of quality control samples, and submit them for laboratory analysis of VOCs, PHAs, and 10-Michigan metals.
- Upon receipt of the laboratory data, we will evaluate the laboratory results to identify hazardous substances and/or petroleum products present at concentrations above Michigan Department of Environment, Great Lakes, and Energy (EGLE) Part 201 generic residential cleanup criteria (Part 201 criteria).

REPORTING

Upon receipt of the laboratory data, we will evaluate the laboratory results to identify hazardous substances and/or petroleum products present at concentrations above EGLE Part 201 generic residential cleanup criteria (Part 201 criteria). We will prepare a Phase II ESA summary report to document the assessment and concentrations of target analytes measured below Part 201 criteria.

If concentrations of target analytes are measured above Part 201 criteria, we will recommend preparing a Baseline Environmental Assessment (BEA) report in lieu of a Phase II ESA report. We will use the environmental data from the Phase II site assessment to prepare a BEA report. The BEA report, disclosed to EGLE, will provide the prospective owner with liability protection from having to clean up the contamination existing at the Property.

PLAN TO COMPLY WITH DUE CARE (IF REQUIRED)

If concentrations of target analytes are measured above Part 201 criteria, we recommend preparing a plan to comply with due care, which is required for owners of contaminated properties, regardless of liability. Documentation of due care compliance is required for owners of contaminated properties to document procedures to assist in compliance with due care obligations under Part 201 (e.g., soil and groundwater management, protection of human health, notifications).

HAZARDOUS MATERIAL ASSESSMENT

We reviewed ASTI's Asbestos-Containing Materials Inspection and Hazardous Materials & Universal Waste Survey, dated July 26, 2023. We will also conduct a preliminary visual assessment of asbestos-containing materials (ACMs) during the Phase I ESA site visit. If we identify ACMs that were not previously evaluated by ASTI, we will provide a proposal to conduct additional hazardous materials assessment.

ESTIMATED FEES

Our fees to implement the scope of services herein are:

- Phase I ESA $3,700
- Phase II ESA .... $20,000 – $25,000
- Reporting
  - Phase II Report .... $3,500 or
  - BEA Report .... $4,000 (if needed)
- Plan to Comply with Due Care .... $3,500 (if required)
- Hazardous Materials Assessment .... (TBD if required)

Total.......... $27,200 - $36,200

We understand the Downriver Community Conference – Brownfield Consortium (DCC) RLF assessment grant will cover up to $15,000 of assessment fees and the Washtenaw County Brownfield Redevelopment Authority (WCBRA) assessment grant may cover up to $15,000 of the proposed assessment fees. We will notify you of the final grant funding support and you will be responsible for the difference.

SCHEDULE

The Phase I ESA will be completed in four weeks after receiving approval to proceed from you or from the WCBRA and/or DCC. We anticipate scheduling the field work for the Phase II ESA within approximately four to five weeks after commencing the Phase I, when we have sufficient information to scope out the Phase II ESA and prepare a SAP for USEPA review and approval. The Phase II report or BEA report will be completed approximately three to four weeks after conducting the field activities and the due care documentation will be completed approximately four weeks after completing the BEA report.

AUTHORIZATION AND GENERAL COMMENTS

We will provide the proposed services that are not covered by the grant sources in accordance with the with the attached General Conditions (3/15), Fee Schedule – Personnel and Expenses (1/24), Environmental Fee Schedule (1/24) and Soil Probe Fee Schedule (1/24), which are an integral part of this proposal. As authorization to proceed, please sign and return the attached General Conditions, and return along with the (Phase I ESA) User Questionnaire to SME.

As part of our continual improvement efforts, SME requests feedback from our clients during and/or at the end our projects to help us understand their project experience and to show us where we can improve. When you receive an SME feedback request, please take a minute or two to respond. Doing so will help us serve you better on the next project. If there are questions concerning this proposal or Scope of Services, please contact us.

Sincerely,

SME

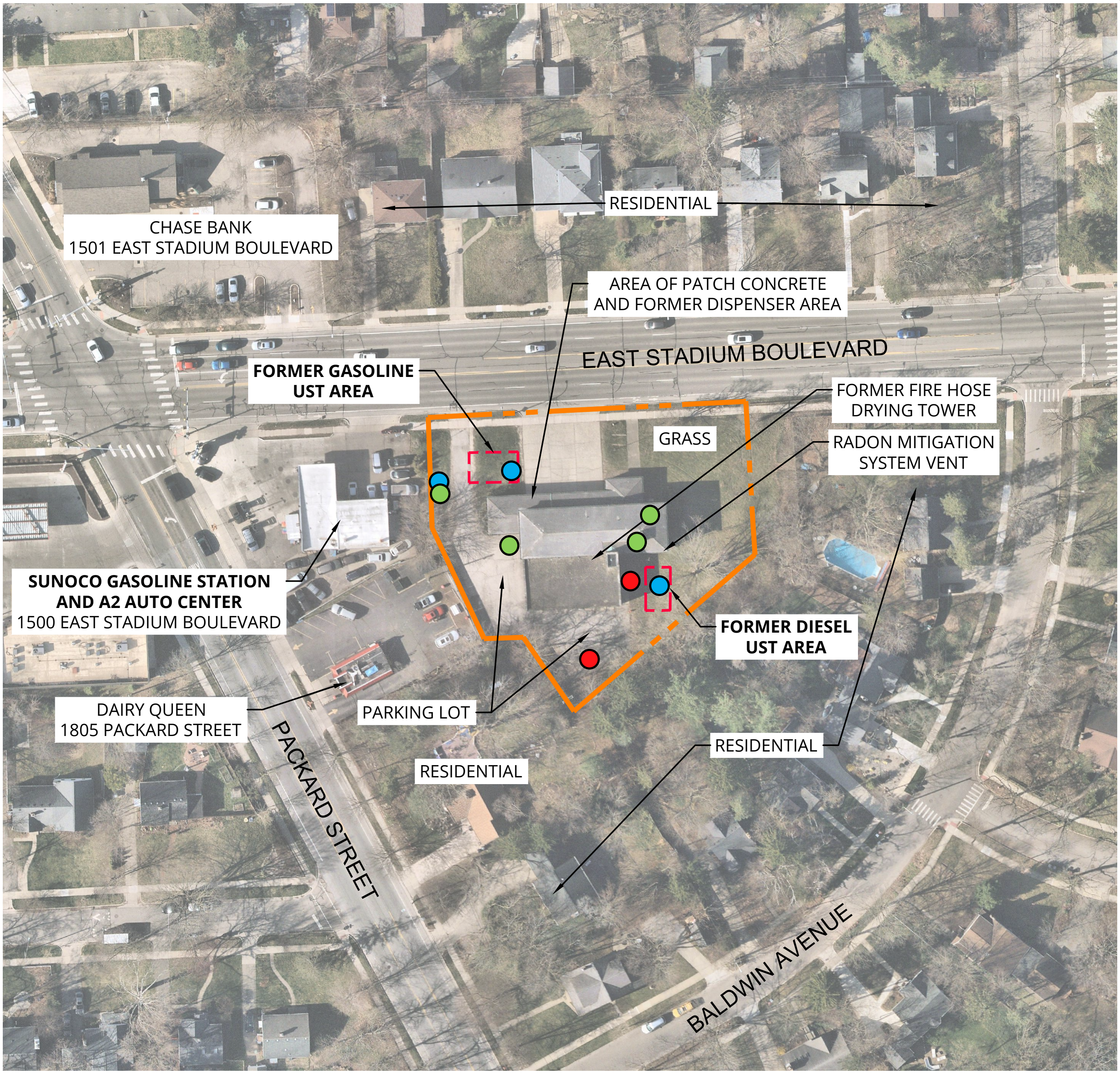
PREPARED BY:

Troy D. Helmick, CPG
Senior Project Consultant

REVIEWED BY:

Daniel R. Cassidy, CPG
Principal/Vice President

Attachments:
General Conditions (3/15)
User Questionnaire
Personnel and Expenses Fee Schedule (FS0-01/24)
Environmental Services Fee Schedule (FS6-01/24)
Soil Probe Fee Schedule (FS7-01/24)



LEGEND

APPROXIMATE PROPERTY BOUNDARY

BOLD TEXT INDICATES RECs

PROPOSED SOIL BORING LOCATION

PROPOSED SOIL GAS VAPOR PIN OR SOIL GAS WELL LOCATION

PROPOSED SOIL BORING WITH TEMPORARY GROUNDWATER WELL LOCATION

NOTE:
1. BASE DRAWING INFORMATION TAKEN FROM NEARMAP WITH AN IMAGE DATE OF 4-8-2024 AND SITE RECONNAISSANCE.

0' 100' 200'

GRAPHIC SCALE: 1" = 100'

N W E S

No.	Revision Date		
		Date	7-24-2024
		Drawn By	MNR
		Designed By	JLAM
		Scale	AS NOTED
		Project	095650.00.003.002

PROPERTY FEATURES DIAGRAM
FORMER FIRE STATION
1510 EAST STADIUM BOULEVARD
ANN ARBOR, MICHIGAN

SME
www.sme-usa.com

Figure No. 2

Jul 24, 2024 - 2:34pm - matt.nowakrochford
\\sme-inc\pz\WIP\095650.00\CAD\Design Files\ENV\095650.00.003.002\Rev0\095650.00.003.002-Phase 1.dwg

WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

Environmental Assessment Grant Program
APPLICATION FORM

The WCBRA Environmental Assessment Grant Program provides grants for conducting Department Specific Activities, as defined by Act 381, by, or on behalf of, the Brownfield Authority on prospective eligible properties to be included in a Brownfield Plan. These include, but are not limited to, Phase I and II studies, as part of Baseline Environmental Assessments, Due Care Activities and Hazardous Materials Surveys.

The program is funded using available Brownfield Administrative Funds from active brownfield projects. Municipal and Non-Profit sites are eligible for 100% of the cost of eligible assessment activities, up to $15,000, and privately-owned sites are eligible for 50% of the cost, up to $15,000. Higher awards may be given on a case-by-case basis.

Type of Application

☐ Publicly-Owned or Non-Profit-Owned Property

X Privately-Owned Property

☐ Site is located within a Low or Very Low Opportunity Area, within the Washtenaw County Opportunity Index

Owner Information

Property Owner: Dennis Dahlmann______________________ Contact: Brett Border ESQ

Property Address: 90 Maple St, Ypsilanti, MI Phone No.: 734-761-7600

Property Tax ID #: 11-11-04-465-007

Applicant Information

Applicant Name: The Depot Project, LLC Phone No.: 734-761-7600

Address: 300 S Thayer St, Ann Arbor MI 48104

Developer (Entity) Name (if different than applicant):____

Project Information

Project Name: Depot Project

Project Description: Development of a commercial site may contain coffee/eatery shop, mixed use building to be placed in existing parking area;

Please provide a Site Map, Aerial, and/or Site Plan for the redevelopment.

Property Information

Previous Owners:____

____

Historic Property Uses: Civil War train station
Property Acreage:________________

Zoning: commercial Surrounding Land Use: mixed

Proposed Environmental Activities:

	Estimated Cost
☐ Phase I	
X Phase II	
X BEA Report	$30,000.00
☐ Due Care Plan	
☐ Hazardous Material Survey	
TOTAL	$30,000

Please attach a price quote from a qualified environmental firm.

Please describe Previous Environmental Assessments Completed: Phase I assessment completed recommending phase II and BEA

Please describe environmental conditions: unknown, further test recommended

Please provide cloud links to any relevant environmental reports.

Please return the completed form and attachments to:
Nathan Voght
Economic Development Specialist
Washtenaw County Office of Community and Economic Development
415 W. Michigan Ave.
Ypsilanti, MI 48197
734-660-1061
voghtn@washtenaw.org

Washtenaw County Brownfield Redevelopment Authority
Project Application Form

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

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

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

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

The following separate application fees are due upon processing and acceptance of the brownfield application.

