

City of Swartz Creek

Downtown Development Authority

Development Plan and Tax Increment Financing Plan

**DEVELOPMENT PLAN
and
TAX INCREMENT FINANCING PLAN**

**Swartz Creek Downtown Development Authority
Genesee County, Michigan**

Adopted

Downtown Development Authority: October 6, 2005

City Council: December 19, 2005

Amended

Downtown Development Authority: July 9, 2015

City Council: December 7, 2015

TABLE OF CONTENTS

	PAGE
Purpose of the Development Plan and Tax Increment Financing Plan	1
DEVELOPMENT PLAN	2
Downtown Development Goals	3
Boundary Designations	5
Project Improvements and Phasing	5
Open Space	10
Land and Developer Transactions	11
Zoning, Street, and Utility Changes	11
Development Costs and Financing Capabilities	12
Relocation	13
Other Pertinent Information	13
TAX INCREMENT FINANCING PLAN	14
Tax Increment Financing Requirement	15
Explanation of the Tax Increment Procedure	15
Maximum Amount of Bonded Indebtedness	18
Duration of Development Program	18
Impact on Taxing Jurisdictions	19
Plan for Expenditure of Tax Increment Funds	20
 APPENDICES	
Appendix A: Plan Maps	
Map 1: DDA Boundaries	
 Appendix B: Plan Tables	
Table 1: City of Swartz Creek DDA Projects List and Cost Estimates	
Table 2: City of Swartz Creek DDA Total Projected TIF Revenues by Taxing Jurisdiction	
Table 3: City of Swartz Creek DDA Expansion Projected TIF Revenues by Taxing Jurisdiction	
 Appendix C: Establishment Resolution – 1980	
Establishment Resolution – 2005	
Amendment Resolution - 2015	
Downtown Development Authority Act	
 Appendix D: List of DDA Parcel Numbers and Base Values	
Appendix E: Plan Adoption Documentation	

PURPOSE OF THE DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN

The Development Plan and Tax Increment Financing Plan are both required by Public Act 197 of 1975, as amended. They are presented here as a single document. Information shared between each plan, such as the legal description for the district, are contained in the appendices and are appropriately referenced in the plans. Both plans were prepared with extensive involvement by the Board of the Downtown Development Authority, the Development Area Citizens Council, the Swartz Creek City Council, and City of Swartz Creek staff. Furthermore, throughout the process of preparing these instruments, the general public, City officials, the Development Area Citizens Council, and others were provided the opportunity to offer comment and input.

It is the purpose of the Development Plan and the Tax Increment Financing Plan to establish the legal basis for the capture and expenditure of tax increment revenues in accordance with Public Act 197 of 1975, as amended. The tax increment revenues are used for the financing of public improvements identified as necessary to accomplish the objectives of the Swartz Creek Downtown Development Authority (DDA).

In compliance with Public Act 197 of 1975, as amended, the Swartz Creek Downtown Development Authority is the managing entity for development and financing activities within the established district. The boundary of the district is illustrated on a map found in Appendix A. The City Manager is responsible for coordinating daily DDA activities.

History

- In 1980, the City Council of the City of Swartz Creek created a DDA, appointed the initial members to a Board of Directors, and designated the boundaries of the district. The DDA was initially created to reverse the pattern of deterioration in the downtown area and to plan for and implement certain public improvements that are considered necessary for future economic growth. While a concept plan was prepared, a Development and TIF plan was never adopted.
- After being inactive for almost twenty years, the City Council took steps to deactivate the DDA, but was then halted in favor of reestablishing an active DDA Board. In October 2004, a new DDA Board was appointed.
- January 2005, the City Council officially adopted new boundaries for the DDA District to include the area north of I-69.
- July 2005, in order to be more proactive in revitalizing the Downtown, the DDA agreed to prepare and adopt the first Development Plan and Tax Increment Financing Plan.
- The Development Plan and Tax Increment Financing Plan was adopted by the DDA on October 6, 2005 and transmitted to the Swartz Creek City Council thereafter. The Plan was adopted by City Council on December 19, 2005 and effective December 25, 2005.

The Development Plan

SWARTZ CREEK
DOWNTOWN DEVELOPMENT AUTHORITY

GENESEE COUNTY, MICHIGAN
2015

Downtown Development Goals

This Development Plan is created to implement projects designed to meet certain goals established for the DDA. This Development Plan sets forth a program to accomplish these goals through implementation of various public and private improvements. These specific projects are described in later sections of the Plan and the abilities to finance these ideas are set forth in the Tax Increment Financing Plan. The goals are as follows:

Economic Goals

- Improve the overall business climate of the Downtown through planning, promotion, coordination of activities, and implementation of specific improvement projects
- Retain existing businesses and attract new businesses and uses which complement a mixed-use development pattern
- Assist in creating new employment opportunities by fostering commercial and industrial development, redevelopment, and business expansion within the DDA
- Further the economic vitality of the Downtown area by creating a balanced mix of retail, service, residential, office, industrial and other uses consistent with market demands
- Support the development of vacant or underutilized land parcels in a manner consistent with the goals of this plan

Land Use

- Promote greater concentrations of land use activity in the Downtown
- Diversify business types including retail, service, dining, entertainment, and office
- Accommodate high density residential within the Downtown to create a continuum of activity
- Promote public gathering areas and comfortable public spaces
- Gradually remove land uses or structures that are inconsistent with the goals of this plan
- Maximize use of the land to meet demands for uses
- Consolidate smaller land parcels to achieve adequately-sized building sites
- Ensure development is compatible with adjacent residential neighborhoods

Aesthetic Goals

- Establish a distinct and attractive design theme that reflects the City's character and heritage
- Promote compatibility of design between new and existing developments
- Eliminate visually unattractive and blighting influences within the area
- Support the infusion of open space and landscaping throughout the Downtown

Circulation

- Provide for efficient, safe, and convenient motorized and non-motorized circulation
- Offer convenient, consolidated parking areas consistent with the Downtown character
- Modernize the existing street network to meet the current and future needs consistent with the Downtown character
- Support and improve alternative modes of transportation and circulation in and to the Downtown such as public transportation and non-motorized pathways
- Improve way-finding into and within the Downtown

Facilities and Services

- Develop the Downtown in a manner that is supported by the City's infrastructure
- Support regulations and enforcement that ensure the Downtown is maintained and attractive
- Provide public improvements needed to attract and support future private investment
- Diversify the types of services offered to businesses to support their continued vitality
- Modify services as needed to accommodate needs of the mixed-uses such as residential

Building and Site Improvements

- Promote high-quality site improvements and building design to upgrade the quality of the Downtown and to ensure the long term viability of the business district
- Ensure new development is compatible with traditional downtown character
- Eliminate sources of blight, poor property maintenance practices, and inappropriate land uses
- Encourage a high standard of property maintenance on private and public lands

Operational Goals

- Provide an organization which unifies the property owners and business operators
- Foster a spirit of cooperation between the DDA, City staff and officials, residents and the school district
- Pro-actively attract desired uses to the Downtown
- Promote the Downtown in a manner which presents a favorable image

Boundary Designations

Section 17(a) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.

Section 17(b) The location and extent of existing streets and other public facilities within the development area, shall designate the location, character, and extent of the categories of public and private land uses then existing and proposed for the development areas, including residential, recreational, commercial, industrial, educational, and other uses, and shall include a legal description of the development area.

The boundaries of the Downtown Development Authority are indicated on DDA Boundary Map found in Appendix A. The Downtown Development Authority District and the Development Area boundaries are identical.

The main roads through the DDA are Miller Road, running east-west and Morrish Road, running north-south. Both conveniently have interchange access to I-69, the expressway that traverses through the northern segment of the City. The majority of the district is commercial, office, and some residential uses. There are community facilities within the boundary including City Hall, churches, the police station, the fire station, senior center, library, parks, and a community amphitheater. Private recreation and major land holdings in the DDA include the now closed Sports Creek Race Track.

Project Improvements and Phasing

Section 17(c) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.

Section 17(d) The location, extent, character, and estimated cost of the improvements including rehabilitation contemplated for the development area and an estimate of the time required for completion.

Section 17(e) A statement of the construction, or stages of construction planned, and the estimated time of completion of each stage.

Based on the goals listed on the previous pages, the following is a complete listing of the proposed improvement projects to be completed during the 30 year term of this Plan. Each project listed includes a general description of the extent, character, and location of the project. Refer to Table 1 in Appendix B for a summary and cost estimates.

The projects are organized by the following categories:

- Enhancement Improvements
- Transportation Improvements
- Public Facility Improvements
- Administration and Planning

Enhancement Improvements

Corridor Enhancement: Enhancement of specific corridors within the DDA includes creating a uniform, enhanced street system appearance that creates a sense of place within the Downtown and subsequently generates economic development and reinvestment by attracting certain businesses to the Downtown. These enhancements will include upgrades and installations related to the following:

- Concrete curbs and gutters
- Street trees and curb lawns (strip of lawn between the street curb and the sidewalk)
- Sidewalks/pathways/specialty paving
- Street lighting
- Crosswalk enhancements
- Planters and benches
- Knee walls

These proposed improvements are planned for the following roadway segments located within the DDA Boundary. Some discussion is included of the possible improvements, however, further study will be necessary in order to confirm the details in addition some of these roadway segments have existing streetscape improvements that will need to be protected and coordinated with new improvements.

- Miller Road – cross section should include improvements such as maintaining existing two travel lanes, center turning lane, and bike lane with the inclusion of wider sidewalks, brick pavers, updated street lighting, on-street parking, and decorative amenities as appropriate.
- Morrish Road – cross section should include improvements such as a reduction of four travel lanes to accommodate on-street parking, wide sidewalks, street lighting and decorative amenities as appropriate.
- Morrish Road/I-69 Overpass – special treatment will be necessary along Morrish Road where it passes over I-69 that will improve the visual and physical connection of the DDA north and south of the expressway.
- Fortino Drive - cross section should include simplistic improvements such as maintaining the existing two travel lanes, sidewalks, on-street parking bump-outs, street lighting, curb lawn, and decorative amenities. These improvements must also incorporate the planned Veteran’s Memorial Park.
- Holland Drive - cross section should include simplistic improvements such as maintaining the existing two travel lanes, on-street parking, sidewalks, street lighting, curb lawn, and decorative amenities. Improvements should incorporate and upgrade the existing pavilion and open space area.
- Future road extensions - cross section should include simplistic improvements such as two travel lanes, sidewalks, on-street parking, street lighting, curb lawn, and decorative amenities.

Burial or Relocation of Overhead Utilities: Throughout the DDA, overhead utilities such as electricity, cable, and telephone lines are highly visible and detract from the appearance of the streetscape. These utilities are indispensable for overall City functions. However for safety and

aesthetic reasons overhead utilities should be either relocated to underground utility installations or relocated to rear yards. The DDA has allocated funding to assist the City in these efforts.

Gateway Treatment: Gateways are an important element in announcing arrival into the Downtown and the City. These elements also reflect the character of the Downtown and alert visitors that they have found a destination. In order to promote the image of the DDA, welcome signs, landscape, streetscape, and decorative features should be provided. Gateway treatment is planned for the following entry points into the Downtown and will be incorporated in the streetscape enhancements:

- I-69 Interchange at Morrish Road
- Miller Road (east and west end)
- Morrish Road (north and south)

Property/Structure Acquisition: In order to improve the image of the DDA and the City it is imperative to remove blighted and obsolete structures. For this purpose the DDA plans to coordinate efforts with the City of Swartz Creek and assist in the acquisition and removal or redevelopment of blighted and obsolete structures within the DDA boundary. The DDA will also pursue removal of structures that may impede the character of the Downtown, such as billboards.

Building Rehabilitation: There are some historically significant structures in the DDA where preservation and/or rehabilitation may be of value to the City such as the grain elevator. The DDA has allocated some resources to assist in acquisition and rehabilitation of these structures to protect Swartz Creek's history.

Public art or sculptures in gathering areas: Public art such as fountains, sculptures, or monuments provide a sense of place and a visual reference that identifies gathering areas. The DDA intends to allocate resources to provide public art of some form in key gathering spaces.

Update traffic signals: Although functional, overhead span wire traffic signals do not provide adequate human scale provided by the mast arm signals. The DDA recognizes that some of the key intersections with span wire traffic signals should be replaced with mast arm signals and enhanced pedestrian cross walk signals. To assist in accomplishing this objective the DDA will provide assistance in achieving this goal. Possible intersections include the intersection of Miller Road and Morrish Road, Fortino Road and Morrish Road, and Fortino Road and Miller Road.

Facade and Signage Improvements: Existing structures and signs in the DDA are in need of extensive upgrade in terms of design, materials, and colors. Currently, many of the buildings and signs do not promote a welcoming traditional downtown environment. The DDA has allocated resources to pursue the following efforts toward upgrading the appearance of buildings in the Downtown:

- Develop design guidelines or requirements for all buildings and signs in the Downtown with corresponding sketches and pictures
- Develop a program to assist business owners in funding these improvements as a method to encourage implementation of the design guidelines or requirements

Transportation Improvements

Traffic Study: In order to respond to any current traffic problems and provide an efficient road network that can accommodate additional traffic related to future development, a traffic study for the Downtown and the surrounding area will be needed. Based on a traffic data analysis, the study should provide updated traffic counts, assess the current road system level of service, estimate future traffic generation, develop mitigation strategies, and determine necessary road improvements. The DDA could contribute to the preparation of this study by providing resources for a portion of the total required investment.

Road Improvement Projects: In order to maintain the walkable, pedestrian scale of the Downtown, it is unlikely that the traffic study will reveal that extensive road widening or improvement projects will be warranted. Projects to which the DDA will likely contribute involve the following:

- Streets maintenance and repairs
- Intersection improvements such as at Fortino Road and Morrish Road where increased traffic volumes are expected as a result of new development.
- Road extensions to service new development areas
- Alley construction may be necessary to divert traffic off main roads, to provide convenient access between business and rear parking areas, and to provide rear access to buildings for deliveries.

Way-finding: The DDA will allocate resources to design, purchase and install way-finding signage for the Downtown. Way-finding signage will direct people to and through the Downtown, highlight entryways, and provide directional signs to points of interest in the Downtown. This could also include signage on I-69 near the Morrish Road and Miller Road interchanges.

Public Parking: The location and amount of parking in the Downtown will be crucial to its success and desirability. Resources will need to be allocated to support development of accessible and well-designed public parking lots. Special attention will be paid to enhancements to the parking lots to ensure pedestrian safety and comfort. Rear yard parking is the priority for convenient access to businesses and to ensure street fronts are devoted to building facades. Implementation may include land acquisition for new parking lots.

Sidewalk Improvement Projects: Pedestrian friendly environments are an essential element to any successful Downtown. In order to generate a pedestrian friendly environment within the DDA, the Plan has identified the following improvements necessary to generate pedestrian activity. The DDA plans to assist the City in any efforts related to these improvements.

- *Sidewalks* – 5 foot concrete sidewalks should be provided in areas where there is no sidewalk available and repaired in areas where current sidewalks are damaged.
- *Pathways* – 10 foot concrete multi-modal paths are planned along major routes such as Miller Road and Morrish Road in front of the core commercial areas. This will also

allow for outdoor seating areas for local restaurants. These should complement, not replace, existing bike routes within the downtown.

