

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

APPROVED MEETING MINUTES
Thursday, August 22, 2024, 10:00 a.m.

Board Present: Allison Krueger – Chair, Colleen O'Toole – Vice Chair James Harless Sam Baushke – Secretary, Christy Maier, Katie Jones

Board Absent: Trevor Woollatt, Justin Hodge, Jenn Cornell,

Staff: Nathan Voght – OCED

Joining the Meeting: Ken Garber – a member of the public, Darren McKinnon – Ann Arbor Housing Commission, Mike Martin – First Martin Corporation for 310 E. Huron, Paul Arey – ASTI Environmental, Troy Helmick – SME, and Brett Border, with Dahlmann Properties on Zoom, Arin Yu – SME on Zoom.

Handouts: None

1. Call to Order

Chair Krueger called the meeting to order at 10:03 a.m.

2. Public Comment

Ken Garber commented on the proposed 310 E. Huron Brownfield Plan, and that he did not believe the project advanced the City's sustainability goals. The Sustainability Office recommended against it. He commented on the gas service to the hotel, and that whether DTE's capacity was sufficient.

3. Approval of Agenda

C. O'Toole moved to approve the revised agenda, adding Business Item #6, Crossroads MSHDA Brownfield Plan, Form Sub-Committee (2nd J. Harless), and the motion passed unanimously.

4. Approval of June 13th, 2024 Meeting Minutes

C. Maier had several typos to be corrected, and then moved to approve the minutes as corrected (2nd K. Jones) and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

None declared.

6. Business

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

Staff explained the request, and that the Phase I was previously updated, and this request is for 15K, which will be coupled with DCC funding, which was already approved.

J. Harless asked why PFAS testing was not included, to which Troy Helmick, from SME, explained that there is no record of foam being tested here, and the groundwater table is 80 ft. down.

J. Harless moved to approve \$15,000 in Environmental Assessment Grant Funding for the Phase II and BEA, pursuant to the SME cost proposal, and complementing the DCC funding of \$15,000 (2nd C. O'Toole), and the motion passed unanimously.

2. 90 Maple St. Env. Assessment Application for Phase II/BEA – Action

Staff updated the Board on conversations with Dahlmann, Tyler Kinley of Phoenix, and Jon Carlson of 3Mission, about redeveloping the site. The City and MEDC are also looking to provide Pre-Development funding to assist the project, as the City is a “Redevelopment Ready” community.

J. Harless moved to approve \$15,000 for an Environmental Assessment Grant for 90 Maple for Phase I, II, and BEA, reimbursed at 50% of total actual costs (2nd S. Baushke), and the motion passed unanimously.

3. Maple Oaks 2024 TIF Capture – Discussion/Action

Staff brought this to the Board, as this project is stalled with punch list items for Phase I, and there is no movement by the developer on Phase II. Half of the “Look Back” \$105,800 in site demolition activities was to be reimbursed when all punch list items from Phase I have been completed satisfactorily to the City, and the remaining 50% when Site Plans were formally submitted to the City for Phase II, to the north, of the development. The City still has several punch list items from Phase I, and no plans have been submitted to the City for Phase II of the development. C. O'Toole, Authority Board Member, and City of Saline City Manager, indicated there are stormwater intrusion issues in basements that need to be resolved.

There are sufficient Tax Increment revenues in the account to pay the first 50% of the Look Back activities, and have some remaining for Authority Administrative capture. The Board discussed the 2024 summer tax capture, which is imminent. We do not want to capture taxes where it's uncertain they will ever be reimbursed. The Board directed staff to seek Corporation Counsel guidance on how to terminate the Brownfield Plan, and inform the developer of the recommendation.

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

The Board discussed the proposed Brownfield Plan, by developer First Martin. It will be environmental activities only, and proportionally reimbursed with local millages only, as the project timing does not allow submittal of an Act 381 Work Plan. The developers previously presented the project to the Board in June.

Staff indicated the Plan is supposed to be placed on an early September City of Ann Arbor City Council agenda, and so any approval today should be “subject to City of Ann Arbor approval.”

J. Harless moved to approve the 310 E. Huron Brownfield Plan, pending approval by the City of Ann Arbor City Council (2nd S. Baushke), and the motion passed unanimously.

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

J. Harless did some research into Act 381, and specifically the “Work Plan Implementation” Eligible Activity. Although Authority's and approved Brownfield Plans have traditionally left this activity as reimbursable to developers, it's actually intended for Authority's to seek reimbursement for ongoing administrative costs of administering tax capture, etc. of brownfield projects.

Further, up to \$50,000 of this Eligible Activity can be funded with School Tax Capture, and is Pre-Approved, thereby does not need to be included in a Work Plan.

This is an opportunity to address ongoing administration of Brownfield Plans, and also will be necessary to adequately pay for third-party consultant support for collecting, reviewing, and validating any affordable/attainable housing units approved as part of a MSHDA Brownfield Plan. The Board asked staff to talk to consultants and housing professionals about a typical cost to track and administer affordable housing units.

Staff will amend the Authority's Policies and Procedures document and present to the Authority for review. One suggestion was to simply capture \$1,000 or \$2,000 annually in the Brownfield Plan, above traditional Administrative Fees, depending on the size of the project, to support the increased administrative requirements.

6. Crossroads MSHDA Brownfield Plan, Form Sub-Committee – Action

The developer is proposing a 220 unit apartment development in Scio Township, and will provide 43 80% AMI Attainable apartments as part of the development. He is proposing a Brownfield Plan, including about \$7.8M in MSHDA housing subsidy, and another \$10M in Site Preparation and Infrastructure Housing Development Activities. This would be the first "MSHDA" housing TIF Plan we formally review.

Board members Harless, Baushke, Jones, and O'Toole all volunteered to assist with reviewing the Brownfield Plan. Staff will set up a meeting with the developer and Township, and distribute the draft Plan.

7. Annual Meeting, Nomination of Officers – Action

C. Maier nominated C. O'Toole to serve as Chair (2nd J. Harless). There were no other nominations for Chair. The motion passed unanimously.

A. Krueger nominated S. Baushke to serve as Vice-Chair (2nd C. Maier). There were no other nominations for Vice Chair. The motion passed unanimously.

C. Maier nominated K. Jones to be Secretary/Treasurer (2nd J. Harless). There were no other nominations for Secretary/Treasurer. The motion passed unanimously.

8. June/July 2024 Financial Report – Information

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

7. Other Business

There was no other business.

8. Public Comment:

Ken Garber congratulated all the new Board Officers, and thanked the Authority for letting him join the meeting.

9. Adjournment:

J. Harless moved to adjourn the meeting at 11:23 a.m. (2nd K. Jones), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the October 10, 2024 meeting, held at 200 N. Main, lower level small conference room, downtown Ann Arbor.