County Brownfield Authority Fee, based on total project investment:
$0- $5Million = $3,000;
$5M - $10M = $4,000; and
$10 M and over = $5,000

Additional Application Fee for Projects within the City of Ann Arbor, due to administrative review costs associated with the Financial Proforma Return on Investment Analysis and review of environmental criteria above the County process:
$4,000

Submit a PDF of the completed application form and any supplemental materials must be submitted to the Washtenaw County Office of Community and Economic Development, Brownfield Program, 415 W. Michigan Ave., 2nd Floor, Ypsilanti, MI 48197.

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

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

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

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

OFFICE OF COMMUNITY &
ECONOMIC DEVELOPMENT

PROJECT APPLICANT INFORMATION

Date: May 21, 2024

Project Applicant Name: AC Hotel

Mailing Address: 115 Depot Street, Ann Arbor, MI 48104

Contact Person for Applicant: Thomas Wackerman, ASTI Environmental

Telephone/Fax Numbers: 810-599-5463 (cell)

E-mail Address: twacker@asti-env.com

Property Owner Name: 310 E Huron LLC

Mailing Address: 115 Depot Street, Ann Arbor, MI 48104

Contact Person for Property Owner: Mike Martin

Telephone/Fax Numbers: 734-355-8493

E-mail Address: mcmartin@firstmartin.com

PROJECT INFORMATION

Project Address: 300-312 E Huron, Ann Arbor, MI 48104

Parcel ID Number(s): 9-09-29-113-006 and 09-09-29-113-007

Legal Description: LOT 1 EXC N 75 FT W 16.4 FT LOT 3 LOT 15 EXC N 75 FT OF W 9 FT B1S R6E ORIGINAL PLAT OF ANN ARBOR, and
N 75 FT LOT 1 AND N 75 FT OF W 9 FT LOT 15 B1S R6E ORIGINAL PLAT OF ANN ARBOR, respectively

Located within WCBRA Member Municipality: ☒ YES ☐ NO

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

Yes

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

It is our understanding that the DDA has reached its incremental tax capture and will not capture additional incremental property tax on this project.

Proposed Project Description:

The project will include the demolition of site improvements, limited environmental remediation, installation and operation of due care controls, demolition required to access soils, and the construction of a six-story hotel and associated parking (see attached figure). The project will activate a corner that has been vacant and undeveloped for over 20 years, and provide needed accommodations for events and visitors.

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

Proposed Redevelopment Use(s):

New construction of a hotel.

Anticipated Project Schedule/Critical Dates:

Construction Starts: June 1, 2024 **Open: September 1, 2025**

Status of Development Permits and Applications:

Civil and Foundation Permits Approved
Additional permits in process

Description of Known or Suspected Environmental Contamination Concerns

A Phase I ESA identified that the northwest corner of the Subject Property was used as a former gas station and auto repair facility from approximately 1925 to 1992, and the eastern half was a cleaner from approximately 1969 to 1976. The Subject Property has been a surface parking lot since approximately 1992. Two Phase II ESA sampling events have been completed, collecting soil samples to 13 feet below grade at 18 sampling locations. **The Phase II ESA identified impacts of tetrachloroethylene, also known as perchloroethylene (PCE), in soil at concentrations exceeding the Michigan**

Department of Environment, Great Lakes, and Energy (EGLE) Generic Residential Cleanup Criteria (GRCC), Generic Nonresidential Cleanup Criteria (GNRCC), and residential and nonresidential Volatilization to Indoor Air Pathway (VIAP) Screening Levels (SLs), to depths of at least 13 feet below grade. As such, the Subject Property is a facility and a potential vapor risk is present for the proposed building.

Surfacing materials and other site improvements will be removed to access soils and prepare the site, and soils will be excavated for construction of a basement on a portion of the Subject Property. Based on the depth of the impacts, and that no excavation is anticipated on the remainder of the property, a vapor mitigation system will be installed and operated.

- [x] Attach environmental reports sufficient to document brownfield eligibility, such as Facility status, site history, and current site conditions. (i.e. Phase I, Phase II, BEA, etc)

Needed Eligible Activities and Projected Costs (if known):

- [x] *Attach a copy of Eligible Activity Table.*

- [ ] *Attach additional pages if needed and supporting documentation or reports if available.*

Projected Private Investment in Redevelopment:

$16,000,000

For City of Ann Arbor Projects:

- [x] *Prepare to provide, upon request, under separate cover, detailed proforma and project budget illustrating all related project expenses, sources* of *financing, and project financing gap.*

Anticipated Job Creation or Retention Impacts:

35 full-time equivalent jobs at completion

Other Significant Project Information:

Additional environmental costs were not identified when the property was purchased in 1995, partially because the Phase I ESA requirements have changed. With the newly identified vapor intrusion risk, significant costs for soil management and vapor mitigation now make this project financially difficult. This request is limited to reimbursement for those extraordinary environmental costs.

OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

PROJECT APPLICATION CHECKLIST

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

Ownership Documentation

- ☐ If the project applicant does not own the property,, please attach documentation to adequately demonstrate authorization to proceed with development planning, such as a purchase or development agreement or notarized letter, to submit this application form for consideration by the WCBRA.
  or;
- ☒ Attach copy of current title commitment and proof of ownership**.**

Site Plan

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

Financial Information and Eligible Activities

- ☒ Attach a copy of Eligible Activity Table and TIF Table broken down by taxing jurisdiction.

For City of Ann Arbor Projects:

- ☐ *Prepare to provide, upon request, under separate cover, detailed proforma and project budget illustrating all related project expenses, sources* of *financing, and project financing gap.*

Environmental Work Completed

- ☒ Attach or otherwise provide access to environmental reports sufficient to document brownfield eligibility, such as Facility Status, site history, and current site conditions. (i.e. Phase **I**, Phase **II**, BEA, , etc)

312 E HURON ST Ann Arbor, MI 48104 (Property Address)

Parcel Number: 09-09-29-113-006

Item **1** of **1** 1 Image / 0 Sketches

Property Owner: 300 E HURON, LLC

Summary Information

> Assessed Value: $580,100 | Taxable Value: $285,939

> Property Tax information found

Parcel is Vacant

Owner and Taxpayer Information

Owner	300 E HURON, LLC 115 DEPOT ST Ann Arbor, MI 48104	**Taxpayer**	SEE OWNER INFORMATION

General Information for Tax Year 2024

Property Class	202 COMMERCIAL-VACANT	**Unit**	09 CITY OF ANN ARBOR
School District	ANN ARBOR PUBLIC SCHOOLS	**Assessed Value**	$580,100
Map #	*No Data to Display*	**Taxable Value**	$285,939
User Num Idx	3	**State Equalized Value**	$580,100
User Alpha 1	*No Data to Display*	**Date of Last Name Change**	03/08/2024
User Alpha 3	*No Data to Display*	**Notes**	*Not Available*
Historical District	No	**Census Block Group**	*No Data to Display*
User Alpha 2	*No Data to Display*	**Exemption**	*No Data to Display*

Principal Residence Exemption Information

Homestead Date	*No Data to Display*

Principal Residence Exemption	June 1st	Final
2024	0.0000 %	-
2023	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2023	$579,500	$579,500	$272,323

Land Information

Zoning Code	D1	**Total Acres**	0.322
Land Value	$1,135,795	**Land Improvements**	$24,398
Renaissance Zone	No	**Renaissance Zone Expiration Date**	*No Data to Display*
ECF Neighborhood	200 CBD COMMERCIAL	**Mortgage Code**	*No Data to Display*
Lot Dimensions/Comments	*No Data to Display*	**Neighborhood Enterprise Zone**	No

Lot(s)	Frontage	Depth
Lot 1	74.00 ft	132.00 ft
Lot 2	57.00 ft	75.00 ft
	Total Frontage: 131.00 ft	**Average Depth: 103.50 ft**

Legal Description

LOT 1 EXC N 75 FT W 16.4 FT LOT 3 LOT 15 EXC N 75 FT OF W 9 FT B1S R6E ORIGINAL PLAT OF ANN ARBOR

Land Division Act Information

Date of Last Split/Combine	*No Data to Display*	**Number of Splits Left**	*Not Available*
Date Form Filed	*No Data to Display*	**Unallocated Div.s of Parent**	0
Date Created	01/01/0001	**Unallocated Div.s Transferred**	0
Acreage of Parent	0.00	**Rights Were Transferred**	No
Split Number	0	**Courtesy Split**	No
Parent Parcel	*No Data to Display*		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page	Comments
12/28/2023	$0.00	PTA	CITY HALL L.L.C.	300 E HURON, LLC	21-NOT USED/OTHER	XXXX/XXX	LLC ON FILE
12/28/1995	$1.00	OTH	MARTIN WILLIAM & SALLY	CITY HALL L.L.C.	03-ARM'S LENGTH	3197:0605	
08/01/1995	$248,500.00	OTH	COMERICA BANK	MARTIN WILLIAM	03-ARM'S LENGTH	3147:0646	

300 E HURON ST Ann Arbor, MI 48104 (Property Address)

Parcel Number: 09-09-29-113-007

Item 1 of 1 1 Image / 0 Sketches

Property Owner: 300 E HURON, LLC

Summary Information

- Assessed Value: $260,100 | Taxable Value: $107,171
- Property Tax information found

Parcel is Vacant

Owner and Taxpayer Information

Owner	300 E HURON, LLC 115 DEPOT ST Ann Arbor, MI 48104	**Taxpayer**	SEE OWNER INFORMATION

General Information for Tax Year 2024

Property Class	202 COMMERCIAL-VACANT	**Unit**	09 CITY OF ANN ARBOR
School District	ANN ARBOR PUBLIC SCHOOLS	**Assessed Value**	$260,100
Map #	*No Data to Display*	**Taxable Value**	$107,171
User Num Idx	3	**State Equalized Value**	$260,100
User Alpha 1	*No Data to Display*	**Date of Last Name Change**	03/08/2024
User Alpha 3	*No Data to Display*	**Notes**	*Not Available*
Historical District	No	**Census Block Group**	*No Data to Display*
User Alpha 2	*No Data to Display*	**Exemption**	*No Data to Display*

Principal Residence Exemption Information

Homestead Date *No Data to Display*

Principal Residence Exemption	June 1st	Final
2024	0.0000 %	-
2023	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2023	$259,800	$259,800	$102,068

Land Information

Zoning Code	D1	**Total Acres**	0.129
Land Value	$510,321	**Land Improvements**	$9,828
Renaissance Zone	No	**Renaissance Zone Expiration Date**	*No Data to Display*
ECF Neighborhood	200 CBD COMMERCIAL	**Mortgage Code**	*No Data to Display*
Lot Dimensions/Comments	*No Data to Display*	**Neighborhood Enterprise Zone**	No

Lot(s)	Frontage	Depth
Lot 1	75.00 ft	75.00 ft
	Total Frontage: 75.00 ft	**Average Depth: 75.00 ft**

Legal Description

N 75 FT LOT 1 AND N 75 FT OF W 9 FT LOT 15 B1S R6E ORIGINAL PLAT OF ANN ARBOR

Land Division Act Information

Date of Last Split/Combine	*No Data to Display*	**Number of Splits Left**	*Not Available*
Date Form Filed	*No Data to Display*	**Unallocated Div.s of Parent**	0
Date Created	01/01/0001	**Unallocated Div.s Transferred**	0
Acreage of Parent	0.00	**Rights Were Transferred**	No
Split Number	0	**Courtesy Split**	No
Parent Parcel	*No Data to Display*		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page	Comments
12/28/2023	$0.00	PTA	CITY HALL L.L.C.	300 E HURON, LLC	03-ARM'S LENGTH	XXXX/XXX	LLC ON FILE
12/28/1995	$1.00	OTH	MARTIN WILLIAM & SALLY	CITY HALL L.L.C.	03-ARM'S LENGTH	3197:0605	
08/01/1995	$101,500.00	OTH	COMERICA BANK	MARTIN WILLIAM	03-ARM'S LENGTH	3147:0646	