Transit: Regional transit is provided by Mass Transportation Authority (MTA). MTA does not have a fixed-line extending to Swartz Creek, but curb-to-curb service is available. If a fixed-route is extended to the downtown, bus stops should be installed in strategic locations to provide shelter for bus riders. Bus stops should not only be a functional element but also aesthetically pleasing and designed accordingly with the overall City of Swartz Creek character. Additional efforts may include installation of a park and ride lot and bike racks at or near a main bus stop in the Downtown. Any new improvements should compliment any existing or planned facilities proposed by MTA in the immediate area.

Public Facility Improvements

Water Main, Sanitary Sewer, and Storm Water Drainage Improvements: In order to improve these services and ensure adequate access to distribution lines for new development, the DDA will assist the City of Swartz Creek in upgrading water mains, sanitary sewer lines, and storm water drainage facilities throughout the DDA as needed. It is anticipated that improvements will generally be focused on line extensions to new development areas, particularly on the south side of the DDA and along new streets.

Park Development: In order to develop the Downtown as an active and exciting place to visit and to live, parks and recreation must be emphasized. One of the City's existing parks is located within the Downtown and there is also an amphitheater for outdoor concerts. These are amazing assets but the locations do not maximize their potential to create a centralized gathering place for residents and visitors. Parks and recreation is an important element in ensuring the economic vitality for uses in the Downtown. In an effort to achieve this goal, the DDA plans to allocate resources to aid the City of Swartz Creek in developing these existing facilities and possibly incorporating a new park in the center of downtown for additional opportunities. This may also include land acquisition.

Wireless Internet Access: Offering wireless internet access is an invaluable resource that will help keep pace with technology and offer attractive services for businesses, residents, and visitors. The DDA has allocated resources to install the necessary equipment to offer this service anywhere in the Downtown.

Community Center: A new Community Center may be planned in order to expand the facilities and programs offered to residents. To offer a centralized location for all residents, the new center should be located within the DDA near other civic uses. If the facility does locate within the DDA, funding has been allocated to aid the new project.

Library: Offering the highest quality community facilities is important for the vitality of the Downtown because it becomes a draw for residents all over the community to visit or live in Downtown. In the future, upgrades to the Library will be needed to keep pace with technology and to ensure a comfortable, relaxing environment and destination for residents. Since the Library is located within the boundaries of the DDA and it is important to the desirability of

Downtown, resources have been allocated as part of this Plan to contribute to future improvements and/or expansion.

City Hall: Although the current City Hall is a new facility in the future upgrades may be needed to maintain its presence and accessibility to serve the daily needs of businesses and residents also in the Downtown. This Development Plan allocates funds to assist the City in updating City Hall in the future to include technological updates as well as any necessary structural modifications.

Administration and Planning

Marketing Plan: In order to promote the Downtown's image and truly create a regional draw to this little known asset, the DDA will allocate resources to generate and implement a marketing plan for the Downtown.

Webpage: The City's website should be updated to provide a link to a special site devoted to the Swartz Creek DDA. This would include the latest information on restaurants, events, housing, shopping, parks, recreation, and services in the Downtown. It should also provide information such as investment incentives, available vacancies, development opportunities, and sources of employment that will stimulate further economic development within the DDA.

DDA Promotion: In order to promote the DDA and attract more visitors, newspaper articles, travel magazines articles, etc., should be published. This will help promote Downtown Swartz Creek as a destination and inform the public about planned development, local events, and recently completed projects.

Events and Festivals: Additional events and festivals should be proposed to take place in different areas of the DDA throughout the year such as a farmers' market that is a regularly scheduled event. Adequate promotion of these events should take place by publicizing them in local newspapers, the City of Swartz Creek, radio stations, etc. These events will help generate community involvement and bring additional visitors to the area.

Open Space

Section 17(f) A description of any parts of the development area to be left as open space and the use contemplated for the space.

Areas left as open space includes one City Park at Morrish Road and Holland Street. Select areas around/near future business and residential development will be retained as parkland or open space.

Land and Developer Transactions

Section 17(g) A description of any portions of the development area which the authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms.

Section 17(i) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken, if that information is available to the authority.

Section 17(k) The procedures for bidding for the leasing, purchasing, or conveying of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed to those persons.

The DDA does not own any land to donate, exchange or sell within the Development Area. They currently have no plans to buy or lease land within the Development Areas. Should acquisition of property be required in the future to accomplish the objectives of the DDA, or should the Authority receive property by donation, through purchase, or by any other means of acquisition, the Authority will follow Federal, State, and local regulations.

The City owns the following properties (Refer to Map 3: City Owned Land for locations and uses) within the Development Area. In the future, there may be partnership opportunities between the City and the DDA related to these sites.

58-01-100-020	58-35-576-001
58-01-100-026	58-35-576-002
58-01-100-027	58-35-576-030
58-01-100-028	58-35-576-033
58-01-100-031	58-35-576-050
58-01-100-033	58-35-576-052
58-01-100-042	58-35-576-055
58-01-502-059	58-35-576-058
58-01-502-089	58-35-576-059
58-35-576-032	58-36-300-027

Zoning, Street, and Utility Changes

Section 17(h) A description of desired zoning changes and changes in streets, street levels, intersections, and utilities.

Zoning: The zoning and future land use designations of the DDA are illustrated on Map 4: Zoning and Map 5: Future Land Use included in Appendix A. There is a mixture of commercial, residential, and industrial designations within the Development Area. Specifically, there is a Central Business District limited to properties generally situated at the corner of Morrish Road and Miller Road. Future changes to the zoning designations are not anticipated, however may be necessary to implement future projects. For example, some changes may be needed to allow

mixed use building or higher density residential development. The Zoning Ordinance is currently being updated by the City and will take into consideration this plan.

Streets/Utilities: Future projects will increase traffic volumes on the streets within the DDA. Street widening is not anticipated, however intersection improvements may be needed. Cost estimates have been allocated in the project list to accommodate these improvements. Specifically, the intersection of Morrish Road and Fortino Drive may require upgrades. Major utility changes are not anticipated. However, some upgrades to existing lines and minimal extension of services may be needed to service new development. Some money is allocated to these minor improvements.

Development Costs and Financing Capabilities

Section 17(i) An estimate of the cost of the development, a statement of the proposed method of financing the development and the ability of the authority to arrange the financing.

Estimate for DDA contributions to development areas improvements are provided Table 1 – City of Swartz Cree DDA Projects List and Cost Estimates in Appendix B. No private sector investment commitments have been made nor have estimates of private sector costs been included. The private sector improvements will be financed through conventional lending sources arranged by the developers.

It is presently planned that the public sector improvements will be financed largely through the use of captured tax increments in accordance with a Tax Increment Financing Plan established pursuant to Act 197 of 1975, as amended. It is contemplated that the Authority will issue tax increment bonds in accordance with Section 16 of Act 197, and pledge future captured tax increments to pay the principal and interest due on such bonds. A comprehensive discussion of tax increment financing for the proposed public improvements is set forth in the Tax Increment Financing Plan. In addition, the Authority intends to explore with the City of Swartz Creek alternative or supplementary sources of funding, including the following:

- *County, State or Federal Funding.* The Authority intends to pursue alternate financing from other governmental entities, such as the Michigan Economic Growth Alliance, Michigan Economic Development Corporation, and the Department of Natural Resources for the non-motorized pathways.
- *City of Swartz Creek Financing.* It is anticipated that the City of Swartz Creek will finance a portion of some or all of the projects, using General Fund monies and other revenue as appropriate.
- *Private Developer Financing.* To the extent permitted by law, the City will require developers to finance public improvements that are made necessary and that would directly benefit proposed private developments.

Relocation

Section 17(l) Estimates of the number of persons residing in the development area and the number of families and individual to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals. to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

Section 17(m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.

Section 17(n) Provision for the costs of relocating persons displaced by the development and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the federal uniform relocation assistance and real property acquisition policies act of 1970, being Public Law 91-646, 42 U.S.C. sections 4601, et seq.

Section 17(o) A plan for compliance with Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.

Based on the number of housing units, occupancy rates, and average household size, it is estimated there are 1,001 individuals living in the Development Area. Additional residential development is planned within the Downtown that will increase these figures in the future.

Minimum displacement of individuals or families is anticipated as a direct result of DDA activities. Should relocation of individuals, families, or businesses be required in the future, the DDA, with the cooperation of the City, will prepare and adopt a formal relocation plan prior to the relocation. The relocation plan will include surveys required by Section 17(l) of Act 197, and it will require the provision of relocation payments and other assistance to families, individuals, businesses, and non-profit organizations as required by the Uniform Relocation Assistance and Real Property Acquisition Act and Michigan Public Act 227 of 1972, as amended.

Other Pertinent Information

Section 17(p) Other material which the authority, local public agency, or government body deems pertinent

Section 21 of Act 197 of 1975 requires that a Development Area Citizen's Council be established if a proposed Development Area has residing within it 100 or more residents. Based on a population estimate, 1,001 residents were counted, and therefore a Development Area Citizens Council is required and has been established. They have reviewed the plan and offered input before adoption.

The Tax Increment Financing Plan

SWARTZ CREEK
DOWNTOWN DEVELOPMENT AUTHORITY

GENESEE COUNTY, MICHIGAN
2015

Tax Increment Financing Requirement

Section 14(1) When the authority determines that it is necessary for the achievement of the purposes of this act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 17, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, and the duration of the program, and shall be in compliance with section 15. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part of or all of the captured assessed value, but the portion intended to be used by the authority shall be clearly stated in the tax increment financing plan. The authority or municipality may exclude from captured assessed value growth in property value resulting solely from inflation. The plan shall set forth the method for excluding growth in property value resulting solely from inflation.

Explanation of the Tax Increment Procedure

Adoption Procedures and Timeline

Pursuant to the requirements set forth in the Public Act 197 of 1975, as amended, the Downtown Development Authority Act (hereinafter referred to as the 'Act'), the following actions have been taken:

- 1980 - City Council adopted ordinance establishing the (DDA).
- Fall 2004 - the new DDA Board was appointed.
- Fall 2005 - the DACC was appointed.
- The Tax Increment Financing Plan was adopted December 19, 2005.

The Development Plan outlines the boundaries of the Development Area; indicates the location, character, and extent of existing and proposed public and private improvements; specifies the timing for implementation of proposed improvements; provides estimates of the costs of proposed public and private improvements; and addresses relocation needs.

According to Section 14 of the Act, the Tax Increment Financing Plan (hereinafter referred to as the 'Plan') is prepared under the auspices of the DDA. After reviewing the Plan and making modifications, if necessary, it is anticipated that the DDA will forward the Tax Increment Financing Plan, together with the Development Plan, to the City Council with a recommendation for adoption.

In accordance with the Act, the City will notify all applicable taxing jurisdictions of the City's intent to adopt the plan. As necessary, the City will meet with said jurisdictions concerning the Plan. Since they were all notified and given the opportunity to "opt out" as part of the boundary amendment process in 2004, the notification process as part of plan development is only a matter of procedure. The City Council will then hold a public hearing. Following the public hearing, it is anticipated that the City Council will take action on the Tax Increment Financing Plan and Development Plan. Action to approve the joint Plan will be by ordinance.

Detailed Tax Increment Finance Procedures

Simply stated, tax increment financing will be used to finance public improvements in the Development Area by capturing, for a specified period of time, *increased* tax revenues generated largely as a result of the development program which is designed to stimulate private, taxable investment in the Development Area. As private investments add to the tax base within the Development Area, the *increased* tax revenues will be captured by the DDA to be used for the purposes outlined in this Plan and in the Development Plan.

Terms Defined. The following important terms are defined as part of this Plan.

- *Initial assessed value.* The most recently assessed value, as finally equalized by the State Board of Equalization, of all the taxable property within the boundaries of the Development Area at the time the ordinance establishing the Tax Increment Financing Plan is approved. This is also referred to as the base value.
- *Captured assessed value.* The amount by which the current assessed value exceeds the base value.
- *Captured taxable value.* When the DDA act was passed and terms were defined, the assessed value of property for the purposes of calculating property tax was the State Equalized Valuation (SEV). This value was applied to the local millage in order to establish property taxes. As a result of 'Proposal A' (Public Act 415 of 1994), a new formula was developed in establishing the property value to use when calculating property taxes and is referred to as the 'taxable value'. For the purposes of this step in the Tax Increment Financing Plan process, establishment of the 'captured assessed value,' is actually establishment of the 'captured taxable value' and shall be referred to as such throughout the remainder of this Plan.
- *Tax increment revenue.* The property tax revenue which is generated as a result of the difference in value between the base year and the current year. This tax increment can be used by the DDA to carry out the Development Plan.

Step One – Establishing the Base Value. Establishing the 'base year,' which will serve as the point of reference for determining future tax increments, is the first step in the tax increment financing procedure. The City Council takes this step at the time it adopts an ordinance approving the Tax Increment Financing Plan.

For the City of Swartz Creek Downtown Development Authority, the initial assessed value will be the assessed value of all real and personal property in the Development Area as set December 31, 2004, and equalized by the State of Michigan in May, 2005. The Plan was adopted on December 19, 2005. The amendment includes new base values for properties as of 12/31/2014.

The total base taxable value for the Swartz Creek DDA is \$23,295,775.

From this point forward, all property tax revenue generated from the increases in the value will be captured by the Swartz Creek DDA. That revenue is referred to as the tax increment revenue.

Step Two - Estimated Future Captured Taxable Value. As we look to the future, tax increment revenue needs to be projected because that establishes the budget for the DDA. The first step in estimating tax increment revenue is to determine the growth in taxable values in the district. The estimates are based on an increase in assessed value of property in the Development Area due to factors not directly related to new construction, such as inflationary increases, various market factors, changes in the use of property resulting in reassessment, or other factors. In preparing this plan, it was conservatively estimated that the annual growth in taxable value due to these factors would be 2.0 percent annually. This projection is provided in column two of Table 2 in Appendix B. By 2036, it is estimated that property in the DDA will be valued at \$33 million.

The amount captured by the DDA is the difference between the new values each year subtracted from the base value established in Step 1. These estimates are provided in column three of Table 2 in Appendix B which indicates the estimated captured taxable value over the next thirty year period, ending in 2036. By 2036, the DDA can expect to capture a taxable value of \$3.25 million. Possible increases in the value of taxable personal or real property resulting from new construction in the Development Area have not been included in the estimates in Appendix B.

Step Three – Estimated Future Tax Increment Revenue – After estimating future captured taxable value, the tax increment is determined for each year by applying the total current millage rate for all taxing jurisdictions in the Development Area against the captured taxable value.

The total millage rate used for the DDA capture is 20.5102 mills, plus a 4.9 mil assessment that is applied to real property. As regulated by law, this includes the following taxing jurisdictions and noted millage rates. Taxing jurisdictions collect the tax increment revenues in accordance with their normal property tax collection processes and schedules, and in turn distribute the revenues to the DDA.

