

RESOLUTION # 2019-27, A RESOLUTION APPROVING A BROWNFIELD PLAN FOR THE CITY OF ALBION PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

At a regular meeting of the City Council of the City of Albion, Calhoun County held in the Council Chambers of said City on the 5th day of August 2019 at 7:00 p.m.

PRESENT: Council Members Clark, Reid, Brown, Lawler, Spicer & Williamson and Mayor Atchison

ABSENT: All members were present

MOTION BY: Council Member Williamson

SUPPORTED BY: Council Member Reid

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Albion, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has prepared and recommended for approval by the Albion City Council, a Brownfield Plan (the "Plan") pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the Authority has, at least ten (10) days before the meeting of the City Council at which this resolution has been considered, provided notice to an fully informed all taxing jurisdictions (the "Taxing Jurisdictions") which are affected by the Financing Plan about the fiscal and economic implications of the proposed Financing Plan, and the City Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan in accordance with Sections 14 (4) and (5) of the Act; and

WHEREAS, The City Council has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- C. The proposed method of financing the eligible activities; as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the City Council wishes to approve the Plan.

NOW, THEREFORE, BE IS RESOLVED THAT:

1. **Plan Approved.** Pursuant to the authority invested in the City Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form attached as Exhibit "A" to this Resolution.
2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part declared to be invalid.
3. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

UPON A VOTE FOR THE ADOPTION SO SAID RESOLUTION, THE VOTE WAS:

AYES: 7

NAYS: 0

ABSTAINED: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

)SS.

COUNTY OF Calhoun)

I, the undersigned, the duly qualified and acting Clerk of the City of Albion, County of Calhoun, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Albion at a regular meeting held on the 5th day of August, 2019, the original of which resolution is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Michigan Public Acts of 1976, including the case of a special or rescheduled meeting, notice by posting at least 18 hours prior to the time set for said meeting.

IT WITNESS WHEREOF, I have hereunto set my official signature, this 5th day of August, 2019.

Jill A. Domingo
Clerk