ACT 381 BROWNFIELD PLAN
For the
AC Hotel Project
300-312 E Huron, Ann Arbor, Michigan

Washtenaw County Brownfield Redevelopment Authority
C/O Washtenaw County Office of Community & Economic Development
415 W. Michigan Avenue, Suite 2200
Ypsilanti, Michigan 48197

Nathan Voght, AICP
Brownfield Redevelopment Coordinator

July 11, 2024

Prepared with the Assistance of ASTI Environmental

Approved by Ann Arbor City Council on ______________
Approved by the Washtenaw County Brownfield Redevelopment Authority on ____________
Approved by the Washtenaw County Board of Commissioners on ____________

TABLE OF CONTENTS

EXHIBITS

Project Summary

Project Name: AC Hotel

Estimated Investment $16,000,000

Project Location: 300-312 E Huron, located on the southeast corner of East Huron St. and South 5th Avenue in downtown Ann Arbor. The project includes the following two parcels for a total of 0.45 acres (the "Subject Property"):

Parcel No.	Acreage
09-09-29-113-007	0.13
09-09-29-113-006	0.32

Project Applicant: 310 E Huron LLC (the "Developer")

Property Eligibility: Each parcel meets the definition of a "facility" as defined in Part 201 of the Michigan Natural Resources and Environmental Protection Act (P.A. 451 of 1994, as amended). The northwest corner of the Subject Property was used as a former gas station and auto repair facility from approximately 1925 to 1992, and the eastern half was a cleaner from approximately 1969 to 1976. The Subject Property has been a surface parking lot since approximately 1992.

Eligible Activities: In addition to capturing tax increment revenues for the State Revolving Fund, the Brownfield Redevelopment Authority Administrative fees and the Local Brownfield Revolving Fund, this plan includes the following eligible activities:

Environmental/Department Specific Activities: Baseline Environmental Assessment (BEA) activities, soil investigations, demolition as a response activity, soil management plan, landfill approvals, remediation and response activities, due care activities, preparation of Due Care Plan, brownfield and work plan preparation and implementation and 15% contingency on some costs.

Non-Environmental Activities: None

Eligible Costs:

	Total Cost	Local Proportional Share	Local and School Capture	Reimbursement
Environmental	$1,032,566	$583,294	$83,350	$666,644
Non-Environmental	$0	$0	$0	$0
Contingency	$134,882	$82,885	$0	$82,885
Total Above	$1,167,448	$666,179	$83,350	$749,529

Capture Period Total capture period: 5 Years
Developer reimbursement: 5 years
LBRF capture period: 1 year

Project Summary: The project will consist of the construction of a six-story hotel and associated on-site short term parking. The hotel will have 139 keys, and will provide additional food, beverage and meeting options on the first floor. Guest parking will be through arrangements with local parking structures. The project will activate a corner that has been vacant and undeveloped for over 20 years, and provide needed accommodations for events and visitors.

ACT 381 BROWNFIELD PLAN

1.0 INTRODUCTION

In order to promote the revitalization of environmentally distressed and blighted areas within the boundaries of Washtenaw County , the Washtenaw County Board of Commissioners established the Washtenaw County Brownfield Redevelopment Authority (the “Authority”) pursuant to Michigan Public Act 381 of 1996, MCLA 125.2651 et. seq. as amended (“Act 381”). The Authority is authorized to exercise its powers within the limits of Washtenaw County, acting on behalf of its member communities. The purpose of this Brownfield Plan (the “Plan”), to be implemented by the Authority, is to satisfy the requirements of Act 381 for including the eligible property described below, designated in this Plan as the AC Hotel Project, located in Ann Arbor, Michigan (the Subject Property), in a Brownfield Plan. The Subject Property is located within the boundaries of the City of Ann Arbor, a Authority member community.

The Authority proposes to implement this Plan to promote economic development and brownfield redevelopment within the County. The capture and use of tax increment revenues (“TIR”) generated by redevelopment are necessary to support needed environmental response actions and ensure the economic viability of the project. This Plan allows the Authority to capture TIR generated by redevelopment of the Subject Property for the following purposes: reimbursement of the Developer, 310 E Huron LLC, for the costs of eligible activities required to prepare the Subject Property for safe redevelopment and reuse; funding of the State Revolving Fund (SRF) and the Authority’s Local Brownfield Revolving Fund (LBRF); and, at the Authority’s discretion, payment of some or all of the Authority’s annual administrative and operating expenses.

All words or phrases not defined herein shall have the same meaning as such words and phrases included in Act 381.

1.1 Description of Eligible Property (Section 13 (2)(h))

1.1.1 Proposed Redevelopment and Future Use for Each Eligible Property

The project will consist of the construction of a six-story hotel and associated on-site short term parking on both eligible parcels. The hotel will have 139 keys, and will provide additional food, beverage and meeting options on the first floor. Guest parking will be through arrangements with local parking structures. The project will activate a corner that has been vacant and undeveloped for over 20 years, and provide needed accommodations for events and visitors.

The estimated private investment is anticipated at $16,000,000. The total number of fulltime equivalent jobs to be added as a result of this project is estimated to be 35. Available positions will include front desk, management, maintenance staff, and part-time and full-time positions.

Demolition is anticipated to begin in Summer 2024 with project completion in Fall 2025.

310 E Huron LLC is the project developer (“Developer”).

1.1.2 Eligible Property Information

The property comprising the eligible property consists of two parcels that are currently undeveloped, for a total of approximately 0.45 acres. The parcels are located on southeast corner of E. Huron Street and South Fifth Avenue (see Figure 1 titled “Site Location Map”). The parcel and all tangible personal property located thereon will comprise the eligible property and are referred to herein as the “Subject Property”. The boundaries of the Subject Property are shown in Figure 2 titled “Sample Location Map”.

Parcel information is outlined below.

Address Parcel 1	300 E Huron St.
Parcel ID	9-09-29-113-007
Acreage	0.13
Owner	300 E Huron LLC 115 Depot Street Ann Arbor, MI 48104
Legal Description	N 75 FT LOT 1 AND N 75 FT OF W 9 FT LOT 15 B1S R6E ORIGINAL PLAT OF ANN ARBOR

Address Parcel 2	312 E Huron St.
Parcel ID	09-09-29-113-006
Acreage	0.32
Owner	300 E Huron LLC 115 Depot Street Ann Arbor, MI 48104
Legal Description	LOT 1 EXC N 75 FT W 16.4 FT LOT 3 LOT 15 EXC N 75 FT OF W 9 FT B1S R6E ORIGINAL PLAT OF ANN ARBOR

1.1.3 Historical Use and Previous Ownership

The Subject Property was residential from 1888 until approximately 1925. The Subject Property was a parking lot by 1992. Each of two properties were developed differently as follows.

- The western parcel (300 E Huron St.) was redeveloped as a gas station from around 1925 to 1992. By 1962, a new filling station was constructed. It has been occupied by gas stations (1925-1992) and a car stereo installation center (1977-1992). The gas station was demolished sometime before 1992.
- The eastern parcel (312 E. Huron St.) was redeveloped as a 130-car garage sometime prior to 1937. By 1960, a dry cleaner occupied the building until approximately 1978. The building was demolished sometime before 1992.

1.1.4 Current Use of the Subject Property

The Subject Property is currently vacant and undeveloped.

1.1.5 Site Conditions and Known Environmental Contamination

Phase I Environmental Site Assessment

The most recent Phase I Environmental Site Assessment (ESA) of the Subject Property is dated March 15, 2024. The following recognized environmental conditions (RECs) were identified based on historical uses of the Subject Property.

- 300 E. Huron is a former gas station and auto repair facility. Environmental concerns associated with automobile repair include the use, storage, and management of hazardous substances and petroleum products and the presence of inground hoists, floor drains, sumps, and oil/water separators. Based on the periods of operations, it is unlikely that modern spill prevention, response, and waste manifesting were implemented.
- 312 E. Huron is listed as a historical cleaner from 1969 to 1976. A&P Cleaners Inc. was listed as drycleaning plants, except rugs. Laundromats and cleaners commonly utilize hazardous substances and/or petroleum products. Modern material management (e.g., spill prevention, spill response, manifesting, etc.) was unlikely to have been practiced.
- 300 E. Huron had five underground storage tanks removed in 1991. Closure standards have changed since the removal of the underground storage tanks. Additional sampling is recommended in those areas.
- According to Sanborn Maps at 300 E. Huron, there is at least one additional underground storage tank located east of the original gas station building. There is no record as to whether a sixth underground storage tank was removed.
- The Subject Property contained former buildings that are known, or suspected, to have had basements. Fill material would have been required to return to grade the basement following demolition. The source of the fill material is unknown. Since the building was demolished prior to the 2000s, the fill material is considered suspect because the typical demolition program had poor oversight of fill material placement during this earlier period. Fill material placed during this time can potentially contain demolition materials and industrial by-products. These types of fill material can contain hazardous substances and/or petroleum products. According to a Geotechnical Evaluation Report, dated August 30, 2023, buried materials including plastic pieces, concrete pieces, brick pieces, and cinders, etc. were encountered in four soil borings.

Soil and Groundwater Sampling

A soil and groundwater investigation was conducted on February 26, 2024, and delineation sampling was conducted on March 20, 2024. The soil and groundwater investigation report is dated March 25, 2024, and the delineation report is dated April 17, 2024.

The laboratory analytical results for the soil and groundwater investigation reported tetrachloroethylene (PCE) in three soil samples (at depths of 2 to 7 feet bgs) at concentrations exceeding the residential Volatilization to Indoor Air Pathway (VIAP) Screening Levels (SL), and in one soil sample at concentrations exceeding the nonresidential VIAP SL. The concentrations of PCE reported in one soil sample also exceeded the Generic Residential Clean-up Criteria (GRCC) and the Generic Non-Residential Clean-up Criteria (GNRCC) for drinking water protection (DWP). No other exceedances of Part 201 criteria were reported.

The laboratory analytical results for the delineation sampling reported PCE in seven soil samples (3 to 13 feet bgs) at concentrations exceeding the residential VIAP SL, and in four soil samples (4 to 13 feet bgs) at concentrations exceeding the nonresidential VIAP SL. The concentrations of PCE reported in soil samples also exceed the GRCC and GNRCC for DWP. No other chlorinated VOCs were detected in the soil samples at concentrations at or greater than the laboratory reporting limits. (Refer to Figure 3 for sample locations exceeding residential VIAP SL.)

The Subject Property is a facility as defined by Part 201 of Act 451. Based on the results of these investigations, PCE in soil has not been vertically delineated to beneath the VIAP SLs. Therefore, in order to mitigate the VIAP, additional sampling would need to be conducted under various seasonal conditions for further delineation, or a presumptive vapor mitigation system can be installed on the proposed building to mitigate the VIAP exposure risk. Based on the depth of the deeper PCE impacts, excavation is not likely a viable option to eliminate the vapor intrusion risk.

2.0 Information Required by Section 13(2) of the Statute

The Developer will be reimbursed for the costs of eligible activities necessary to address brownfield conditions and prepare the Subject Property for redevelopment. The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with incremental local tax revenues and incremental state school operating tax revenues generated from the Subject Property after redevelopment and captured by the Authority, subject to any limitations and conditions described in this Plan, approvals of EGLE, as appropriate, for school operating tax capture, and the terms of a Reimbursement Agreement between Developer and the Authority (the "Reimbursement Agreement"). If available, this Plan will capture all new personal property taxes generated by this project.