City of Swartz Creek DDA Millage Capture	
Millage Category	2015 Rate
County - General Operating	5.5072
County – Paramedics	0.4847
County – Parks	0.7500
County – Airport Authority	0.4847
County – Library Authority	0.9981
City – General Operating	4.8289
County – Senior, MSU, Vet. Animal, Health	2.0400
City – Voted Operating	2.6270
MTA	0.8000
Community College – General Operating	1.3486
Community College - Extra Operating	0.6410
Total	20.5102

The tax increment to be collected by the DDA is based on the *operating millage* of the taxing jurisdictions, rather than total millage. Thus, the debt *millage* of the taxing jurisdictions will be unaffected by this Plan and will continue to generate tax revenue for the taxing jurisdictions.

Under current law, the DDA is only permitted to capture tax increment revenues from the State Education Tax and Swartz Creek School District to the extent necessary to pay debt service on eligible obligations or other protected obligations under Act 197. Since this is the initial establishment of the Tax Increment Finance Plan, there is no debt obligation and therefore Swartz Creek shall not capture school taxes of any kind.

Table 2 of Appendix B provides the projection of tax increment revenue based on the projected increases in captured taxable values through 2036. Table 2 also provides this same information broken down by taxing jurisdiction.

In total, the Swartz Creek DDA is projected to generate \$3.254 million in tax increment revenue over the 30 year term of this plan. This is substantially less than the \$7 million proposed in the 2005 plan.

Maximum Amount of Bonded Indebtedness

The DDA may issue tax increment bonds to finance proposed public improvements in the Development Area. The maximum amount of bonded indebtedness to be incurred, subject to available increments, will be equal to \$12.3 million based on:

- the total costs of the projects described in the Development Plan, as adjusted for inflation, and contingencies
- expenses related to issuance of the bonds, legal and financial counsel, bond printing, printing of the prospectus, notice of sale, and miscellaneous expenses.

The DDA will seek competent financial counsel to determine the most cost effective and efficient manner of securing the required financing.

A portion of the tax increment revenue available after payment of debt service requirements will be used to pay administrative, operating, maintenance, planning, legal, and promotion expenditures that have been or are expected to be incurred by the DDA and City for the purposes of preparation and implementation of the Development Plan and Tax Increment Financing Plan. These costs include advances extended by the City for payment of legal, municipal finance, and planning advisors and consultants, plus the past allocation of City staff on work related to the DDA. No other advances have been extended by others that will be repaid from tax increment revenues.

Duration of the Development Program

This Plan shall continue upon its approval by the City Council for a term of 30 years, unless this Plan is amended to extend or shorten its duration.

Impact on Taxing Jurisdictions

Current Revenues for Taxing Jurisdictions

Currently, the applicable taxing jurisdictions generate a small portion of their total revenue from property taxes generated within the Development Area. Table 2 reveals the tax increment revenue generated by taxing jurisdiction. Table 3 indicates the impact of the 2015 amended boundary.

Property Tax Revenue History and Projections

Economic growth within the Development Area has been minimal. This is due to a variety of local, regional, and national market factors combined with a lack of infrastructure and other amenities necessary to encourage economic growth. Over the past three years, many parcels within the Development Area have experienced only modest or no growth in State Equalized Value. The marketing of properties for commercial purposes is often extended in duration as potential buyers weigh the current attributes of the Development Area against those of other communities.

Data examined by the City indicates that property values in the Development Area have generated extremely small increases in tax revenues for the applicable taxing jurisdictions. Since the Tax Increment Financing Plan affects only the *increase* in property values, it follows logically that the Tax Increment Financing Plan will have a small impact on any property tax revenues that would have been anticipated by and available to the taxing jurisdictions had a Tax Increment Financing Plan not been adopted.

The projected captured revenue from each taxing jurisdiction is set forth in Appendix B. As noted earlier, the projections in Appendix B are based on an increase in taxable value at a rate of 2.0 percent annually. Upon eventual termination of the DDA, the taxing jurisdictions will reap the benefits of the anticipated development. In the interim, financial benefits will accrue to the other taxing jurisdictions as the result of new employment opportunities, housing construction and other ancillary development outside the limits of the Development Area, greater stability to the area's future, and related factors.

Impact on Debt Millage

As stated earlier, debt millage will be unaffected by this Plan. Debt millage will continue to generate tax revenue for the taxing jurisdictions based on the full current taxable value, rather than the base value.

Revenue Gains upon Completion of Plan

Completion of the Development Plan and Tax Increment Financing Plan will produce substantial increases in property tax revenues for all taxing jurisdictions in the Development Area. By the year 2036, it is estimated that the total taxable value of the Development Area will be over \$33 million.

As indicated, the growth of the Downtown is expected to expand tax revenue for all taxing jurisdictions. Although the taxable value for the Downtown is expected to increase markedly due to new project activity attracted through completion of the projects proposed by this Plan, there are no firm commitments to date regarding new development projects. However, it should be noted that the City proposes to aggressively pursue new development opportunities coincident with the completion of the projects detailed in the Plan.

Plan for Expenditure of Tax Increment Funds

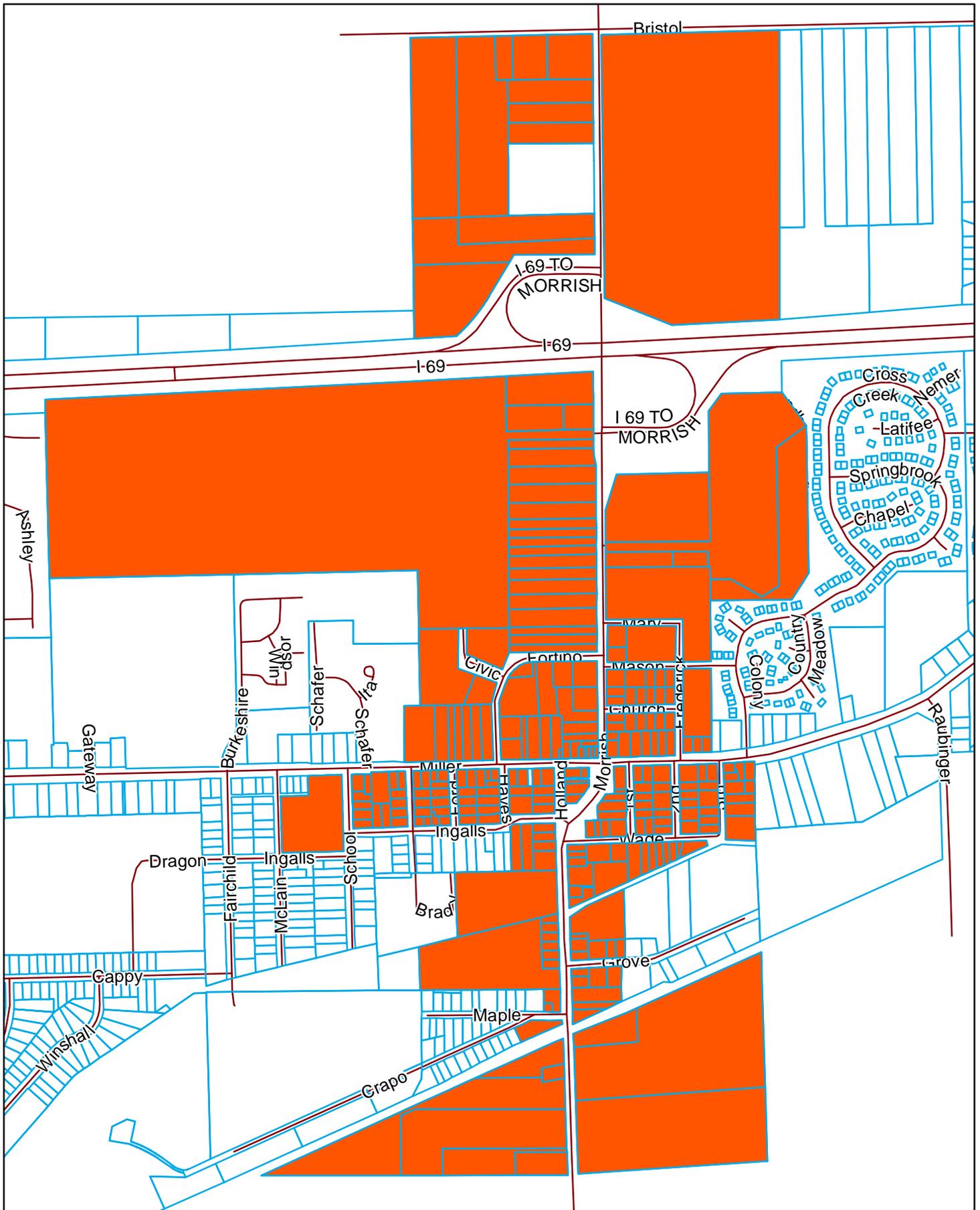
The tax increment funds received by the DDA will be used for the purposes outlined in this Plan and the Development Plan. Any additional tax increment revenues generated beyond those projected in this Plan will be used as follows:

1. To further the implementation of the public improvement program, or
2. Redistribution to the applicable taxing jurisdictions, in proportion to the amount of revenue generated within the district and the millage rate of each taxing jurisdiction in that year.

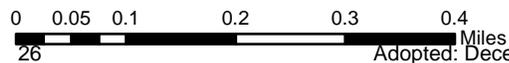
In the event that tax increment revenues generated are less than projected, the DDA may:

1. Collect the captured tax increment revenues until sufficient funds are available to implement specific public improvements on a pay-as-you-go basis.
2. Seek supplemental funding sources to help finance the Development Plan.
3. Amend the Development Plan to match the available revenues.

Appendix A:
Plan Map



City of Swartz Creek
 DDA Amended Boundaries
DDA Development Map
 (Highlighted In Orange)



Adopted: December 07, 2015



Appendix B:
Plan Tables

Table 1: City of Swartz Creek DDA Projects

	DDA Allocated Costs
<i>Enhancement Improvements</i>	
Miller Road Corridor Enhancement (2,200 feet)	\$800,000
Morrish Road Corridor Enhancement	\$900,000
Morrish Rd/I-69 Overpass Corridor Enhancement	\$425,000
Fortino Road Corridor Enhancement	\$575,000
Holland Road Corridor Enhancement	\$125,000
Future Road Extensions Corridor Enhancement	\$325,000
Burial or Relocation of Overhead Utility Lines	\$800,000
I-69/Morrish Rd Gateway Treatment	\$225,000
Miller Road (east and west) Gateway Treatment	\$125,000
Morrish Road (north and south) Gateway Treatment	\$125,000
Property/Structure Acquisition	\$125,000
Building Rehabilitation	\$300,000
Public Art/Sculptures	\$175,000
Update Traffic Signals	\$250,000
Façade and Signage Improvements	\$320,000
<i>Transportation Improvements</i>	
Traffic Study	\$25,000
Street maintenance and repairs	\$550,000
Intersection Improvements	\$725,000
Road Extensions	\$725,000
Alley construction	\$325,000
Way-finding	\$250,000
Public Parking	\$525,000
Sidewalks/Pathways	\$225,000
Transit Enhancement	\$125,000
<i>Public Facility Improvements</i>	
Water Main, Sanitary Sewer, and Storm Drainage Improvements	\$850,000
Park Development	\$300,000
Wireless Internet Access	\$100,000
Community Center	\$300,000
Library	\$300,000
City Hall	\$300,000
<i>Administration and Planning</i>	
Marketing Plan	\$20,000
Webpage Development	\$10,000
DDA Promotion	\$250,000
Events and Festivals	\$350,000
General Administration	\$450,000
<i>Total Project Costs</i>	\$12.3 million

Table 2: City of Swartz Creek DDA Total Projected Revenues By Taxing Jurisdiction

FY	TV	Capture	Genesee County										Other	Mott		City		Revenue	
			Gen Op	Paramed	Parks	Senior	Health	Vets	MSU	Animal	Airport	Library	MTA	Gen Op	Voted Op	Gen Op	SAD*		Voted Op
Base	\$21,444,882	-																	
2016	\$23,295,775	\$1,850,893	\$10,193	\$897	\$1,388	\$1,296	\$1,851	\$185	\$74	\$370	\$897	\$1,847	\$1,481	\$2,497	\$1,186	\$8,938	\$329	\$4,862	\$38,292
2017	\$23,761,691	\$2,316,809	\$12,759	\$1,123	\$1,738	\$1,622	\$2,317	\$232	\$93	\$463	\$1,123	\$2,312	\$1,853	\$3,125	\$1,485	\$11,188	\$2,352	\$6,086	\$49,871
2018	\$24,236,924	\$2,792,042	\$15,376	\$1,353	\$2,094	\$1,954	\$2,792	\$279	\$112	\$558	\$1,353	\$2,787	\$2,234	\$3,766	\$1,790	\$13,482	\$4,415	\$7,335	\$61,682
2019	\$24,721,663	\$3,276,781	\$18,046	\$1,588	\$2,458	\$2,294	\$3,277	\$328	\$131	\$655	\$1,588	\$3,271	\$2,621	\$4,420	\$2,100	\$15,823	\$6,520	\$8,608	\$73,729
2020	\$25,216,096	\$3,771,214	\$20,769	\$1,828	\$2,828	\$2,640	\$3,771	\$377	\$151	\$754	\$1,828	\$3,764	\$3,017	\$5,087	\$2,417	\$18,211	\$8,667	\$9,907	\$86,016
2021	\$25,720,418	\$4,275,536	\$23,546	\$2,072	\$3,207	\$2,993	\$4,276	\$428	\$171	\$855	\$2,072	\$4,267	\$3,420	\$5,768	\$2,741	\$20,646	\$10,856	\$11,232	\$98,550
2022	\$26,234,826	\$4,789,944	\$26,379	\$2,322	\$3,592	\$3,353	\$4,790	\$479	\$192	\$958	\$2,322	\$4,781	\$3,832	\$6,462	\$3,070	\$23,130	\$13,089	\$12,583	\$111,334
2023	\$26,759,523	\$5,314,641	\$29,269	\$2,576	\$3,986	\$3,720	\$5,315	\$531	\$213	\$1,063	\$2,576	\$5,305	\$4,252	\$7,169	\$3,407	\$25,664	\$15,367	\$13,962	\$124,374
2024	\$27,294,713	\$5,849,831	\$32,216	\$2,835	\$4,387	\$4,095	\$5,850	\$585	\$234	\$1,170	\$2,835	\$5,839	\$4,680	\$7,891	\$3,750	\$28,248	\$17,691	\$15,368	\$137,675
2025	\$27,840,608	\$6,395,726	\$35,223	\$3,100	\$4,797	\$4,477	\$6,396	\$640	\$256	\$1,279	\$3,100	\$6,384	\$5,117	\$8,628	\$4,100	\$30,884	\$20,061	\$16,802	\$151,241
2026	\$28,397,420	\$6,952,538	\$38,289	\$3,370	\$5,214	\$4,867	\$6,953	\$695	\$278	\$1,391	\$3,370	\$6,939	\$5,562	\$9,379	\$4,457	\$33,573	\$22,479	\$18,264	\$165,079
2027	\$28,965,368	\$7,520,486	\$41,417	\$3,645	\$5,640	\$5,264	\$7,520	\$752	\$301	\$1,504	\$3,645	\$7,506	\$6,016	\$10,145	\$4,821	\$36,316	\$24,944	\$19,756	\$179,194
2028	\$29,544,675	\$8,099,793	\$44,607	\$3,926	\$6,075	\$5,670	\$8,100	\$810	\$324	\$1,620	\$3,926	\$8,084	\$6,480	\$10,927	\$5,192	\$39,113	\$27,459	\$21,278	\$193,591
2029	\$30,135,569	\$8,690,687	\$47,861	\$4,212	\$6,518	\$6,083	\$8,691	\$869	\$348	\$1,738	\$4,212	\$8,674	\$6,953	\$11,724	\$5,571	\$41,966	\$30,025	\$22,830	\$208,276
2030	\$30,738,280	\$9,293,398	\$51,181	\$4,505	\$6,970	\$6,505	\$9,293	\$929	\$372	\$1,859	\$4,505	\$9,276	\$7,435	\$12,537	\$5,957	\$44,877	\$32,642	\$24,414	\$223,255
2031	\$31,353,046	\$9,908,164	\$54,566	\$4,802	\$7,431	\$6,936	\$9,908	\$991	\$396	\$1,982	\$4,802	\$9,889	\$7,927	\$13,366	\$6,351	\$47,846	\$35,311	\$26,029	\$238,533
2032	\$31,980,107	\$10,535,225	\$58,020	\$5,106	\$7,901	\$7,375	\$10,535	\$1,054	\$421	\$2,107	\$5,106	\$10,515	\$8,428	\$14,212	\$6,753	\$50,874	\$38,033	\$27,676	\$254,117
2033	\$32,619,709	\$11,174,827	\$61,542	\$5,416	\$8,381	\$7,822	\$11,175	\$1,117	\$447	\$2,235	\$5,416	\$11,154	\$8,940	\$15,075	\$7,163	\$53,962	\$40,810	\$29,356	\$270,012
2034	\$33,272,103	\$11,827,221	\$65,135	\$5,733	\$8,870	\$8,279	\$11,827	\$1,183	\$473	\$2,365	\$5,733	\$11,805	\$9,462	\$15,955	\$7,581	\$57,112	\$43,642	\$31,070	\$286,226
2035	\$33,937,545	\$12,492,663	\$68,800	\$6,055	\$9,369	\$8,745	\$12,493	\$1,249	\$500	\$2,499	\$6,055	\$12,469	\$9,994	\$16,853	\$8,008	\$60,326	\$46,531	\$32,818	\$302,763

