Resolution Number # 2020-03

CITY OF ALBION 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

BROWNFIELD PLAN – 106-108 E. ERIE STREET, ALBION, MICHIGAN 49224

At a regular meeting of the City Council of the City of Albion, Calhoun County, Michigan, held in the Council Chambers of said City on the 3rd day of February 2020 at 7 p.m.

PRESENT: Council Members Reid, Smith, Lauder, Spicer & Williamson; Mayor Atchison

ABSENT: Council Member Clark

MOTION BY: Council Member Williamson

SUPPORTED BY: Council Member Smith

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 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 and 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 Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 14(4) and 14(5) of the Act; and

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

A. The Plan constitutes a public purpose under the Act;
B. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
C. The proposed method of financing the costs of 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; and
E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable.

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the Council desires to proceed with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Plan Approved**. Pursuant to the authority vested in the Council by the Act, and pursuant to and in accordance with the provisions of Section 13 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 so 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: 6

NAYES: 0

ABSTAINED: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

CITY OF ALBION

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 3rd day of February, 2020, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this 3rd day of February 2020.

Jill Domingo

Jill Domingo, Clerk
CITY OF ALBION