The estimated total cost of eligible Department Specific Activities eligible for Developer reimbursement from tax increment revenues under this Plan are $1,167,448. Request for reimbursement of Non-Environmental Activities is not planned at this time. The eligible activities are summarized in Table 1. The costs of individually identified Department Specific activities eligible for reimbursement are estimated and may increase or decrease, depending on the nature and extent of unknown conditions encountered during redevelopment.

No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Reimbursement Agreement and Section 2 of Act 381 of 1994, as amended (MCL 125.2652). The

Reimbursement Agreement and this Plan will dictate the total cost of eligible activities subject to reimbursement. As long as the total of eligible costs described in this Plan or in the Department Specific cost categories are not exceeded, line-item eligible activities, tasks, and costs within each respective Department Specific category may be adjusted without Plan amendment after the date of this Plan, to the extent the adjustments do not violate the terms of Act 381. Eligible activities conducted prior to Brownfield Plan approval will be reimbursed to the extent allowed by Act 381.

This Plan is projected to take 5 years for full reimbursement of all Eligible Activities, including LBRF capture.

Fifty percent (50%) of the available incremental state education tax will be captured for deposit into the State Revolving Fund pursuant to Act 381.

2.1 Basis for Eligibility (Section 13 (2)(h) and Section 2 (p))

The Subject Property is considered "eligible property" as defined by Act 381, Section 2 because (a) the Subject Property was previously utilized for a commercial purpose and (b) the Subject Property is a facility, as that term is defined in Part 201 of Michigan's Natural Resources and Environmental Protection Act (1994 PA 451), based on investigations in 2014 and 2021.

2.2 Summary of Eligible Activities and Costs (Section 13 (2)(a),(b))

The "eligible activities" that are intended to be carried out at the Subject Property are considered "eligible activities" as defined by Sec 2 of Act 381, because they include baseline environmental assessment activities, due care activities, demolition as a response activity, installation of a vapor mitigation system, soil management, and preparation and implementation of a Brownfield Plan and 381 Work Plan

A summary of the eligible activities and the estimated cost of each eligible activity intended to be paid for with tax increment revenues from the Subject Property are shown in Table 1 titled "Eligible Activity Cost Estimates". The eligible activities described in the table are not exhaustive.

The costs listed in the Plan are estimated costs and may increase or decrease depending on the nature and extent of environmental contamination and other unknown conditions encountered on the Subject Property. As long as the total costs are not exceeded, line item costs of eligible activities may be adjusted after the date this Plan is approved by the governing body, to the extent the adjustments do not violate the terms of the Plan, and provided that the total cost of eligible activities subject to payment or reimbursement shall not exceed the estimated costs set forth in the Plan.

The Developer desires to be reimbursed for the costs of eligible activities. Local and state tax increment revenue generated by the Subject Property will be captured by the Authority and used to reimburse the cost of the eligible activities completed on the Subject Property. The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues from the Subject Property shall be governed by the terms of this Plan, the Reimbursement Agreement, and Act 381.

The following eligible activities will be completed for this Project and are the subject of this Plan. A list of eligible activities included in this Plan, and the associated estimated costs, is provided in Table 1.

Environmental Eligible Activities

<u>Pre-Approved Activities</u>
The following activities will be reimbursed from local and school tax. Some of these activities were completed prior to this Plan as permitted by Act 381 and those activities do not include contingency.

Baseline Environmental Assessment Activities
This includes the completion of environmental due diligence activities that include preparation of Phase I and II Environmental Site Assessments (ESAs); Baseline Environmental Assessments (BEA); delineation investigation; investigations to document and support the due care activities; additional delineation required to define impacts or design remedies; vapor mitigation system design, preparation of a Due Care Plan; and data interpretation and reporting as required to support the Project.

Develop/Prepare Brownfield Plan
This includes the reasonable costs of preparing the Brownfield Plan. This activity also includes professional costs related to oversight and project management of these activities as needed.

<u>Due Care and Response Activities</u>
The following activities will be reimbursed from local and school tax capture. If a 381 Work Plan is not approved, reimbursement will be limited to the proportional share of local tax capture.

Due Care Activities
Due Care Activities will be completed to ensure compliance with due care obligations under 324.20107a and 324.21304c. These activities are specific measures to be taken to address due care requirements, including, but not limited to health and safety plan; installation, performance monitoring and operational documentation of a vapor mitigation system; and transportation and disposal of dewatering fluids. This activity also includes professional costs related to engineering, design, and oversight and project management of these activities as needed.

Soil Management
This includes transportation and disposal of soils impacted above generic residential clean-up criteria as necessary to prepare the Subject Property for redevelopment; soil disposal characterization and verification sampling; and dust control as necessary. This activity also includes professional costs related to engineering, design, and oversight and

project management of these activities as needed.

Demolition as a Response Activity
This includes site demolition and infrastructure removal as necessary to access underlying soils to prepare the property for redevelopment. This activity also includes professional costs related to engineering, design, and oversight and project management of these activities as needed.

Other Activities
The following activities will be reimbursed from local and school tax capture. If a 381 Work Plan is not approved, reimbursement will be limited to the proportional share of local tax capture. Some of these activities may have been completed prior to this Plan as permitted by Act 381 Plan and those activities do not include contingency.

Implement Brownfield Plan
This includes costs for implementation of the Brownfield Plan, including requests for reimbursement. This activity also includes professional costs related to oversight and project management of these activities as needed.

2.3 Estimate of Captured Taxable Value and Tax Increment Revenues (Section 13(2)(c))

This Plan anticipates the capture of tax increment revenues from local and school taxes to reimburse the Developer for the total costs of Eligible Activities under this Plan in accordance with the Reimbursement Agreement. The initial taxable value will be the taxable value of the eligible property at the time of plan approval, as shown by the assessment roll. For illustration purposes this Plan uses an initial taxable value of $393,110, which is the current actual taxable value, and a projected future taxable value of $5,000,000, which is the estimated taxable value of the Subject Property at the time of the next assessment roll after project completion. The captured taxable value will be the difference between the initial taxable value at the time this Plan is approved and the actual taxable value for each year for which this Plan is in effect.

A table of the total estimated tax increment revenues to be captured for the entire project is attached to this Plan as Table 2. Tax capture for reimbursement of Eligible Activities as described in this Plan is estimated to require 5 years, assuming reimbursement from incremental local and school taxes for the preapproved activities, and from the proportional share of incremental local taxes for all other eligible costs, as illustrated in Table 3. Conservative assumptions were included in the captured taxable value and tax rates. These assumptions are used for illustrative purposes only, and are not intended to limit reimbursement of the actual annual tax capture amount. The following assumptions were used to develop the attached tables.

1. Tax capture for Due Care Response Activities and Other Activities described above is assumed to be limited to the proportional share of local tax capture.
2. Annual appreciation in taxable value of 2%.
3. The future taxable value at completion is assumed to be based on the cost of construction.

Tax increments are projected to be captured and applied: (i) to reimbursement of Eligible Activity costs; (ii) for payment of the administrative expenses of the Authority; (ii) to make deposits into the State of Michigan Brownfield Redevelopment Fund (BRF); and (iii) to make deposits into the Local Brownfield Redevelopment Fund (LBRF) as follows:

		Plan Amount
Eligible Activity Reimbursement	$	749,529
Administrative Fees and LBRF Deposit	$	96,376
State Brownfield Redevelopment Fund	$	5,422
Local Brownfield Revolving Fund	$	112,429
Total Brownfield Plan Capture	$	963,757

2.4 Method of Financing and Description of Advances Made by the Municipality

The Eligible Activities are to be financed solely by the Developer. No advances have been made by the Authority or City for the costs of eligible activities under this Plan.

2.5 Maximum Amount of Note or Bonded Indebtedness

The Authority will not incur any note or bonded indebtedness to finance the purposes of this Plan.

2.6 Duration of Brownfield Plan (Section (13)(2)(f)

This Plan will remain in effect for 30 years from the beginning date of the capture of tax increment revenues, or for the duration necessary to complete the reimbursement of eligible expenses for the project, whichever is less. In no event shall the duration of the Plan exceed 35 years following the date of the resolution approving the Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (4) and (5) of Section 13 of Act 381 or 30 years.

The beginning date of capture of tax increment revenues for each eligible property is anticipated to occur in 2026, as illustrated in the TIF table described in Table 3. However, in no event shall the beginning date of the capture of tax increment revenues be later than five years after the date of the resolution approving the Plan.

The Subject Property will become a part of this Plan on the date this Plan is approved by the governing body.

2.7 Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions (Section 13(2)(g))

The following is the impact of this Plan on the taxing jurisdictions.

Tax Capture for This Plan (5 Year Plan)

School Capture	Millage Rate	Total Capture	Reimburse	Brownfield Authority	State BRF	LBRF
School Operating Tax	18.0000	$ 32,535	$ 28,291	$ -		$ 4,244
State Education Tax (SET)	6.0000	$ 10,845	$ 4,715	$ -	$ 5,422	$ 707
School Total	**24.0000**	*$ 43,379*	*$ 33,006*	*$ -*	*$ 5,422*	*$ 4,951*
Local Capture	Millage Rate					
AAATA CITY	1.9321	$ 46,482	$ 36,187	$ 4,867		$ 5,428
AAATA COUNTY	0.6805	$ 16,371	$ 12,745	$ 1,714		$ 1,912
AAPS SINKING	2.4103	$ 57,987	$ 45,143	$ 6,072		$ 6,771
CITY AFF HOUSING	0.9933	$ 23,897	$ 18,604	$ 2,502		$ 2,791
CITY BENEFITS	1.9321	$ 46,482	$ 36,187	$ 4,867		$ 5,428
CITY CLIMATE ACT	1.0000	$ 24,058	$ 18,729	$ 2,519		$ 2,809
CITY OPERATING	5.7967	$ 139,456	$ 108,568	$ 14,603		$ 16,285
CITY PARKS ACQ	0.4488	$ 10,797	$ 8,406	$ 1,131		$ 1,261
CITY PARKS MAINT	1.0732	$ 25,819	$ 20,100	$ 2,704		$ 3,015
CITY REFUSE	2.3182	$ 55,771	$ 43,418	$ 5,840		$ 6,513
CITY SIDEWALK	0.1986	$ 4,778	$ 3,720	$ 500		$ 558
CITY STREETS	2.0153	$ 48,484	$ 37,745	$ 5,077		$ 5,662
COMM COLLEGE	3.3548	$ 80,709	$ 62,833	$ 8,451		$ 9,425
COUNTY	2.6901	$ 64,718	$ 50,384	$ 6,777		$ 7,558
PUBLIC LIBRARY	1.8228	$ 43,853	$ 34,140	$ 4,592		$ 5,121
WASH COUNTY OPER	4.3512	$ 104,680	$ 81,495	$ 10,961		$ 12,224
WISD OPERATING	0.0937	$ 2,254	$ 1,755	$ 236		$ 263
WISD SPEC EDUC	5.1452	$ 123,782	$ 96,366	$ 12,962		$ 14,455
Captured Total	**38.2569**	*$ 920,377*	*$ 716,523*	*$ 96,376*	*$ -*	*$ 107,478*
Total Captured Above	**62.2569**	$ 963,757	$ 749,529	$ 96,376	$ 5,422	$ 112,429

In addition, the following taxes are projected to be generated but shall not be captured during the life of the Plan.