Total **\$137,128,420** **\$755,194** **\$66,466** **\$102,846** **\$95,990** **\$137,128** **\$13,713** **\$5,485** **\$27,426** **\$66,466** **\$136,868** **\$109,703** **\$184,986** **\$87,899** **\$662,179** **\$441,224** **\$360,236** **\$3,253,811**

*The special assessment does not levy against personal property, thereby making current capture based upon the real property increment only.

Table 3: City of Swartz Creek DDA Expansion Projected Impact By Taxing Jurisdiction

FY	TV	Capture	Genesee County										Other	Mott		City			Revenue		
			Gen Op	Paramed	Parks	Senior	Health	Vets	MSU	Animal	Airport	Library	MTA	Gen Op	Voted Op	Gen Op	SAD*	Voted Op			
Base	\$320,275	-																			
2016	\$320,275	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2017	\$326,681	\$6,406	\$35	\$3	\$5	\$4	\$6	\$1	\$1	\$3	\$6	\$13	\$10	\$17	\$8	\$62	\$63	\$31	\$17	\$163	
2018	\$333,214	\$12,939	\$71	\$6	\$10	\$9	\$13	\$1	\$1	\$3	\$6	\$13	\$10	\$17	\$8	\$62	\$63	\$31	\$17	\$163	
2019	\$339,878	\$19,603	\$108	\$10	\$15	\$14	\$20	\$2	\$1	\$4	\$10	\$20	\$16	\$26	\$13	\$95	\$96	\$51	\$498		
2020	\$346,676	\$26,401	\$145	\$13	\$20	\$18	\$26	\$3	\$1	\$5	\$13	\$26	\$21	\$36	\$17	\$127	\$129	\$69	\$671		
2021	\$353,609	\$33,334	\$184	\$16	\$25	\$23	\$33	\$3	\$1	\$7	\$16	\$33	\$27	\$45	\$21	\$161	\$163	\$88	\$847		
2022	\$360,682	\$40,407	\$223	\$20	\$30	\$28	\$40	\$4	\$2	\$8	\$20	\$40	\$32	\$55	\$26	\$195	\$198	\$106	\$1,027		
2023	\$367,895	\$47,620	\$262	\$23	\$36	\$33	\$48	\$5	\$2	\$10	\$23	\$48	\$38	\$64	\$31	\$230	\$233	\$125	\$1,210		
2024	\$375,253	\$54,978	\$303	\$27	\$41	\$38	\$55	\$5	\$2	\$11	\$27	\$55	\$44	\$74	\$35	\$265	\$269	\$144	\$1,397		
2025	\$382,758	\$62,483	\$344	\$30	\$47	\$44	\$62	\$6	\$2	\$12	\$30	\$62	\$50	\$84	\$40	\$302	\$306	\$164	\$1,588		
2026	\$390,413	\$70,138	\$386	\$34	\$53	\$49	\$70	\$7	\$3	\$14	\$34	\$70	\$56	\$95	\$45	\$339	\$344	\$184	\$1,782		
2027	\$398,222	\$77,947	\$429	\$38	\$58	\$55	\$78	\$8	\$3	\$16	\$38	\$78	\$62	\$105	\$50	\$376	\$382	\$205	\$1,981		
2028	\$406,186	\$85,911	\$473	\$42	\$64	\$60	\$86	\$9	\$3	\$17	\$42	\$86	\$69	\$116	\$55	\$415	\$421	\$226	\$2,183		
2029	\$414,310	\$94,035	\$518	\$46	\$71	\$66	\$94	\$9	\$4	\$19	\$46	\$94	\$75	\$127	\$60	\$454	\$461	\$247	\$2,389		
2030	\$422,596	\$102,321	\$564	\$50	\$77	\$72	\$102	\$10	\$4	\$20	\$50	\$102	\$82	\$138	\$66	\$494	\$501	\$269	\$2,600		
2031	\$431,048	\$110,773	\$610	\$54	\$83	\$78	\$111	\$11	\$4	\$22	\$54	\$111	\$89	\$149	\$71	\$535	\$543	\$291	\$2,815		
2032	\$439,669	\$119,394	\$658	\$58	\$90	\$84	\$119	\$12	\$5	\$24	\$58	\$119	\$96	\$161	\$77	\$577	\$585	\$314	\$3,034		
2033	\$448,462	\$128,187	\$706	\$62	\$96	\$90	\$128	\$13	\$5	\$26	\$62	\$128	\$103	\$173	\$82	\$619	\$628	\$337	\$3,257		
2034	\$457,432	\$137,157	\$755	\$66	\$103	\$96	\$137	\$14	\$5	\$27	\$66	\$137	\$110	\$185	\$88	\$662	\$672	\$360	\$3,485		
2035	\$466,580	\$146,305	\$806	\$71	\$110	\$102	\$146	\$15	\$6	\$29	\$71	\$146	\$117	\$197	\$94	\$706	\$717	\$384	\$3,718		

Total **\$1,376,340** **\$7,580** **\$667** **\$1,032** **\$963** **\$1,376** **\$138** **\$55** **\$275** **\$667** **\$1,374** **\$1,101** **\$1,857** **\$882** **\$6,646** **\$6,744** **\$3,616** **\$34,974**

*The special assessment does not levy against personal property, thereby making current capture \$0. Future impacts are not estimated.

Appendix C:

*DDA Establishment
Documentation*

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN

ORDINANCE NO. 158

An Ordinance establishing a Downtown Development Authority and designating the boundaries of the Downtown District within which the Authority shall exercise its powers.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1.

Pursuant to Act 197 of the Public Acts of 1975, as amended, a Downtown Development Authority is herewith established.

Section 2.

That the boundaries of the downtown district within which the Authority shall exercise its powers are herewith designated as follows:

Commencing at the intersection of the centerline of Brady Street and the centerline of Ingalls Street, thence North 1500 feet, thence East 2500 feet, thence South 1600 feet, thence Westerly to the centerline of Wade Street, along the centerline of Wade Street to the intersection of the centerline of Wade Street and the centerline of Morrish Road, thence Northerly along the centerline of Morrish Road to the intersection of the centerline of Ingalls Street and the centerline of Morrish Road, thence Westerly along the centerline of Ingalls Street to the point of beginning.

Section 3. Powers of Authority

The Authority shall have such powers as are now or may hereafter be conferred upon authorities established under Act 197, Public Acts of 1975, as amended.

Section 4. Financing of Activities of Authority

The activities of the Authority shall be financed from one or more of such sources as may be authorized pursuant to Act 197 of the Public Acts of 1975, as amended.

Section 5. Service Upon Secretary of State

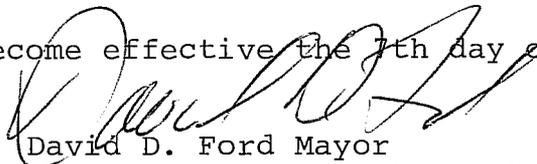
That a certified copy of this Ordinance shall be filed with the State of Michigan Secretary of State in accordance with Section 3, subparagraph (3) of Act 197 of the Public Acts of 1975, as amended, and shall be published at least once in a newspaper of general circulation in the City of Swartz Creek.

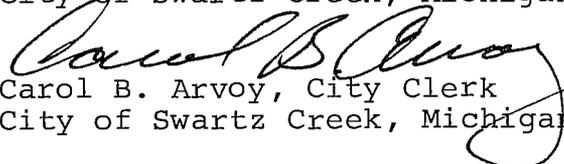
Section 6. Dissolution of Authority and Distribution of Assets

Upon completion of the purposes for which the Authority created herein was organized, said Authority shall be dissolved by Ordinance. All property and assets of said Authority remaining after satisfaction of obligations of said Authority shall belong to the City of Swartz Creek.

Section 7. Effective Date

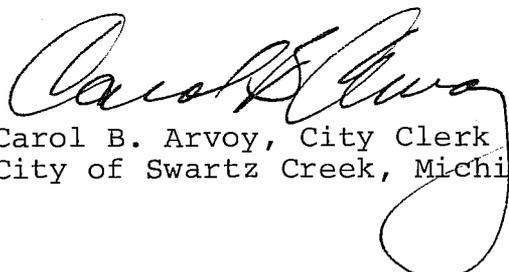
This Ordinance shall become effective the 7th day of February, 1980.


David D. Ford Mayor
City of Swartz Creek, Michigan


Carol B. Arvoy, City Clerk
City of Swartz Creek, Michigan

I hereby certify the preceding Ordinance was adopted by the Swartz Creek City Council at its Regular Meeting held January 14, 1980.

Correct Attest:


Carol B. Arvoy, City Clerk
City of Swartz Creek, Michigan

CITY OF SWARTZ CREEK

ORDINANCE NO #380

An ordinance to amend Chapter 6, Section 6-22 of the Code of Ordinances of the City of Swartz to amend the boundaries of the Downtown Development Authority District to include additional properties not previously included.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Section 6-22.

Section 6-22 of Chapter 6 of the Code of Ordinances of the City of Swartz Creek is hereby amended to alter the boundaries of the Downtown Development Authority District and to read as follows:

Sec. 6-22. Boundaries of Downtown Development Authority District are hereby amended to be a continuous border line within which are included all of the following parcels of property, which are also reflected in the map attached to this motion.

TAX PARCEL #	ADDRESS	STREET	ZONING (01-24-2005)
58-01-100-001	5279	MORRISH RD.	I-1
58-01-100-005	5239	MORRISH RD.	I-1
58-01-100-007	5181	MORRISH RD.	RA-1
58-01-100-008	5175	MORRISH RD.	RA-1
58-01-100-009	5167	MORRISH RD.	RA-1
58-01-100-011	7493	GROVE ST.	RA-1
58-01-100-012	7503	GROVE ST.	RA-1
58-01-100-013	5157	MORRISH RD.	RA-1
58-01-100-014	5151	MORRISH RD.	RA-1
58-01-100-016	7488	GROVE ST.	RA-1
58-01-100-017	7494	GROVE ST.	RA-1
58-01-100-018	7506	GROVE ST.	RA-1
58-01-100-019	7512	GROVE ST.	S-O
58-01-100-020	5129	MORRISH RD.	S-O
58-01-100-021	5123	MORRISH RD.	RA-1
58-01-100-022	5073	MORRISH RD.	RA-1
58-01-100-023	5067	MORRISH RD.	RA-1
58-01-100-024	5061	MORRISH RD.	RA-1
58-01-100-025	7510	WADE ST.	B-2
58-01-100-026	5043	MORRISH RD.	B-2
58-01-100-027	7512	WADE ST.	B-2
58-01-100-028	5013	MORRISH RD.	B-2
58-01-100-029	5035	HOLLAND DR.	B-2
58-01-100-031	5020	MORRISH RD.	B-2

58-01-100-032	5023	HOLLAND DR.	B-2
58-01-100-033	5016	MORRISH RD.	B-2
58-01-100-034	5017	HOLLAND DR.	B-2
58-01-100-035	5015	HOLLAND DR.	B-2
58-01-100-036	8027	MILLER RD.	B-2
58-01-100-037	8023	MILLER RD.	B-2
58-01-100-038	8021	MILLER RD.	B-2
58-01-100-039	8015	MILLER RD.	B-2
58-01-100-040	8013	MILLER RD.	B-2
58-01-100-041	8011	MILLER RD.	B-2
58-01-100-042	8003	MILLER RD.	B-2
58-01-100-044	5014	MORRISH RD.	B-2
58-01-100-045	7589	MILLER RD.	B-2
58-01-100-046	5203	MORRISH RD.	I-1
58-01-502-011	7523	MILLER RD.	B-2
58-01-502-012	7529	MILLER RD.	B-2
58-01-502-013	7543	MILLER RD.	B-2
58-01-502-015	5018	THIRD ST.	RA-1
58-01-502-018	5036	THIRD ST.	RA-1
58-01-502-019	5044	THIRD ST.	RA-1
58-01-502-020	5048	THIRD ST.	RA-1
58-01-502-021	5021	SECOND ST.	B-2
58-01-502-022	5027	SECOND ST.	R-B
58-01-502-023	5033	SECOND ST.	RA-1
58-01-502-027	7561	MILLER RD.	B-3
58-01-502-031	5020	SECOND ST.	RA-1
58-01-502-032	5028	SECOND ST.	RA-1
58-01-502-034	5036	SECOND ST.	RA-1
58-01-502-035	5044	SECOND ST.	RA-1
58-01-502-036	5048	SECOND ST.	RA-1
58-01-502-038	5027	FIRST ST.	RA-1
58-01-502-039	5031	FIRST ST.	RA-1
58-01-502-043	5020	FIRST ST.	B-2
58-01-502-046	5036	FIRST ST.	B-2
58-01-502-047	7484	WADE ST.	B-2
58-01-502-049	7500	WADE ST.	B-2
58-01-502-052	7501	WADE ST.	I-1
58-01-502-059	5121	MORRISH RD.	I-1
58-01-502-081	5037	SECOND ST.	RA-1
58-01-502-082	7440	WADE ST.	RA-1
58-01-502-086	5019	FIRST ST.	RA-1
58-01-502-087	7577	MILLER RD.	B-2
58-01-502-088	5026	FIRST ST.	B-2
58-01-502-089	5023	MORRISH RD.	RA-1
58-01-502-090	5030	FIRST ST.	B-2
58-01-502-091	7504	WADE ST.	B-2
58-01-502-092	7508	WADE ST.	B-2