Millages Not Captured	Millage Rate	Increment Not Captured (5 Year Plan)
AAPS DEBT	4.1000	$ 98,792
WISD DEBT	0.3000	$ 7,229
Total Above	**4.4000**	$ 106,020

2.8 Estimates of Residents and Displacement of Individuals/Families (Section 13(2)(i-l))

There are currently no residential dwellings or residences that occupy the Subject Property and no occupied residences will be acquired or cleared, therefore there will be no displacement or relocation of persons under this Plan. Therefore, a plan for relocation of displaced persons is not application and is not needed for this Plan. In addition, a provision for relocation costs is not applicable and is not needed for this Plan. No persons will be displaced as a result of this development, therefore, no relocation assistance strategy is needed for this Plan.

2.9 Plan of Financing (Section 13(2)(d)) and Maximum Amount of Indebtedness (Section 13(2)(e))

The Eligible Activities are to be financed solely by the Developer. The Authority will reimburse the Developer for the actual cost of approved Eligible Activities, but only from actual tax increment revenues generated from the Subject Property.

All reimbursements authorized under this Plan shall be governed by the Reimbursement Agreement and Act 381. Reimbursements under the Reimbursement Agreement shall not exceed the cost of eligible activities permitted under this Plan.

Unless otherwise agreed upon by the Developer, the Authority, and the State of Michigan, the Authority shall not incur any note or bonded indebtedness to finance the purposes of this Plan.

2.10 Local Brownfield Revolving Fund ("LBRF") (Section 8; Section 13(2)(m))

The Authority has established a Local Brownfield Revolving Fund (LBRF) in accordance with Act 381. Funds from the LBRF may be used, at the sole discretion of the Authority, to finance or reimburse eligible activities described in this Plan or eligible activities subsequently approved, solely for LBRF funding, by administrative action of the Authority to be conducted on the eligible property described in this Plan. The LBRF funds will be used to support future redevelopment of brownfield sites within Washtenaw County.

Pursuant to Act 381, the Authority may capture incremental local taxes to fund its administrative operations as defined in the Act and may contribute to its LBRF with tax increment revenues in excess of the amount needed to reimburse Developer for the costs of eligible activities in the approved Brownfield Plan. For these purposes, it is the intent of the Authority to capture ten percent (10%) of the available incremental taxes annually during Developer reimbursement, before payment into the State Brownfield Redevelopment Fund, as either LBRF or Administrative Fees capture,, and, in the years(s) after Developer reimbursement is complete, to capture an amount equal to fifteen percent (15%) of the Developer's proposed Eligible Activity Costs in the approved Brownfield Plan for deposit into the LBRF Deposit. As illustrated in Table 3, the LBRF/Administrative capture is estimated at $96,376, and the LBRF Deposit is estimated at $112,429. At the sole discretion of the Authority, all or part of the incremental local taxes captured for the LBRF in any tax year may be used to pay the administrative and operational costs of the Authority incurred in that year.

2.11 Brownfield Redevelopment Fund (Section 8a; Section 13(2)(m))

The Authority shall pay to the Department of Treasury at least once annually an amount equal to 50% of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, that are captured under this Plan for up to the first twenty-five (25) years or the duration of capture of tax increment revenues for each eligible property included in this Plan. If the Authority pays an amount equal to 50% of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, on a parcel of eligible property to the Department of Treasury under Section 13b(14) of Act 381, the percentage of local taxes levied on that parcel and used to reimburse eligible activities for the Project under this Plan shall not exceed the percentage of local taxes levied on that parcel that would have been used to reimburse eligible activities for the Project under this Plan if the 50% of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, on that parcel were not paid to the Department of Treasury under Section 13b(14) of Act 381.

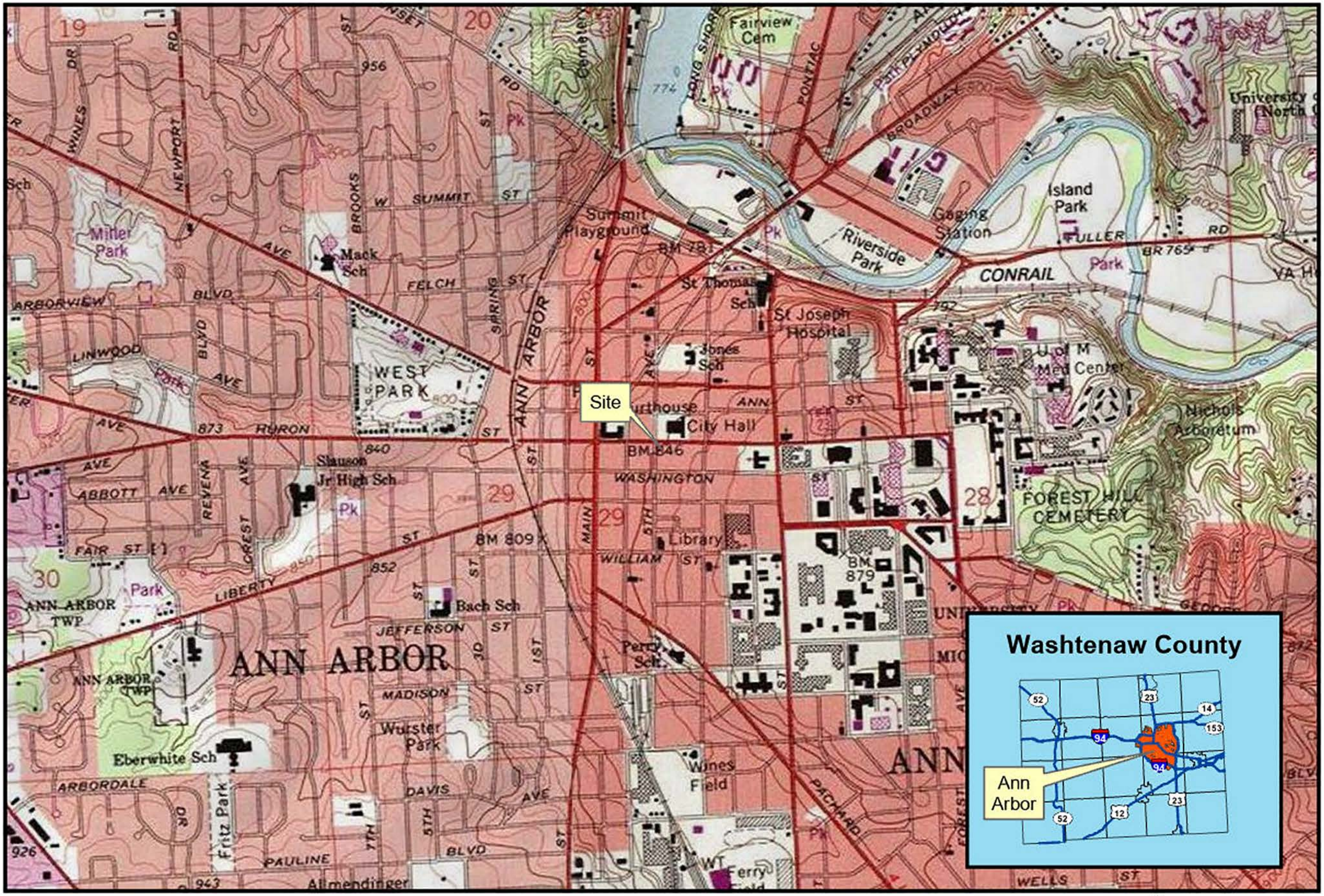
2.12 Other Material that the Authority or Governing Body Considers Pertinent

The Developer and its affiliates shall comply with all applicable laws, ordinances, executive orders, or other regulations imposed by the City or any other properly constituted governmental authority with respect to the Subject Property and shall use the Subject Property in accordance with this Plan.

III. EXHIBITS

FIGURES

Site Maps



300-312 E. Huron Street

Ann Arbor, MI

Created for: 310 E Huron LLC
Created by: RMH, March 7, 2024, ASTI Project 2-13116

Figure 1 - Site Location Map

GRAPHIC SCALE

0 30 60 120

1 inch = 60 ft.
Paper Size = (8.5x11)

LEGEND

Approximate Property Boundary
Soil Boring Location

N

300-312 E. Huron Street

Ann Arbor, MI

ASTi Environmental

Client: 310 E Huron LLC

Figure 2 - Sample Location Map

ASTI Project 2-13116, JRN, April 1, 2024

Y:\Project Files\Current and Closed\13000-13999\13100-13199\13116 300 East Huron Ann Arbor MI\2-13116 Delineation\CAD\2-13116.dwg; 5/16/2024 2:32 PM;

GRAPHIC SCALE

0 30 60 120

1 inch = 60 ft.
Paper Size = (8.5x11)