58-01-502-093	7479	WADE ST.	RA-1
58-01-502-094	7469	WADE ST.	RA-1
58-01-502-095	7465	WADE ST.	RA-1
58-01-502-096	7459	WADE ST.	RA-1
58-01-502-097	7455	WADE ST.	RA-1
58-01-502-098	7451	WADE ST.	RA-1
58-01-502-099	7445	WADE ST.	RA-1
58-01-502-100	7435	WADE ST.	RA-1
58-01-502-101	7425	WADE ST.	RA-1
58-01-502-102	5083	MORRISH RD.	I-1
58-01-502-103	7481	WADE ST.	I-1
58-01-502-104	5099	MORRISH RD.	I-1
58-01-502-105	5093	MORRISH RD.	I-1
58-01-502-112	5032	THIRD ST.	RA-1
58-01-502-113	7567	MILLER RD.	B2
58-01-502-116	7485	WADE ST.	RA-1
58-01-502-118	5037	FIRST ST.	RA-1
58-01-502-119	7474	WADE ST.	RA-1
58-01-502-120	7468	WADE ST.	RA-1
58-02-200-002	8159	MILLER RD.	RA-1
58-02-200-003	8132	INGALLS ST.	RA-1
58-02-200-004	8126	INGALLS ST.	RA-1
58-02-200-014	5086	MORRISH RD.	RM-1
58-02-200-017	5116	MORRISH RD.	RA-1
58-02-200-018	5118	MORRISH RD.	RA-1
58-02-200-019	5126	MORRISH RD.	RA-1
58-02-200-020	5130	MORRISH RD.	RA-1
58-02-200-021	5138	MORRISH RD.	RA-1
58-02-200-022	5144	MORRISH RD.	RA-1
58-02-200-023	5152	MORRISH RD.	RM-1
58-02-200-029	5256	MORRISH RD.	I-1
58-02-200-030	5220	MORRISH RD.	B-1
58-02-200-032	5208	MORRISH RD.	I-1
58-02-200-033	5232	MORRISH RD.	I-1
58-02-400-002	5288	MORRISH RD.	I-1
58-02-400-018	5280	MORRISH RD.	I-1
58-02-526-001	8169	MILLER RD.	RA-1
58-02-526-002	8179	MILLER RD.	RA-1
58-02-526-003	5021	SCHOOL ST.	RA-1
58-02-526-004	5027	SCHOOL ST.	RA-1
58-02-526-005	5033	SCHOOL ST.	RA-1
58-02-526-006	5039	SCHOOL ST.	RA-1
58-02-526-027	8197	MILLER RD.	RA-1
58-02-527-001	8127	MILLER RD.	B-2
58-02-527-002	8129	MILLER RD.	B-2
58-02-527-003	8145	MILLER RD.	RA-1
58-02-527-004	8151	MILLER RD.	RA-1

58-02-527-005	5020	BRADY ST.	RA-1
58-02-527-006	5024	BRADY ST.	RA-1
58-02-527-007	5032	BRADY ST.	RA-1
58-02-527-008	5038	BRADY ST.	RA-1
58-02-527-014	5019	BRADY ST.	RA-1
58-02-527-015	5027	BRADY ST.	RA-1
58-02-527-016	5031	BRADY ST.	RA-1
58-02-527-022	8100	INGALLS ST.	RA-1
58-02-527-023	8096	INGALLS ST.	RA-1
58-02-528-001	8093	MILLER RD.	B-2
58-02-528-002	8103	MILLER RD.	B-2
58-02-528-003	5021	FORD ST.	RA-1
58-02-528-004	5027	FORD ST.	RA-1
58-02-528-005	5031	FORD ST.	RA-1
58-02-528-006	8063	INGALLS ST.	RA-1
58-02-528-009	5020	FORD ST.	RA-1
58-02-528-010	5026	FORD ST.	RA-1
58-02-528-011	5006	FORD ST.	B-2
58-02-528-012	5014	FORD ST.	B-2
58-02-528-013	8121	MILLER RD.	B-2
58-02-528-014	5032	FORD ST.	RA-1
58-02-528-015	8090	INGALLS ST.	RA-1
58-02-528-016	5038	FORD ST.	RA-1
58-02-529-005	5018	HOLLAND DR.	B-2
58-02-529-006	5019	HAYES ST.	RA-1
58-02-529-007	5026	HOLLAND DR.	B-2
58-02-529-008	8032	INGALLS ST.	RA-1
58-02-529-009	5032	HOLLAND DR.	B-2
58-02-529-010	5044	MORRISH RD.	RA-1
58-02-529-011	5052	MORRISH RD.	RA-1
58-02-529-012	5058	MORRISH RD.	RA-1
58-02-529-015	5018	HAYES ST.	RA-1
58-02-529-017	5012	HOLLAND DR.	B-2
58-02-529-018	8047	MILLER RD.	B-2
58-02-529-019	8053	MILLER RD.	B-2
58-02-529-020	8057	MILLER RD.	B-2
58-02-529-021	8067	MILLER RD.	B-2
58-02-529-022	8023	INGALLS ST.	RA-1
58-02-529-023	8033	INGALLS ST.	RA-1
58-02-529-024	8039	INGALLS ST.	RA-1
58-02-529-025	8077	MILLER RD.	B-2
58-02-529-026	8083	MILLER RD.	B-2
58-02-529-027	8089	MILLER RD.	B-2
58-02-529-028	5014	HAYES ST.	B-2
58-02-529-029	5032	HAYES ST.	RA-1
58-02-529-030	5038	HAYES ST.	RA-1
58-02-529-031	5070	MORRISH RD.	RA-1

58-02-530-044	5170	MORRISH RD.	RA-1
58-02-530-045	8012	MAPLE ST.	R-B
58-02-530-047	8035	CRAPO ST.	RA-1
58-35-200-005	4062	MORRISH RD.	RA-1
58-35-200-007	4140	MORRISH RD.	I-1
58-35-200-008	4150	MORRISH RD.	I-1
58-35-200-009	8119	BRISTOL RD.	RA-1
58-35-200-010	8079	BRISTOL RD.	RA-1
58-35-200-012	8065	BRISTOL RD.	RA-1
58-35-200-013	8041	BRISTOL RD.	RA-1
58-35-200-014	8023	BRISTOL RD.	RA-1
58-35-200-015	4048	MORRISH RD.	RA-1
58-35-200-016	4076	MORRISH RD.	RA-1
58-35-200-017	4088	MORRISH RD.	RA-1
58-35-200-018	4110	MORRISH RD.	RA-1
58-35-400-001	4290	MORRISH RD.	M-Z
58-35-576-001	4444	MORRISH RD.	B-2
58-35-576-002	4438	MORRISH RD.	RA-1
58-35-576-003	4432	MORRISH RD.	RA-1
58-35-576-004	4426	MORRISH RD.	RA-1
58-35-576-005	4412	MORRISH RD.	RA-1
58-35-576-006	4400	MORRISH RD.	RA-1
58-35-576-007	4394	MORRISH RD.	RA-1
58-35-576-008	4384	MORRISH RD.	RA-1
58-35-576-009	4374	MORRISH RD.	RA-1
58-35-576-010	4366	MORRISH RD.	RA-1
58-35-576-011	4360	MORRISH RD.	RA-1
58-35-576-012	4354	MORRISH RD.	RA-1
58-35-576-013	4344	MORRISH RD.	RA-1
58-35-576-014	4336	MORRISH RD.	RA-1
58-35-576-015	4318	MORRISH RD.	RA-1
58-35-576-016	4306	MORRISH RD.	RA-1
58-35-576-017	4296	MORRISH RD.	RA-1
58-35-576-018	4272	MORRISH RD.	B-3
58-35-576-019	4278	MORRISH RD.	B-3
58-35-576-020	4150	MORRISH RD.	I-1
58-35-576-021	4264	MORRISH RD.	B-3
58-35-576-023	8118	MILLER RD.	B-2
58-35-576-024	8110	MILLER RD.	B-2
58-35-576-025	8104	MILLER RD.	B-2
58-35-576-026	8098	MILLER RD.	B-2
58-35-576-027	8092	MILLER RD.	B-2
58-35-576-028	8084	MILLER RD.	B-2
58-35-576-029	8060	MILLER RD.	B-2
58-35-576-030	4505	FORTINO DR.	B-2
58-35-576-031	4459	FORTINO DR.	B-2
58-35-576-032	8021	FORTINO DR.	B-2

58-35-576-033	8059	FORTINO DR.	B-2
58-35-576-034	8055	FORTINO DR.	B-2
58-35-576-037	8100	CIVIC DR.	B-2
58-35-576-038	8056	MILLER RD.	B-2
58-35-576-039	8048	MILLER RD.	B-2
58-35-576-040	8040	MILLER RD.	B-2
58-35-576-041	8036	MILLER RD.	B-2
58-35-576-042	8030	MILLER RD.	B-2
58-35-576-043	8024	MILLER RD.	B-2
58-35-576-044	8018	MILLER RD.	B-2
58-35-576-045	8014	MILLER RD.	B-2
58-35-576-046	8012	MILLER RD.	B-2
58-35-576-047	8010	MILLER RD.	B-2
58-35-576-048	8006	MILLER RD.	B-2
58-35-576-049	8002	MILLER RD.	B-2
58-35-576-050	4514	MORRISH RD.	B-2
58-35-576-051	4500	MORRISH RD.	B-2
58-35-576-052	4506	MORRISH RD.	B-2
58-35-576-053	4484	MORRISH RD.	B-2
58-35-576-054	4494	MORRISH RD.	B-2
58-35-576-055	4464	MORRISH RD.	B-2
58-35-576-057	8138	MILLER RD.	B-2
58-35-576-058	8095	CIVIC DR.	B-2
58-35-576-059	8083	CIVIC DR.	B-2
58-36-100-001	4013	MORRISH RD.	RA-1
58-36-300-019	7524	MILLER RD.	B-2
58-36-300-020	7530	MILLER RD.	B-2
58-36-300-021	7538	MILLER RD.	B-2
58-36-300-022	4485	FREDERICK ST.	RM-1
58-36-300-023	4453	MORRISH RD.	B-1
58-36-300-024	4437	MORRISH RD.	B-1
58-36-300-025	4413	MORRISH RD.	RA-1
58-36-300-026	4379	MORRISH RD.	RA-1
58-36-300-027	7534	APPLE CREEK DR.	RA-1
58-36-300-028	4345	MORRISH RD.	B-1
58-36-300-030	4369	ROUNDHOUSE RD.	RM-1
58-36-551-001	4463	MORRISH RD.	B-1
58-36-551-002	4473	MORRISH RD.	B-1
58-36-551-003	4483	MORRISH RD.	B-1
58-36-551-004	7579	MASON ST.	RA-1
58-36-551-005	7565	MASON ST.	RA-1
58-36-551-006	7557	MASON ST.	RA-1
58-36-551-007	7553	MASON ST.	RA-1
58-36-551-008	7550	CHURCH ST.	RA-1
58-36-551-009	7556	CHURCH ST.	RA-1
58-36-551-010	7562	CHURCH ST.	RA-1
58-36-551-011	7572	CHURCH ST.	RA-1

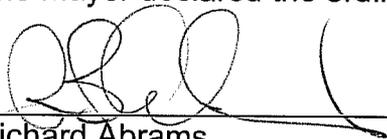
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58-36-551-014	7571	CHURCH ST.	RA-1
58-36-551-015	7563	CHURCH ST.	RA-1
58-36-551-016	7557	CHURCH ST.	RA-1
58-36-551-017	7551	CHURCH ST.	RA-1
58-36-552-001	4495	MORRISH RD.	B-1
58-36-552-002	4501	MORRISH RD.	B-2
58-36-552-003	4505	MORRISH RD.	B-2
58-36-552-004	7594	MILLER RD.	B-2
58-36-552-005	7582	MILLER RD.	B-2
58-36-552-006	7574	MILLER RD.	B-2
58-36-552-007	7566	MILLER RD.	B-2
58-36-552-008	7562	MILLER RD.	B-2
58-36-552-009	7556	MILLER RD.	B-2
58-36-552-010	7550	MILLER RD.	B-2

Section 2. Effective Date.

This Ordinance shall become effective on February 24, 2005

Voting for: **HURT, ADAMS, PLUMB, ABRAMS, SHUMAKER, CHRISTIE, PORATH**
Voting against: None
Absent: None

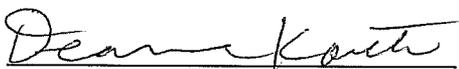
The Mayor declared the ordinance adopted.


Richard Abrams
Mayor


DeAnna Korth
Deputy City Clerk

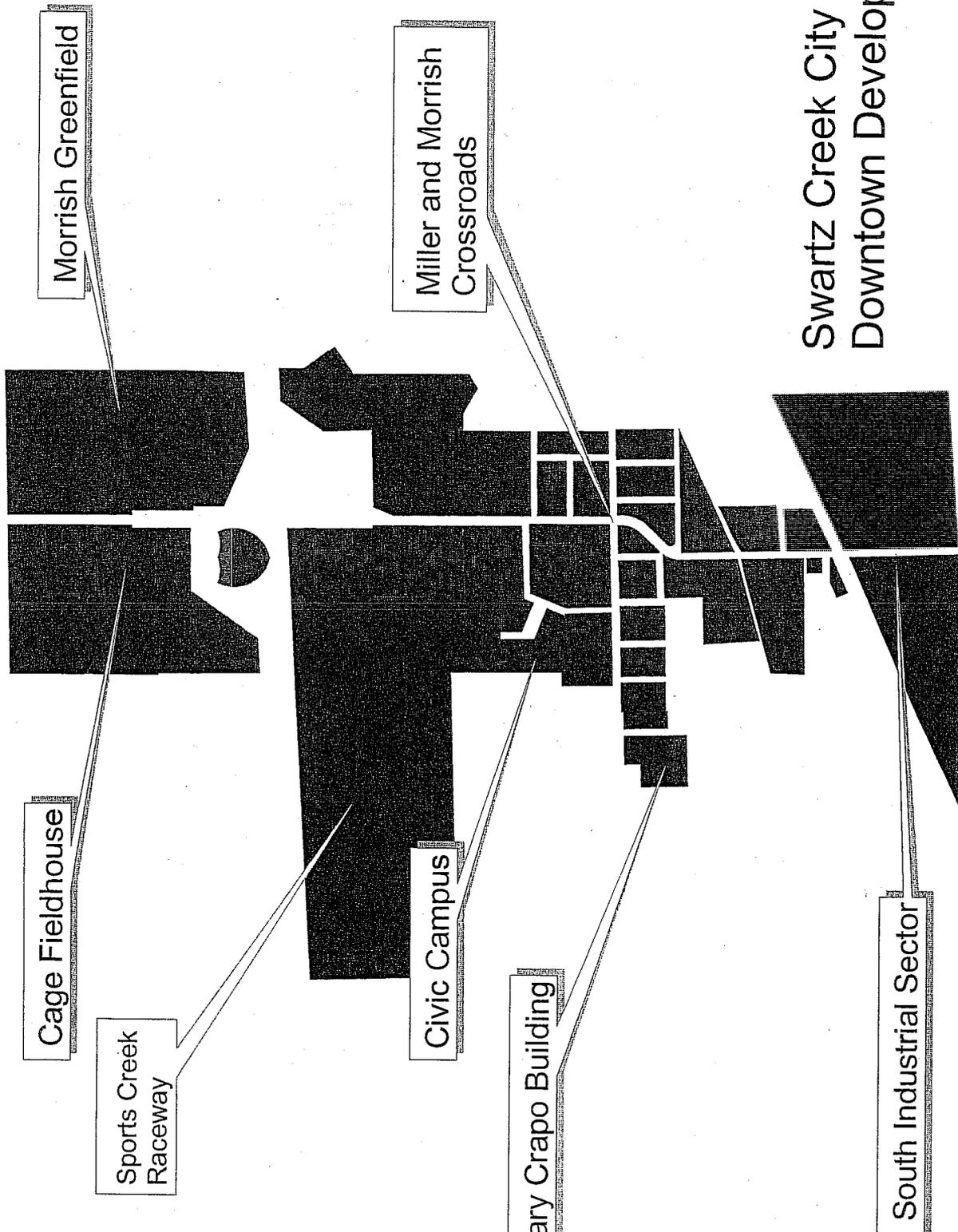
CERTIFICATION

The foregoing is a true copy of Ordinance No. 380 which was enacted by the Swartz Creek City Council at a regular meeting held on the 10TH day of January, 2005.