LEGEND

Approximate Property Boundary
Soil Boring Location

N

ASTi Environmental

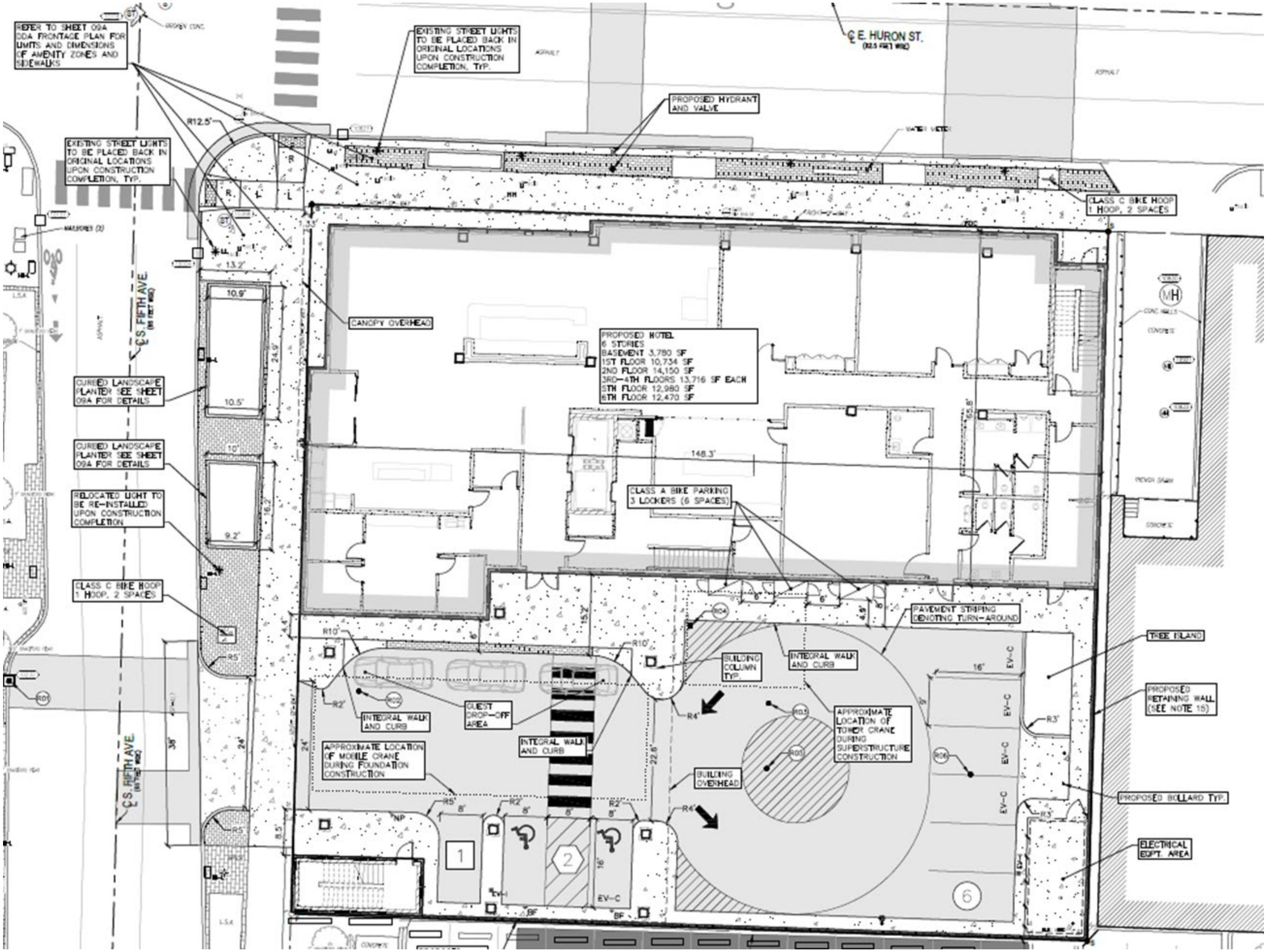
300 E. Huron Street

Ann Arbor, MI

Client: 300 E Huron LLC

Figure 3 - Exceedances of Residential VIAP

ASTI Project 1-13116, JRN, May 16, 2024



300-312 Huron

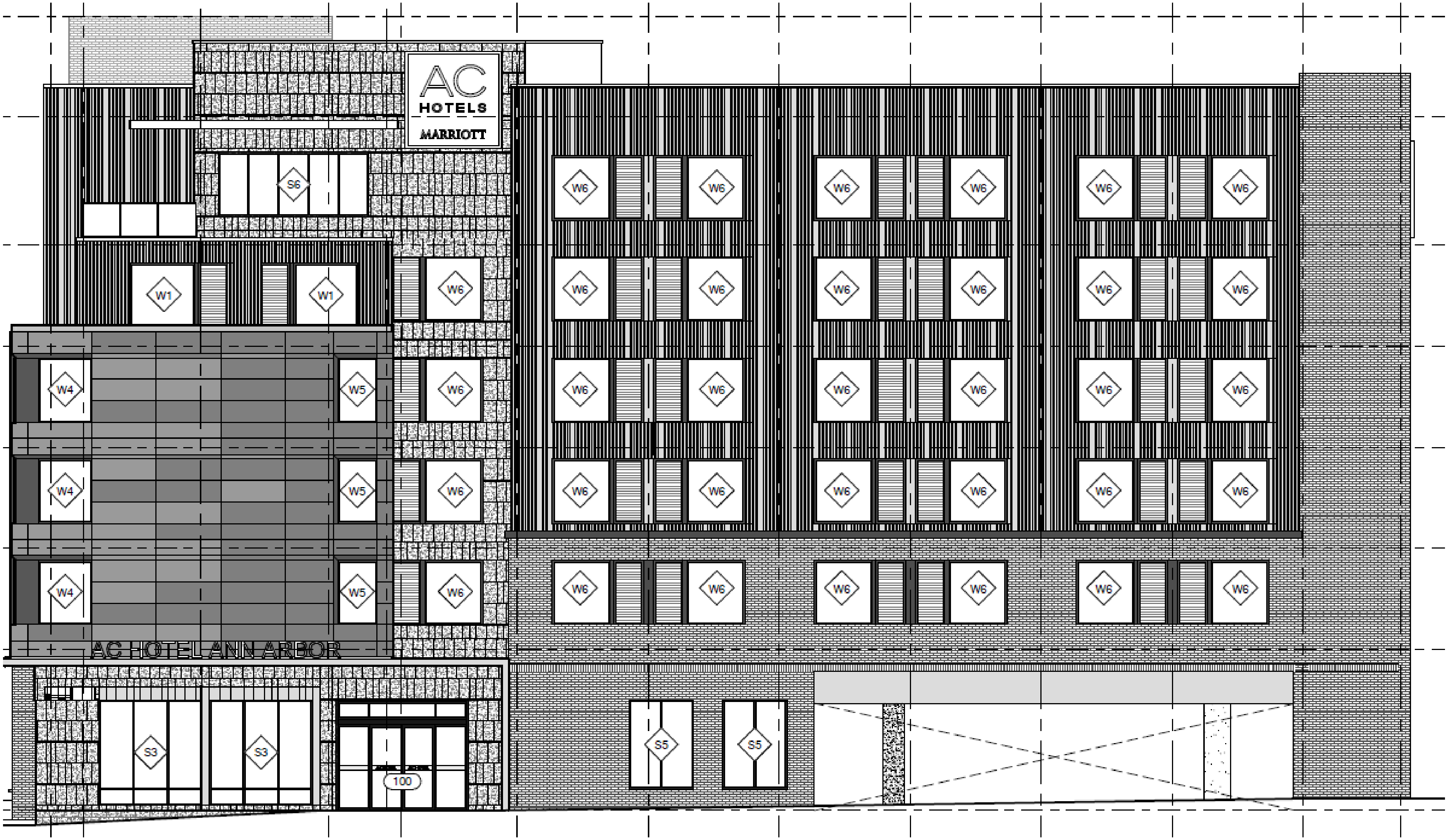
Ann Arbor, MI

ASTi ENVIRONMENTAL

Created for: 310 E Huron LLC
Created by: TJW May 10, 2024 (ASTI Project A23-3116.00)

N W E S

Figure 4: Site Plan

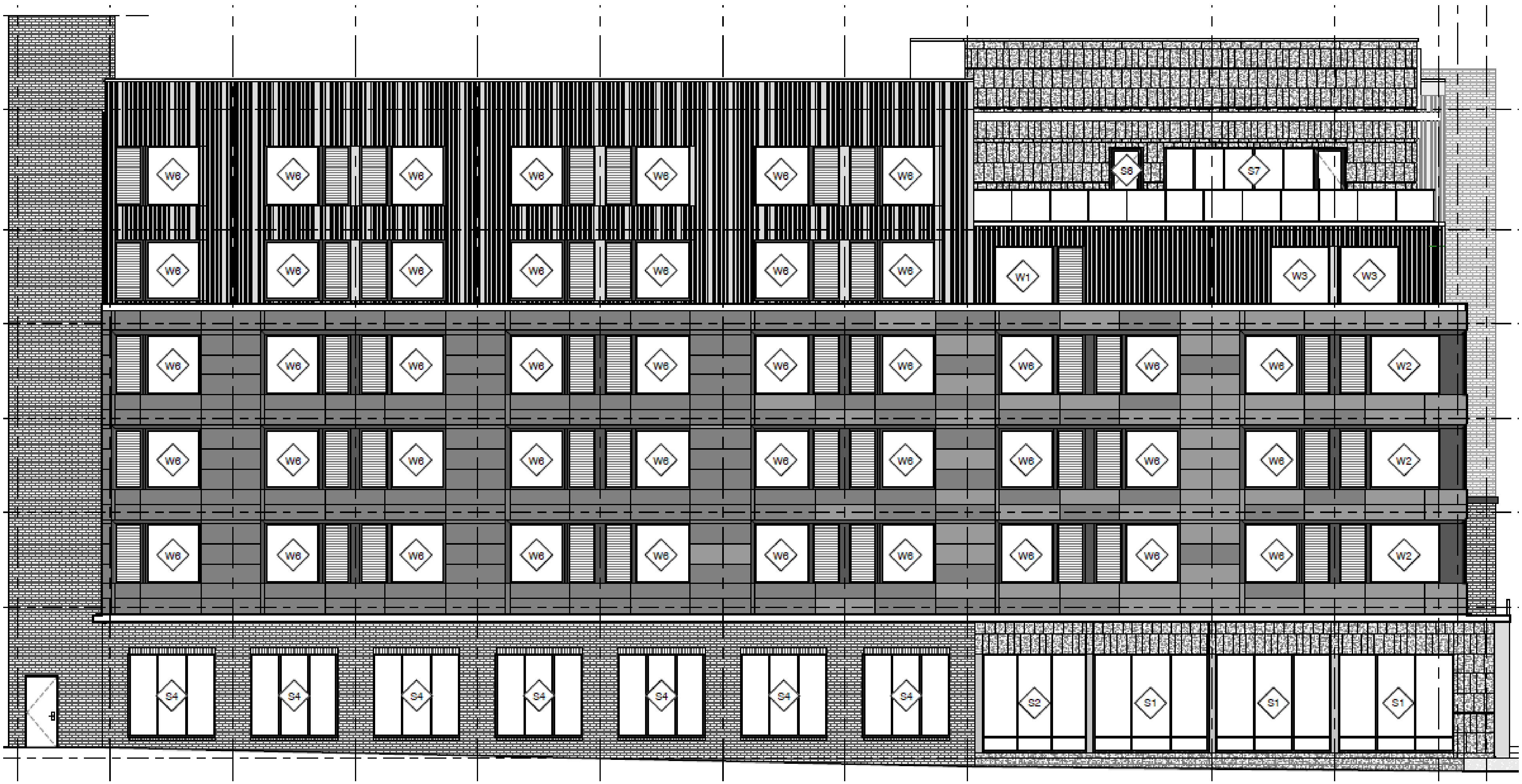


300-312 Huron

Ann Arbor, MI

Created for: 310 E Huron LLC
Created by: TJW May 10, 2024 (ASTI Project A23-3116.00)

Figure 5: West Elevation



300-312 Huron

Ann Arbor, MI

Created for: 310 E Huron LLC
Created by: TJW May 10, 2024 (ASTI Project A23-3116.00)

Figure 6: North Elevation

TABLES

Eligible Activity Cost Estimates, TIF Capture and Reimbursement

Table 1
Eligible Activity Cost Estimates

Assessment and Due Care		Estimated Costs
Pre-Approved Activities (Not Requiring Act 381 Work Plan Approval)		
	Phase I	$2,400
	Phase II Investigation	$14,650
	BEA	$3,000
	Due Care Plan	$2,800
	Vapor Mitigation Design	$11,000
	Brownfield Plan	$30,000
	Project Management	$2,500
	Delineation Sampling	$17,000
	Subtotal Pre-Approved Activities	**$83,350**
Due Care Activities		
	Waste Characterization Analysis for Soils	$2,500
	Vapor Mitigation System Installation	$330,000
	Vapor Mitigation System Shakedown	$5,500
	Vapor Mitigation System One-Year Performance Monitoring	$27,500
	Dust Control Measures	$2,000
	Contaminated Soil Management (transport and disposal only)	$253,500
	Oversight and Reporting	$63,375
	Verification Sampling	$15,000
	Site Demolition as Response Activity	$138,000
	Project Management (including design and oversight)	$61,841
	Subtotal Due Care Activities	**$899,216**
Other Costs		
	Implementation of Brownfield Plan	$50,000
	Subtotal Plan Activities	**$50,000**

Subtotal Above	$1,032,566
*Contingency at 15%**	$134,882
Total Activity Costs with Contingency	$1,167,448

*Contingency does not include Pre-Approved Activities, or Brownfield Plan costs

Local Taxes as Percent of Total Capturable Taxes	61.5%

Summary of Reimbursement	
Total Local Tax Capture (Proportional Share at 61.5%)	$666,179
Total Local Tax Capture (Full Share)	$50,344
Total School Tax Capture	$33,006
Total Capture Above for Reimbursement	$749,529

FINANCIAL ANALYSIS — AC Hotel
Table 2 - Total Brownfield Tax Capture — July 11, 2024

2.00% Estimated Taxable Value (TV) Increase Rate

Plan Year	1	2	3	4	5	TOTAL
Calendar Year	2026	2027	2028	2029	2030	
Base Taxable Value	$ 393,110	$ 393,110	$ 393,110	$ 393,110	$ 393,110	
Estimated New TV	$ 5,007,862	$ 5,108,019	$ 5,210,180	$ 5,314,383	$ 5,420,671	
Incremental Difference (New TV - Base TV)	**$ 4,614,752**	**$ 4,714,909**	**$ 4,817,070**	**$ 4,921,273**	**$ 5,027,561**	

School Capture	Millage Rate	1	2	3	4	5	TOTAL
School Operating Tax	18.0000	$ 28,291	$ -	$ -	$ -	$ 4,244	$ 32,535
State Education Tax (SET)	6.0000	$ 9,430	$ -	$ -	$ -	$ 1,415	$ 10,845
School Total	**24.0000**						$ 43,379

Local Capture	Millage Rate	1	2	3	4	5	TOTAL
AAATA CITY	1.9321	$ 8,916	$ 9,110	$ 9,307	$ 9,508	$ 9,641	$ 46,482
AAATA COUNTY	0.6805	$ 3,140	$ 3,208	$ 3,278	$ 3,349	$ 3,396	$ 16,371
AAPS SINKING	2.4103	$ 11,123	$ 11,364	$ 11,611	$ 11,862	$ 12,027	$ 57,987
CITY AFF HOUSING	0.9933	$ 4,584	$ 4,683	$ 4,785	$ 4,888	$ 4,956	$ 23,897
CITY BENEFITS	1.9321	$ 8,916	$ 9,110	$ 9,307	$ 9,508	$ 9,641	$ 46,482
CITY CLIMATE ACT	1.0000	$ 4,615	$ 4,715	$ 4,817	$ 4,921	$ 4,990	$ 24,058
CITY OPERATING	5.7967	$ 26,750	$ 27,331	$ 27,923	$ 28,527	$ 28,924	$ 139,456
CITY PARKS ACQ	0.4488	$ 2,071	$ 2,116	$ 2,162	$ 2,209	$ 2,239	$ 10,797
CITY PARKS MAINT	1.0732	$ 4,953	$ 5,060	$ 5,170	$ 5,282	$ 5,355	$ 25,819
CITY REFUSE	2.3182	$ 10,698	$ 10,930	$ 11,167	$ 11,408	$ 11,567	$ 55,771
CITY SIDEWALK	0.1986	$ 916	$ 936	$ 957	$ 977	$ 991	$ 4,778
CITY STREETS	2.0153	$ 9,300	$ 9,502	$ 9,708	$ 9,918	$ 10,056	$ 48,484
COMM COLLEGE	3.3548	$ 15,482	$ 15,818	$ 16,160	$ 16,510	$ 16,740	$ 80,709
COUNTY	2.6901	$ 12,414	$ 12,684	$ 12,958	$ 13,239	$ 13,423	$ 64,718
PUBLIC LIBRARY	1.8228	$ 8,412	$ 8,594	$ 8,781	$ 8,970	$ 9,095	$ 43,853
WASH COUNTY OPER	4.3512	$ 20,080	$ 20,516	$ 20,960	$ 21,413	$ 21,712	$ 104,680
WISD OPERATING	0.0937	$ 432	$ 442	$ 451	$ 461	$ 468	$ 2,254
WISD SPEC EDUC	5.1452	$ 23,744	$ 24,259	$ 24,785	$ 25,321	$ 25,674	$ 123,782
Local Total	**38.2569**						$ 920,377

Non-Capturable Millages	Millage Rate	1	2	3	4	5	TOTAL
AAPS DEBT	4.1000	$ 18,920	$ 19,331	$ 19,750	$ 20,177	$ 20,613	$ 98,792
WISD DEBT	0.3000	$ 1,384	$ 1,414	$ 1,445	$ 1,476	$ 1,508	$ 7,229
Total Non-Capturable Taxes	**4.4000**						$ 106,020

	1	2	3	4	5	TOTAL
Total Tax Increment Revenue (TIR) Available for Capture	$ 214,267	$ 180,378	$ 184,286	$ 188,273	$ 196,553	$ 963,757
Total Tax Increment Revenue (TIR) Not Available	$ 20,305	$ 20,746	$ 21,195	$ 21,654	$ 22,121	$ 106,020

Footnotes: Amounts provided are estimates based on the assumptions used as of the date of this table. Actual tax payments and reimbursement amounts will vary based on assessed value, tax rates and other factors. This table is provided for illustration purposes only.

FINANCIAL ANALYSIS **AC Hotel**

Table 3 - Brownfield Plan Reimbursement **July 11, 2024**

	Developer Maximum Reimburse-ment	Proportionality	Actual School & Local Taxes Capture	Actual Local-Only Taxes	Total Actual Capture
	State	**35%**	**$ 33,006**		$ 33,006
	Local	**65%**	**$ 50,344**	$ 666,179	$ 716,523
	TOTAL				
	EGLE	**100%**	$ 83,350	$ 666,179	$ 749,529
	MSF	**0%**	$ -	$ -	$ -

Estimated Total Years of Plan: 5

Estimated Developer Reimbursement	$	749,529
Administrative/LBRF Fees	$	96,376
State Brownfield Redevelopment Fund	$	5,422
Local Brownfield Revolving Fund	$	112,429
Total Capture	$	963,757

		1 2026	2 2027	3 2028	4 2029	5 2030	6 2031	7 2032	8 2033	9 2034	10 2035	11 2036	12 2037	13 2038	14 2039	TOTAL
Total State Incremental Revenue		$ 37,721	$ -	$ -	$ -	$ 5,658	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ 43,379**
State Brownfield Redevelopment Fund (3 mils of SET)		$ 4,715	$ -	$ -	$ -	$ 707	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ 5,422**
State TIR Available for Reimbursement		**$ 33,006**	**$ -**	**$ -**	**$ -**	**$ 4,951**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 37,957**
Total Local Incremental Revenue		$ 176,546	$ 180,378	$ 184,286	$ 188,273	$ 190,894	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ 920,377**
LBRF/Administrative Capture	10.0%	$ 21,427	$ 18,038	$ 18,429	$ 18,827	$ 19,655	$ -									**$ 96,376**
Local TIR Available for Reimbursement		**$ 155,119**	**$ 162,340**	**$ 165,858**	**$ 169,445**	**$ 171,239**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 824,002**
Total State & Local TIR Available		**$ 188,125**	**$ 162,340**	**$ 165,858**	**$ 169,445**	**$ 176,190**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 861,958**
DEVELOPER	Beginning Balance															
DEVELOPER Reimbursement Balance	***$ 749,529***	***$ 561,404***	***$ 399,064***	***$ 233,206***	***$ 63,761***	***$ -***	***$ -***	***$ -***	***$ -***	***$ -***	***$ -***	***$ -***	***$ -***	***$ -***	***$ -***	
MSF Non-Environmental Costs	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
State Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Local Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total MSF Reimbursement Balance		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EGLE Environmental Costs	$ 83,350	$ 83,350	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 83,350
State Tax Reimbursement		$ 33,006	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 33,006
Local Tax Reimbursement		$ 50,344	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 50,344
Total EGLE Reimbursement Balance		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Local Only Costs	$ 666,179	$ 104,775	$ 162,340	$ 165,858	$ 169,445	$ 63,761	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 666,179
Local Tax Reimbursement		$ 104,775	$ 162,340	$ 165,858	$ 169,445	$ 63,761	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 666,179
Total Local Only Reimbursement Balance		$ 561,404	$ 399,064	$ 233,206	$ 63,761	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Interest Costs	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
State Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Local Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Interest Reimbursement Balance		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Annual Developer Reimbursement		$ 188,125	$ 162,340	$ 165,858	$ 169,445	$ 63,761	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ 749,529**
LOCAL BROWNFIELD REVOLVING FUND																
LBRF Deposits *		$ -	$ -													
State Tax Capture (15% of Reimbursed Eligible Activities in Plan)		$ -	$ -	$ -	$ -	$ 4,951	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	***$ 4,951***
Local Tax Capture (15% of Reimbursed Eligible Activities in Plan)		$ -	$ -	$ -	$ -	$ 107,478	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	***$ 107,478***
Total LBRF Capture		$ -	$ -	$ -	$ -	$ 112,429	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	***$ 112,429***

* Up to five years of capture for LBRF Deposits after eligible activities are reimbursed. May be taken from EGLE & Local TIR only.

Footnotes:

Amounts provided are estimates based on the assumptions used as of the date of this table. Actual tax payments and reimbursement amounts will vary based on assessed value, tax rates and other factors. This table is provided for illustration purposes only.

WCBRA Financial Report - June-July 2024

Developer Reimbursement Complete

Project	Maple Shoppes	Zingerman's	Arbor Hills	618 S. Main	544 Detroit	Water Street	Kingsley Condos - 221 Felch	Grand View Commons-Dexter	1140 Broadway-A2	Thompson Block	309 N. Ashley	Broadway Park-Roxbury	Maple Oaks-Saline	Dorsey Estates	4025 Packard Road	303 N. Fifth/312-314 Detroit	3874 Research Park Drive/Sartorius	Village of Ann Arbor	300 N. Zeeb
Project Parameters																			
Brownfield Plan - Total Approved Elig Activities	$ 1,209,027.00	$ 1,233,937.00	$ 5,400,000.00	$ 4,628,636.00	$ 698,773.00	$ 22,874,634.00	$ 5,109,420.00	$ 3,370,613.00	$ 13,159,069.00	$ 1,651,241.00	$ 2,739,022.00		$ 781,957.00						
Brownfield Plan - Maximum Developer Reimbursement	$ 1,010,042.00		$ 5,400,000.00				$ 4,000,000.00	$ 2,799,046.00	$ 10,894,465.00	$ 1,332,613.00	$ 2,039,022.00		$ 550,000.00						
Actual Approved Eligible Activity Expenses	$ 1,010,042.00	$ 600,218.85	$ 4,384,556.00	$ 2,726,826.00	$ 383,368.00		$ 4,000,000.00	$ 2,044,368.00	$ 10,397,721.10	$ 975,696.00	$ 1,876,130.05		$ 176,469.06						
Approved Eligible Activity Expense Reimbursed to Date	$ 890,736.61	$ 358,192.95	$ 4,384,556.00	$ 2,601,527.75	$ 246,114.29		$ 3,632,333.88	$ 862,834.60	$ 5,467,634.04	$ 50,084.31	$ 601,683.44		$ 102,397.50						
Remaining Approved Eligible Activity Expenses	$ 119,305.39	$ 242,025.90	$ -	$ 125,298.25	$ 137,253.71	$ -	$ 367,666.12	$ 1,181,533.40	$ 4,930,087.06	$ 925,611.69	$ 1,274,446.61	$ -	$ 74,071.56	$ -	$ -	$ -	$ -	$ -	$ -
Approved Interest to be Reimbursed	$ 41,282.00	$ 229,072.15	$ 1,015,444.00	$ 508,800.85	$ 70,648.00			$ 309,544.46											
Interest Reimbursed to Date			$ 1,004,825.62																
Remaining Interest to be Reimbursed	$ 41,282.00	$ 229,072.15	$ 10,618.38	$ 508,800.85	$ 70,648.00			$ 309,544.46											
Project Financial Activity																			
12/31/22 Fund Balance	$ -		$ -	$ -	$ 0.50	$ 217,216.78		$ 0.01		$ (1,914.00)	$ -	$ 6,285.77	$ 56,900.01				$ 123,324.75		
TOTAL 2024 REVENUES																			
Application Fee	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -							
Interest Revenue*																			
TIF Revenue/Capture	$ 17,798.07	$ 20,150.36	$ 127,519.32	$ 206,247.64	$ 10,274.67	$ 37,688.05	$ 68,824.74	$ 127,925.28	$ 446,906.12	$ 16,733.33	$ 73,750.20	$ 688.60	$ 7,701.27	$ 20,883.51	$ 603.49		$ 30,897.58		
Total Revenues	$ 17,798.07	$ 20,150.36	$ 127,519.32	$ 206,247.64	$ 10,274.67	$ 37,688.05	$ 68,824.74	$ 127,925.28	$ 446,906.12	$ 16,733.33	$ 73,750.20	$ 688.60	$ 7,701.27	$ 20,883.51	$ 603.49	$ -	$ 30,897.58	$ -	$ -
2024 EXPENDITURES																			
Certified Expense Reimbursement	$ 14,609.07		$ 77,319.32	$ 131,840.64	$ 7,679.17		$ 14,354.74	$ 113,869.28	$ 381,941.12	$ 14,819.33	$ 35,885.20	$ -							
Administrative Fee Transfer	$ 3,189.00	$ 7,670.00	$ 50,200.00	$ 74,407.00	$ 2,596.00	$ 3,037.00	$ 54,470.00	$ 14,056.00	$ -	$ -	$ 37,865.00	$ -	$ -						
LBRF Revenue or Deposit	$ -	$ 12,480.36	$ -	$ -	$ -	$ -		$ -	$ 64,965.00	$ -	$ -				$ 60.00		$ 15,422.00		
State of MI Brownfield Fund (Approved after 2014)												$ 233.00	$ 3,291.00						
Total Expenditures	$ 17,798.07	$ 20,150.36	$ 127,519.32	$ 206,247.64	$ 10,275.17	$ 3,037.00	$ 68,824.74	$ 127,925.28	$ 446,906.12	$ 14,819.33	$ 73,750.20	$ 233.00	$ 3,291.00	$ -	$ 60.00	$ -	$ 15,422.00	$ -	$ -
Misc Refund																			
Current Brownfield Account Balance	$ -	$ -	$ -	$ -	$ -	$ 251,867.83	$ -	$ 0.01	$ -	$ -	$ -	$ 6,741.37	$ 61,310.28	$ 20,883.51	$ 543.49	$ -	$ 138,800.33	$ -	$ -