DeAnna Korth
Deputy City Clerk

Publish Date: February 27, 2005
Swartz Creek News

Effective Date: April 1, 2005



Morrish Greenfield

Miller and Morrish Crossroads

Cage Fieldhouse

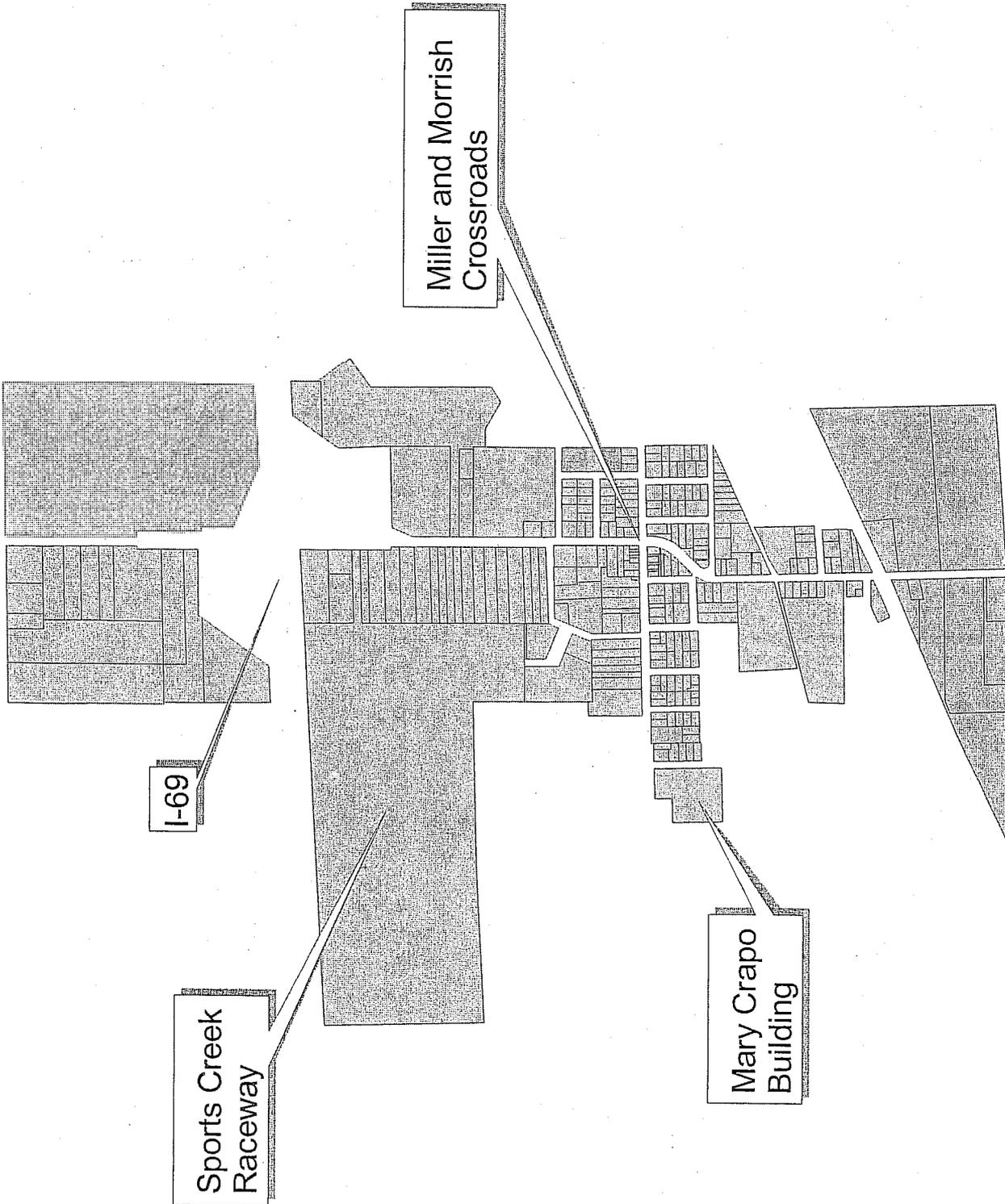
Sports Creek Raceway

Civic Campus

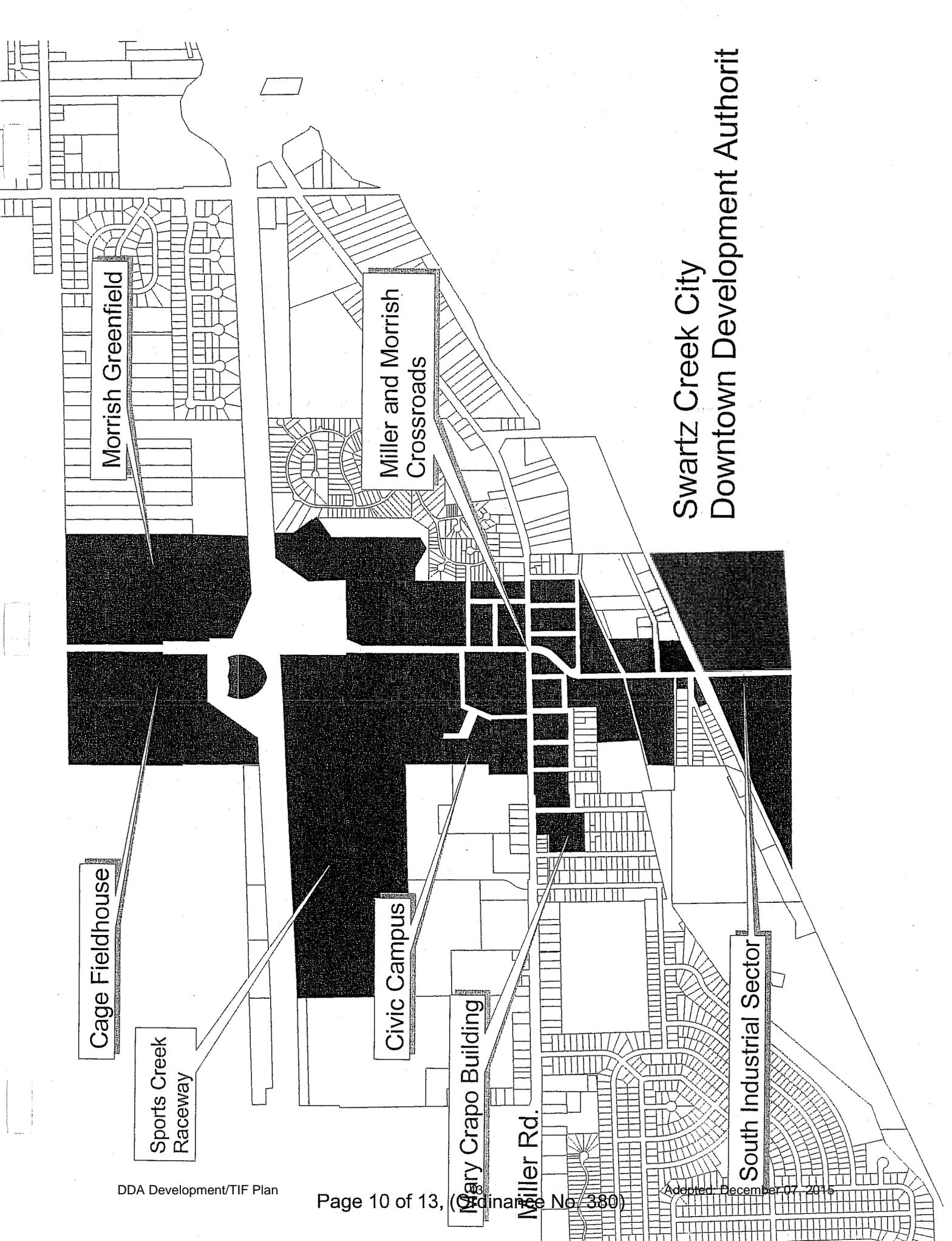
Mary Crapo Building

South Industrial Sector

Swartz Creek City
Downtown Development Authority



Swartz Creek City
Downtown Development Authority



Swartz Creek City
Downtown Development Authority

Cage Fieldhouse

Sports Creek Raceway

Morrish Greenfield

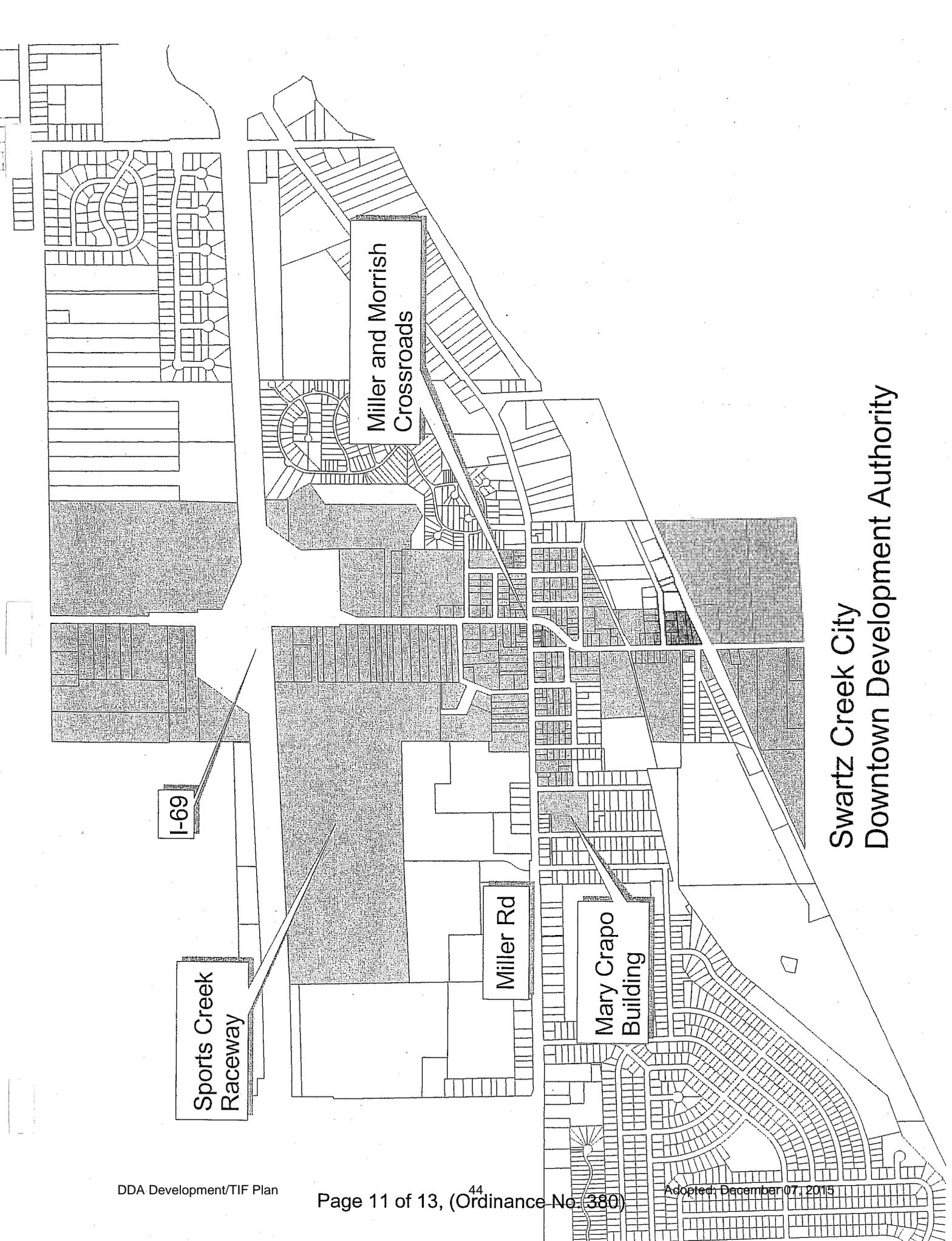
Civic Campus

Miller and Morrish Crossroads

Mary Crapo Building

Miller Rd.

South Industrial Sector



I-69

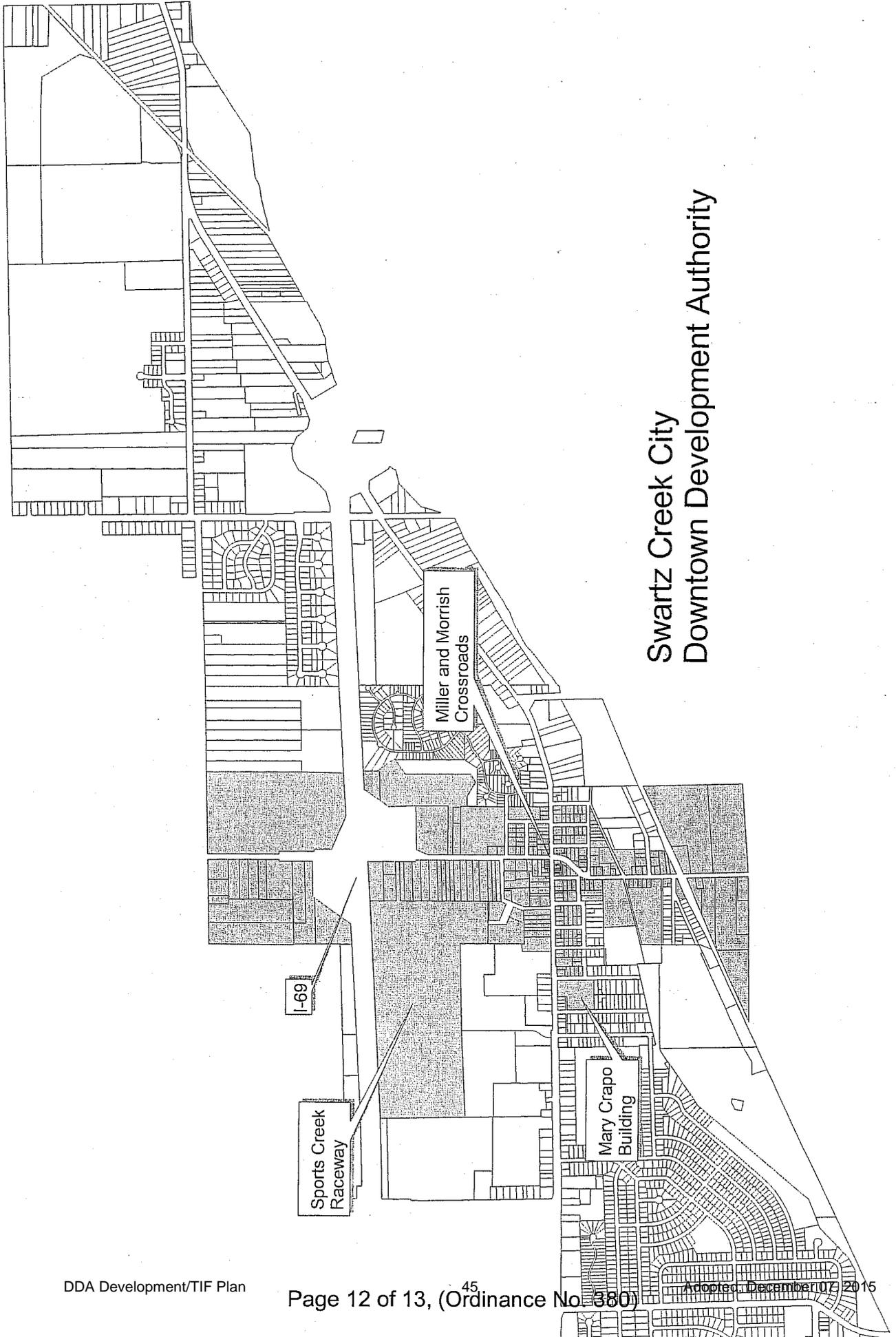
Sports Creek Raceway

Miller and Morrish Crossroads

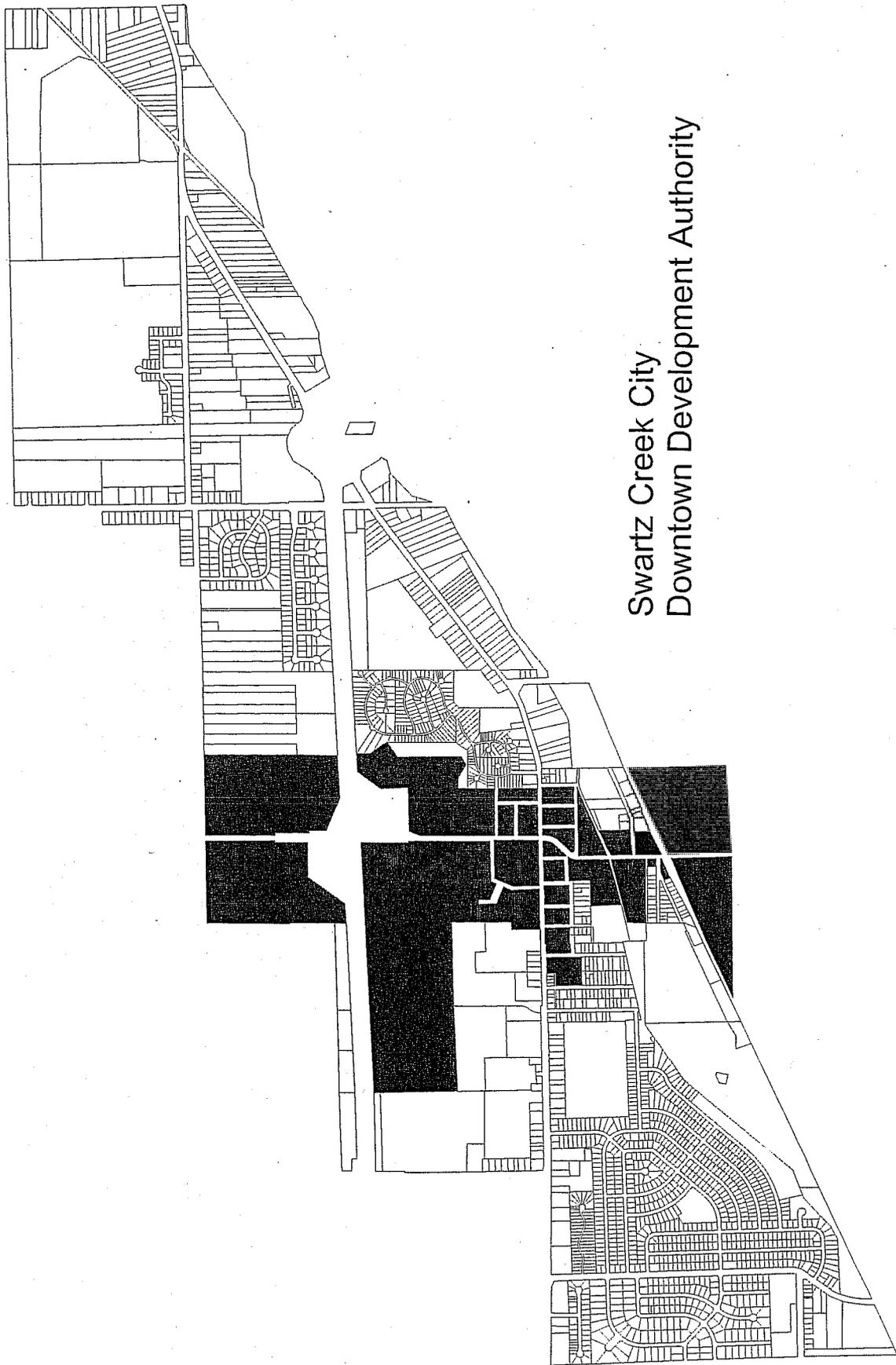
Miller Rd

Mary Crapo Building

Swartz Creek City
Downtown Development Authority



Swartz Creek City
Downtown Development Authority



Swartz Creek City
Downtown Development Authority

DOWNTOWN DEVELOPMENT AUTHORITY

Act 197 of 1975

AN ACT to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1988, Act 425, Imd. Eff. Dec. 27, 1988;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Popular name: Downtown Development Authority Act

Popular name: DDA

The People of the State of Michigan enact:

125.1651 Definitions.

Sec. 1. As used in this act:

(a) “Advance” means a transfer of funds made by a municipality to an authority or to another person on behalf of the authority in anticipation of repayment by the authority. Evidence of the intent to repay an advance may include, but is not limited to, an executed agreement to repay, provisions contained in a tax increment financing plan approved prior to the advance, or a resolution of the authority or the municipality.

(b) “Assessed value” means 1 of the following:

(i) For valuations made before January 1, 1995, the state equalized valuation as determined under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

(ii) For valuations made after December 31, 1994, the taxable value as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(c) “Authority” means a downtown development authority created pursuant to this act.

(d) “Board” means the governing body of an authority.

(e) “Business district” means an area in the downtown of a municipality zoned and used principally for business.

(f) “Captured assessed value” means the amount in any 1 year by which the current assessed value of the project area, including the assessed value of property for which specific local taxes are paid in lieu of property taxes as determined in subdivision (y), exceeds the initial assessed value. The state tax commission shall prescribe the method for calculating captured assessed value.

(g) “Chief executive officer” means the mayor or city manager of a city, the president or village manager of a village, or the supervisor of a township or, if designated by the township board for purposes of this act, the township superintendent or township manager of a township.

(h) “Development area” means that area to which a development plan is applicable.

(i) “Development plan” means that information and those requirements for a development set forth in section 17.

(j) “Development program” means the implementation of the development plan.

(k) “Downtown district” means an area in a business district that is specifically designated by ordinance of the governing body of the municipality pursuant to this act.

(l) “Eligible advance” means an advance made before August 19, 1993.

(m) “Eligible obligation” means an obligation issued or incurred by an authority or by a municipality on behalf of an authority before August 19, 1993 and its subsequent refunding by a qualified refunding obligation. Eligible obligation includes an authority's written agreement entered into before August 19, 1993 to pay an obligation issued after August 18, 1993 and before December 31, 1996 by another entity on behalf of the authority.

(n) “Fire alarm system” means a system designed to detect and annunciate the presence of fire, or by-products of fire. Fire alarm system includes smoke detectors.

(o) “Fiscal year” means the fiscal year of the authority.

(p) “Governing body of a municipality” means the elected body of a municipality having legislative powers.

(q) “Initial assessed value” means the assessed value, as equalized, of all the taxable property within the

DOWNTOWN DEVELOPMENT AUTHORITY

boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted. Property exempt from taxation at the time of the determination of the initial assessed value shall be included as zero. For the purpose of determining initial assessed value, property for which a specific local tax is paid in lieu of a property tax shall not be considered to be property that is exempt from taxation. The initial assessed value of property for which a specific local tax was paid in lieu of a property tax shall be determined as provided in subdivision (y). In the case of a municipality having a population of less than 35,000 that established an authority prior to 1985, created a district or districts, and approved a development plan or tax increment financing plan or amendments to a plan, and which plan or tax increment financing plan or amendments to a plan, and which plan expired by its terms December 31, 1991, the initial assessed value for the purpose of any plan or plan amendment adopted as an extension of the expired plan shall be determined as if the plan had not expired December 31, 1991. For a development area designated before 1997 in which a renaissance zone has subsequently been designated pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, the initial assessed value of the development area otherwise determined under this subdivision shall be reduced by the amount by which the current assessed value of the development area was reduced in 1997 due to the exemption of property under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, but in no case shall the initial assessed value be less than zero.

(r) "Municipality" means a city, village, or township.

(s) "Obligation" means a written promise to pay, whether evidenced by a contract, agreement, lease, sublease, bond, or note, or a requirement to pay imposed by law. An obligation does not include a payment required solely because of default upon an obligation, employee salaries, or consideration paid for the use of municipal offices. An obligation does not include those bonds that have been economically defeased by refunding bonds issued under this act. Obligation includes, but is not limited to, the following:

(i) A requirement to pay proceeds derived from ad valorem property taxes or taxes levied in lieu of ad valorem property taxes.

(ii) A management contract or a contract for professional services.

(iii) A payment required on a contract, agreement, bond, or note if the requirement to make or assume the payment arose before August 19, 1993.

(iv) A requirement to pay or reimburse a person for the cost of insurance for, or to maintain, property subject to a lease, land contract, purchase agreement, or other agreement.

(v) A letter of credit, paying agent, transfer agent, bond registrar, or trustee fee associated with a contract, agreement, bond, or note.

(t) "On behalf of an authority", in relation to an eligible advance made by a municipality, or an eligible obligation or other protected obligation issued or incurred by a municipality, means in anticipation that an authority would transfer tax increment revenues or reimburse the municipality from tax increment revenues in an amount sufficient to fully make payment required by the eligible advance made by the municipality, or eligible obligation or other protected obligation issued or incurred by the municipality, if the anticipation of the transfer or receipt of tax increment revenues from the authority is pursuant to or evidenced by 1 or more of the following:

(i) A reimbursement agreement between the municipality and an authority it established.

(ii) A requirement imposed by law that the authority transfer tax increment revenues to the municipality.

(iii) A resolution of the authority agreeing to make payments to the incorporating unit.

(iv) Provisions in a tax increment financing plan describing the project for which the obligation was incurred.

(u) "Operations" means office maintenance, including salaries and expenses of employees, office supplies, consultation fees, design costs, and other expenses incurred in the daily management of the authority and planning of its activities.

(v) "Other protected obligation" means:

(i) A qualified refunding obligation issued to refund an obligation described in subparagraph (ii), (iii), or (iv), an obligation that is not a qualified refunding obligation that is issued to refund an eligible obligation, or a qualified refunding obligation issued to refund an obligation described in this subparagraph.

(ii) An obligation issued or incurred by an authority or by a municipality on behalf of an authority after August 19, 1993, but before December 31, 1994, to finance a project described in a tax increment finance plan approved by the municipality in accordance with this act before December 31, 1993, for which a contract for final design is entered into by or on behalf of the municipality or authority before March 1, 1994 or for which a written agreement with a developer, titled preferred development agreement, was entered into by or on behalf of the municipality or authority in July 1993.

DOWNTOWN DEVELOPMENT AUTHORITY

(iii) An obligation incurred by an authority or municipality after August 19, 1993, to reimburse a party to a development agreement entered into by a municipality or authority before August 19, 1993, for a project described in a tax increment financing plan approved in accordance with this act before August 19, 1993, and undertaken and installed by that party in accordance with the development agreement.

(iv) An obligation incurred by the authority evidenced by or to finance a contract to purchase real property within a development area or a contract to develop that property within the development area, or both, if all of the following requirements are met:

(A) The authority purchased the real property in 1993.

(B) Before June 30, 1995, the authority enters a contract for the development of the real property located within the development area.

(C) In 1993, the authority or municipality on behalf of the authority received approval for a grant from both of the following:

(I) The department of natural resources for site reclamation of the real property.

(II) The department of consumer and industry services for development of the real property.

(v) An ongoing management or professional services contract with the governing body of a county which was entered into before March 1, 1994 and which was preceded by a series of limited term management or professional services contracts with the governing body of the county, the last of which was entered into before August 19, 1993.

(vi) A loan from a municipality to an authority if the loan was approved by the legislative body of the municipality on April 18, 1994.

(vii) Funds expended to match a grant received by a municipality on behalf of an authority for sidewalk improvements from the Michigan department of transportation if the legislative body of the municipality approved the grant application on April 5, 1993 and the grant was received by the municipality in June 1993.

(viii) For taxes captured in 1994, an obligation described in this subparagraph issued or incurred to finance a project. An obligation is considered issued or incurred to finance a project described in this subparagraph only if all of the following are met:

(A) The obligation requires raising capital for the project or paying for the project, whether or not a borrowing is involved.

(B) The obligation was part of a development plan and the tax increment financing plan was approved by a municipality on May 6, 1991.

(C) The obligation is in the form of a written memorandum of understanding between a municipality and a public utility dated October 27, 1994.

(D) The authority or municipality captured school taxes during 1994.

(w) "Public facility" means a street, plaza, pedestrian mall, and any improvements to a street, plaza, or pedestrian mall including street furniture and beautification, park, parking facility, recreational facility, right-of-way, structure, waterway, bridge, lake, pond, canal, utility line or pipe, building, and access routes to any of the foregoing, designed and dedicated to use by the public generally, or used by a public agency. Public facility includes an improvement to a facility used by the public or a public facility as those terms are defined in section 1 of 1966 PA 1, MCL 125.1351, which improvement is made to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(x) "Qualified refunding obligation" means an obligation issued or incurred by an authority or by a municipality on behalf of an authority to refund an obligation if the refunding obligation meets both of the following:

(i) The net present value of the principal and interest to be paid on the refunding obligation, including the cost of issuance, will be less than the net present value of the principal and interest to be paid on the obligation being refunded, as calculated using a method approved by the department of treasury.