*** Includes Admin and LBRF Funds***

Total of all 204 CY TIF Reimburse Transfers	$ 792,317.87		
Total 2024 CY LBRF Capture	$ 92,927.36		
Total 2023 CY LBRF CAPTURE	$ 211,548.00		
Total of all CY 2024 Admin Transfers (from 23 tax year)	**$ 247,490.00**		
Total of all CY 2023 Admin Transfers (From 2022 Tax Year)	$ 192,500.00	16 Active Projects	
Total of all CY 2022 Admin Transfers	$ 192,500.00	16 Active Projects	
Total of all CY 2019 Admin Transfers	$ 165,000.00	15 Active Projects	
Total of all CY 2018 Admin Transfers	$ 164,999.72	15 Active Projects	
Total of all CY 2017 Admin Transfers	$ 164,113.00	15 Active Projects	
Total of all CY 2016 Admin Transfers	$ 150,739.88	ACCOUNT BALANCES SUMMARY	
Total of all CY 2015 Admin Transfers	$ 114,437.35	Admin Fund Cash Reserves as of 6-1-24	**$ 267,073**
Total of all CY 2014 Admin Transfers	$ 87,198.19	LBRF Interest earned since 2017 as of 6-1-24 (inc. in bal. below)	**$ 205,623**
2024 LBRF Capture Running Current Yr Total	$ 77,445.36	LBRF Balance as of 6-1-24	**$ 1,912,583**

TRANSACTION APPROVALS REQUESTED

PROJECT	Current Capture	2023 Grand Total Captur	2023 Admin Calcs	2023 LBRF Capture	Developer Reimbursement

WASHTENAW COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY

BYLAWS

I. Purpose

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

II. Legal Basis

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

III. Directors

A. General Powers. The business and affairs of the Authority shall be managed by its Board of Directors, except as otherwise provided by statute or by these Bylaws.

B. Board of Directors. The Board of Directors (hereinafter referred to as the "Board") of the Authority shall maintain a membership that reflects the following representation: :

1 Member of the Board of Commissioners
4 Members from the Legal, Environmental and Development Professions and Countywide Development Organization
3 Members from County Municipalities
1 Member from the Community At-Large

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

D. Removal. After notice and an opportunity to be heard, a Director may be removed for cause by the Washtenaw County Board of Commissioners. The Board may recommend the dismissal of any Director if the Director is considered a detriment to the viability of the Board. The recommendation shall be made by four (4) Directors, and is subject to the approval of the Washtenaw County Board of Commissioners.

E. Conflict of Interest. A Director, or a Director whose employer, that has a direct financial interest in any matter requiring action by the Authority shall disclose his/her interest prior to any discussion of that matter by the Authority, which disclosure shall become a part of the record of the Authority's official proceedings. The interested Director, where a conflict of interest has been disclosed, shall take the following actions:

1) if the conflicted Director is Chair, control of the meeting for that matter will be passed to the Vice Chair, or to the Secretary if the Vice Chair is absent or also conflicted, or to another Director if the Vice Chair and Secretary are absent or also conflicted;

2) the conflicted Director shall refrain completely from discussion of the matter and remove him/her-self from the table;

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

IV. Board Operations

A. Meetings. The Board holds regularly scheduled meetings and may hold special meetings at the call of the chair or any two Directors. Directors shall be contacted 48 hours in advance of any special meeting.

B. Open Meetings. Meetings of the Board of the Authority shall be open to the public in accordance with the Open Meetings Act, Public Act 267 of 1976. Appropriate notice shall be provided.

C. Quorums; Voting. A majority of the Directors appointed and serving shall constitute a quorum for the transaction of business at any meeting of the Board, provided, that a majority of the Board present may adjourn the meeting from time to time without further notice. The vote of a majority of those Directors present at any meeting at which a quorum is present is the vote of the Board, unless the vote of a larger number is required by statute or by these Bylaws.

D. Committees. The Board may, by resolution passed by a majority of the full Board, designate one or more committees, each committee to consist of one or more of the Directors of the Authority. The Board may designate one or more Directors as alternate members of a committee, who may replace an absent or disqualified member at a meeting of the committee. In the absence of or disqualification of a member of the committee, the members thereof present at a meeting and not disqualified from voting, whether or not they constitute a quorum, may unanimously appoint another Director to act at the meeting in place of such an absent or disqualified member.

A committee and each member thereof, shall serve at the pleasure of the Board. A committee so designated by the Board, to the extent provided in the resolution by the

Board, will act in an advisory capacity to the Board in the management of the business and affairs of the Authority. A committee shall not have the power or authority to: (a) recommend to members a dissolution of the Authority, or a revocation of dissolution; or (b) amend the Bylaws of the Authority.

E. Board Absences. In order to maintain the maximum participation of all appointed Washtenaw County Brownfield Redevelopment Authority (WCBRA) Board members at all scheduled meetings of the WCBRA Board, the following is the attendance guide and Board member replacement policy for “excused” or unexcused” absences:

1. When appointed, each Board member should state his/her willingness and intention to attend each scheduled monthly meeting of the WCBRA Board.

2. In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Board member from attending the scheduled monthly meeting; the WCBRA Board professional staff at Washtenaw County’s Brownfield Redevelopment Program should be notified prior to the meeting start hour of their inability to attend the scheduled meeting. The Board member upon this notification will receive an “excused absence” for the involved scheduled meeting.

3. If any WCBRA Board member is absent from three (3) consecutive scheduled monthly WCBRA Board meetings without an “excused absence” for any of the three (3) meetings, the Board member is subject to an automatic appointment nullification immediately after the third missed meeting without proper prior notification as noted above. The County Board of Commissioners should replace the Board member as soon as possible in order to maintain the prescribed number of WCBRA Board members.

4. There will be no limit on the number of consecutive “excused absences” for any member of the WCBRA Board. However, it is expected that if the interest of any other concern changes for any WCBRA Board member that causes that Board member to be absent for at least 50% of the scheduled meetings in any 12-month period, the Board member will be canvassed and be considered for an appointment nullification.

5. The “appointment nullification” action as required would be initiated by the WCBRA Board and forwarded on to the County Commissioners for official action.

V. Officers

A. Officers. Directors shall elect a Chairperson, Vice Chairperson and Secretary/ Treasurer to serve as the officers of the Authority. Two or more offices may be held by the same person, but an officer shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or Bylaws to be executed, acknowledged or verified by two or more offices.

B. Nomination, Election. The officers of the Authority shall be elected following the initial adoption of the bylaws and, subsequently, at the first meeting held during the second calendar quarter of each year. Candidates shall be nominated by the Directors. The term of each office shall be not less than one (1) year. Each officer shall hold the same office until his/her successor is appointed.

C. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled at any meeting of the Board for the unexpired portion of the term of such office.

D. Chairperson and Vice Chairperson. The Chairperson shall be the chief executive officer of the Authority, but he or she may from time to time delegate all or any part of his/her duties to the Vice Chairperson. The Chair, or in his or her absence, the Vice Chair, shall preside over meetings of the Board, have general and active management of the business of the Authority and shall perform all the duties of the office as provided by law or these Bylaws.

E. Secretary/Treasurer. The Secretary/Treasurer or his/her designee shall attend all meetings and record all votes of the Board in the meeting minutes, and may perform like duties for standing committees when required. He or she shall further perform all duties of the office as provided by law or these Bylaws and shall serve as Chair in the absence of both the chair and vice chair.

F. Recording Secretary. An Office of Community and Economic Development employee or other Washtenaw County staff person will be designated by the County Administration/ Designee as the attendance and minute taker and should be present at all meetings.

G. Delegation of Duties. In the absence of any officer of the Authority, or for any other reason that the Board may deem sufficient, the Board may delegate, from time to time and for such time as it may deem appropriate, the powers or duties, or any of them, of such officer to any other officer, or to any Director, provided a majority of the Board then in office concurs therein.

H. Executive Committee. The Chairperson, Vice Chairperson, and Secretary/Treasurer shall comprise the Executive Committee. The Executive Committee may, upon a majority vote, authorize the expenditure of up to $5000 for any expense listed as an eligible item under Act 381 of 1996, As Amended. The Executive Committee must report any such expenditures to the Board at the next regularly scheduled Board meeting.

VI. Financial Transactions

A. Public Record. All financial records of the Authority shall be open to the public under the Freedom of Information Act, Act 442 of the Public Acts of 1976.

B. Contracts. The Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authorization may be general or confined to specific instances.

C. Loans/Grants. No grant or loan shall be contracted on behalf of the Authority and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board and approved by the Washtenaw County Board of Commissioners. Such authority may be general or confined to specific instances.

D. Checks, Drafts, etc. All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Authority, shall be signed by such officer or officers, agent or agents or the Authority and is such manner as shall from time to time be determined by resolution of the Board.

E. Fiscal Year. The fiscal year of the Authority shall correspond at all times to the fiscal year of Washtenaw County.

VII. Cooperation with Local Units

A. Notice and Review. The Authority shall give notice and an opportunity of not less than 10 business days for review and comment to local government units for a site included in the Authority's Brownfield Plan and within the local government unit's jurisdiction prior to adoption by the Board. The above process will apply to any subsequent Work Plans.

B. Waiver of Notice. When the Board or any committee thereof may take action after notice and lapse of the prescribed period of time, the action may be taken without further notice or without lapse of the period of time if at any time before the action is completed the person entitled to notice or to participation in the action to be taken submits a signed waiver of such requirements.

C. Program Policy. Separate Program Policy will outline parameters for local government involvement and criteria for the formal project review process.

VIII. Adoption; Amendment

A. These bylaws shall be effective upon adoption by a majority of the Board.

B. These bylaws are subject to the review and approval of the Washtenaw Board of Commissioners.

C. These rules may be amended in the same manner as the initial adoption.

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

January 21, 2015 per Resolution 15-0017; and approved as amended by the Washtenaw County Board of Commissioners on November 7, 2018 per Resolution 18-165; and approved as amended by the Washtenaw County Board of Commissioners per Resolution 19-177 on October 9, 2019.

Adopted: 10/22/1999
Amended: 4/14/2000
Amended: 06/04/2003
Amended: 10/18/2006
Amended: 2/4/2015
Amended 11/7/2018
Amended 10/9/2019