(ii) The net present value of the sum of the tax increment revenues described in subdivision (aa)(i) and the distributions under section 13b to repay the refunding obligation will not be greater than the net present value of the sum of the tax increment revenues described in subdivision (aa)(ii) and the distributions under section 13b to repay the obligation being refunded, as calculated using a method approved by the department of treasury.

(y) "Specific local tax" means a tax levied under 1974 PA 198, MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668, the technology park development act, 1984 PA 385, MCL 207.701 to 207.718, and 1953 PA 189, MCL 211.181 to 211.182. The initial assessed value or current assessed value of property subject to a specific local tax shall be the quotient of the specific local tax paid divided by the ad valorem millage rate. However, after 1993, the state tax commission shall prescribe the method for calculating the initial assessed value and current assessed value of property for which a specific local tax was paid

DOWNTOWN DEVELOPMENT AUTHORITY

in lieu of a property tax.

(z) "State fiscal year" means the annual period commencing October 1 of each year.

(aa) "Tax increment revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions upon the captured assessed value of real and personal property in the development area, subject to the following requirements:

(i) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions other than the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area for any purpose authorized by this act.

(ii) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area in an amount equal to the amount necessary, without regard to subparagraph (i), to repay eligible advances, eligible obligations, and other protected obligations.

(iii) Tax increment revenues do not include any of the following:

(A) Ad valorem property taxes attributable either to a portion of the captured assessed value shared with taxing jurisdictions within the jurisdictional area of the authority or to a portion of value of property that may be excluded from captured assessed value or specific local taxes attributable to such ad valorem property taxes.

(B) Ad valorem property taxes excluded by the tax increment financing plan of the authority from the determination of the amount of tax increment revenues to be transmitted to the authority or specific local taxes attributable to such ad valorem property taxes.

(C) Ad valorem property taxes exempted from capture under section 3(3) or specific local taxes attributable to such ad valorem property taxes.

(iv) The amount of tax increment revenues authorized to be included under subparagraph (ii), and required to be transmitted to the authority under section 14(1), from ad valorem property taxes and specific local taxes attributable to the application of the levy of the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, a local school district or an intermediate school district upon the captured assessed value of real and personal property in a development area shall be determined separately for the levy by the state, each school district, and each intermediate school district as the product of sub-subparagraphs (A) and (B):

(A) The percentage that the total ad valorem taxes and specific local taxes available for distribution by law to the state, local school district, or intermediate school district, respectively, bears to the aggregate amount of ad valorem millage taxes and specific taxes available for distribution by law to the state, each local school district, and each intermediate school district.

(B) The maximum amount of ad valorem property taxes and specific local taxes considered tax increment revenues under subparagraph (ii).

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1985, Act 221, Imd. Eff. Jan. 10, 1986;—Am. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 1994, Act 280, Imd. Eff. July 11, 1994;—Am. 1994, Act 330, Imd. Eff. Oct. 14, 1994;—Am. 1994, Act 381, Imd. Eff. Dec. 28, 1994;—Am. 1996, Act 269, Imd. Eff. June 12, 1996;—Am. 1996, Act 454, Imd. Eff. Dec. 19, 1996;—Am. 1997, Act 202, Imd. Eff. Jan. 13, 1998;—Am. 2003, Act 136, Imd. Eff. Aug. 1, 2003;—Am. 2004, Act 66, Imd. Eff. Apr. 20, 2004.

Compiler's note: Enacting section 1 of Act 202 of 1997 provides:

"The provisions of section 1 and section 13b, as amended by this amendatory act, are retroactive and effective for taxes levied after 1993."

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1651a Legislative findings.

Sec. 1a. The legislature finds all of the following:

(a) That there exists in this state conditions of property value deterioration detrimental to the state economy and the economic growth of the state and its local units of government.

(b) That government programs are desirable and necessary to eliminate the causes of property value deterioration thereby benefiting the economic growth of the state.

(c) That it is appropriate to finance these government programs by means available to the state and local units of government in the state, including tax increment financing.

(d) That tax increment financing is a government financing program that contributes to economic growth and development by dedicating a portion of the increase in the tax base resulting from economic growth and development to facilities, structures, or improvements within a development area thereby facilitating economic growth and development.

DOWNTOWN DEVELOPMENT AUTHORITY

(e) That it is necessary for the legislature to exercise its power to legislate tax increment financing as authorized in this act and in the exercise of this power to mandate the transfer of tax increment revenues by city, village, township, school district, and county treasurers to authorities created under this act in order to effectuate the legislative government programs to eliminate property value deterioration and to promote economic growth.

(f) That halting property value deterioration and promoting economic growth in the state are essential governmental functions and constitute essential public purposes.

(g) That economic development strengthens the tax base upon which local units of government rely and that government programs to eliminate property value deterioration benefit local units of government and are for the use of the local units of government.

(h) That the provisions of this act are enacted to provide a means for local units of government to eliminate property value deterioration and to promote economic growth in the communities served by those local units of government.

History: Add. 1988, Act 425, Imd. Eff. Dec. 27, 1988.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1652 Authority; establishment; restriction; public body corporate; powers generally.

Sec. 2. (1) Except as otherwise provided in this subsection, a municipality may establish 1 authority. If, before November 1, 1985, a municipality establishes more than 1 authority, those authorities may continue to exist as separate authorities. Under the conditions described in section 3a, a municipality may have more than 1 authority within that municipality's boundaries. A parcel of property shall not be included in more than 1 authority created by this act.

(2) An authority shall be a public body corporate which may sue and be sued in any court of this state. An authority possesses all the powers necessary to carry out the purpose of its incorporation. The enumeration of a power in this act shall not be construed as a limitation upon the general powers of an authority.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1985, Act 159, Imd. Eff. Nov. 15, 1985.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1653 Resolution of intent to create and provide for operation of authority; public hearing on proposed ordinance creating authority and designating boundaries of downtown district; notice; exemption of taxes from capture; adoption, filing, and publication of ordinance; altering or amending boundaries.

Sec. 3. (1) When the governing body of a municipality determines that it is necessary for the best interests of the public to halt property value deterioration and increase property tax valuation where possible in its business district, to eliminate the causes of that deterioration, and to promote economic growth, the governing body may, by resolution, declare its intention to create and provide for the operation of an authority.

(2) In the resolution of intent, the governing body shall set a date for the holding of a public hearing on the adoption of a proposed ordinance creating the authority and designating the boundaries of the downtown district. Notice of the public hearing shall be published twice in a newspaper of general circulation in the municipality, not less than 20 or more than 40 days before the date of the hearing. Not less than 20 days before the hearing, the governing body proposing to create the authority shall also mail notice of the hearing to the property taxpayers of record in the proposed district and for a public hearing to be held after February 15, 1994 to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. Failure of a property taxpayer to receive the notice shall not invalidate these proceedings. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the proposed downtown district not less than 20 days before the hearing. The notice shall state the date, time, and place of the hearing, and shall describe the boundaries of the proposed downtown district. A citizen, taxpayer, or property owner of the municipality or an official from a taxing jurisdiction with millage that would be subject to capture has the right to be heard in regard to the establishment of the authority and the boundaries of the proposed downtown district. The governing body of the municipality shall not incorporate land into the downtown district not included in the description contained in the notice of public hearing, but it may eliminate described lands from the downtown district in the final determination of the boundaries.

DOWNTOWN DEVELOPMENT AUTHORITY

(3) Not more than 60 days after a public hearing held after February 15, 1994, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality proposing to create the authority. The resolution takes effect when filed with that clerk and remains effective until a copy of a resolution rescinding that resolution is filed with that clerk.

(4) Not less than 60 days after the public hearing, if the governing body of the municipality intends to proceed with the establishment of the authority, it shall adopt, by majority vote of its members, an ordinance establishing the authority and designating the boundaries of the downtown district within which the authority shall exercise its powers. The adoption of the ordinance is subject to any applicable statutory or charter provisions in respect to the approval or disapproval by the chief executive or other officer of the municipality and the adoption of an ordinance over his veto. This ordinance shall be filed with the secretary of state promptly after its adoption and shall be published at least once in a newspaper of general circulation in the municipality.

(5) The governing body of the municipality may alter or amend the boundaries of the downtown district to include or exclude lands from the downtown district pursuant to the same requirements for adopting the ordinance creating the authority.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1653a Authority of annexing or consolidated municipality; obligations, agreements, and bonds.

Sec. 3a. If a downtown district is part of an area annexed to or consolidated with another municipality, the authority managing that district shall become an authority of the annexing or consolidated municipality. Obligations of that authority incurred under a development or tax increment plan, agreements related to a development or tax increment plan, and bonds issued under this act shall remain in effect following the annexation or consolidation.

History: Add. 1985, Act 159, Imd. Eff. Nov. 15, 1985.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1653b Ratification and validation of ordinance and actions; applicability of section.

Sec. 3b. (1) An ordinance enacted by a municipality that has a population of less than 50,000 establishing an authority, creating a district, or approving a development plan or tax increment financing plan, or an amendment to an authority, district, or plan, and all actions taken under that ordinance, including the issuance of bonds, are ratified and validated notwithstanding that notice for the public hearing on the establishment of the authority, creation of the district, or approval of the development plan or tax increment financing plan, or on the amendment, was not published, posted, or mailed at least 20 days before the hearing, if the notice was published or posted at least 15 days before the hearing or the authority was established in 1984 by a village that filed the ordinance with the secretary of state not later than March, 1986. This section applies only to an ordinance adopted by a municipality before February 1, 1991, and shall include any bonds or amounts to be used by the authority to pay the principal of and interest on bonds that have been issued or that are to be issued by the authority, the incorporating municipality, or a county on behalf of the incorporating municipality. An authority for which an ordinance or amendment to the ordinance establishing the authority has been published before February 1, 1991 is considered for purposes of section 3(4) to have promptly filed the ordinance or amendment to the ordinance with the secretary of state if the ordinance or amendment to the ordinance is filed with the secretary of state before October 1, 1991. As used in this section, "notice was published" means publication of the notice occurred at least once.

(2) A development plan and tax increment financing plan approved by a resolution adopted by the village council of a village having a population of less than 3,000 before June 15, 1988 rather than by adoption of an ordinance is ratified and validated, if an amendment to the plans was adopted by the village council in compliance with sections 18 and 19.

History: Add. 1989, Act 242, Imd. Eff. Dec. 21, 1989;—Am. 1991, Act 66, Imd. Eff. July 3, 1991;—Am. 1993, Act 42, Imd. Eff. May 27, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1653c Proceedings or findings; validity.

Sec. 3c. The validity of the proceedings or findings establishing an authority, or of the procedure, adequacy of

DOWNTOWN DEVELOPMENT AUTHORITY

notice, or findings with respect to the approval of a development plan or tax increment financing plan is conclusive with respect to the capture of tax increment revenues for another protected obligation that is a bond issued after October 1, 1994.

History: Add. 1994, Act 381, Imd. Eff. Dec. 28, 1994.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1653d Establishment or amendment of authority, district, or plan; notice; publication or posting.

Sec. 3d. An ordinance enacted by a municipality that has a population of greater than 1,000 and less than 2,000 establishing an authority, creating a district, or approving a development plan or tax increment financing plan, or an amendment to an authority, district, or plan, and all actions taken or to be taken under that ordinance, including the issuance of bonds, are ratified and validated notwithstanding that notice for the public hearing on the establishment of the authority, creation of the district, or approval of the development plan or tax increment financing plan, or on the amendment, was not published, posted, or mailed at least 20 days before the hearing, provided that the notice was either published or posted at least 10 days before the hearing or that the authority was established in 1990 by a municipality that filed the ordinance with the secretary of state not later than July 1991. This section applies only to an ordinance or an amendment adopted by a municipality before January 1, 1999 and shall include any bonds or amounts to be used by the authority to pay the principal of and interest on bonds that have been issued or that are to be issued by the authority or the incorporating municipality. An authority for which an ordinance or amendment to the ordinance establishing the authority has been published before February 1, 1991 is considered for purposes of section 3(3) to have promptly filed the ordinance or amendment to the ordinance with the secretary of state if the ordinance or amendment to the ordinance is filed with the secretary of state before December 31, 2002. The validity of the proceedings or findings establishing an authority described in this section, or of the procedure, adequacy of notice, or findings with respect to the approval of a development plan or tax increment financing plan for an authority described in this section is conclusive with respect to the capture of tax increment revenues for a bond issued after June 1, 2002 and before June 1, 2006. As used in this section, "notice was either published or posted" means either publication or posting of the notice occurred at least once.

History: Add. 2002, Act 460, Imd. Eff. June 21, 2002.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1654 Board; appointment, terms, and qualifications of members; vacancy; compensation and expenses; election of chairperson; oath; conducting business at public meeting; public notice; special meetings; removal of members; review; expense items and financial records; availability of writings to public; single board governing all authorities; member as resident or having interest in property; planning commission serving as board in certain municipalities.

Sec. 4. (1) Except as provided in subsections (7) and (8), an authority shall be under the supervision and control of a board consisting of the chief executive officer of the municipality and not less than 8 or more than 12 members as determined by the governing body of the municipality. Members shall be appointed by the chief executive officer of the municipality, subject to approval by the governing body of the municipality. Not less than a majority of the members shall be persons having an interest in property located in the downtown district. Not less than 1 of the members shall be a resident of the downtown district, if the downtown district has 100 or more persons residing within it. Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the chief executive officer of the municipality for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The chairperson of the board shall be elected by the board.

(2) Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

(3) The business which the board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. The board shall adopt rules consistent with Act No. 267 of the

DOWNTOWN DEVELOPMENT AUTHORITY

Public Acts of 1976 governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if called in the manner provided in the rules of the board.

(4) Pursuant to notice and after having been given an opportunity to be heard, a member of the board may be removed for cause by the governing body. Removal of a member is subject to review by the circuit court.

(5) All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

(6) In addition to the items and records prescribed in subsection (5), a writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function shall be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(7) By resolution of its governing body, a municipality having more than 1 authority may establish a single board to govern all authorities in the municipality. The governing body may designate the board of an existing authority as the board for all authorities or may establish by resolution a new board in the same manner as provided in subsection (1). A member of a board governing more than 1 authority may be a resident of or have an interest in property in any of the downtown districts controlled by the board in order to meet the requirements of this section.

(8) By ordinance, the governing body of a municipality that has a population of less than 5,000 may have the municipality's planning commission created pursuant to Act No. 285 of the Public Acts of 1931, being sections 125.31 to 125.45 of the Michigan Compiled Laws, serve as the board provided for in subsection (1).

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1978, Act 521, Imd. Eff. Dec. 20, 1978;—Am. 1985, Act 159, Imd. Eff. Nov. 15, 1985;—Am. 1987, Act 66, Imd. Eff. June 25, 1987.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1655 Director, acting director, treasurer, secretary, legal counsel, and other personnel.

Sec. 5. (1) The board may employ and fix the compensation of a director, subject to the approval of the governing body of the municipality. The director shall serve at the pleasure of the board. A member of the board is not eligible to hold the position of director. Before entering upon the duties of his office, the director shall take and subscribe to the constitutional oath, and furnish bond, by posting a bond in the penal sum determined in the ordinance establishing the authority payable to the authority for use and benefit of the authority, approved by the board, and filed with the municipal clerk. The premium on the bond shall be deemed an operating expense of the authority, payable from funds available to the authority for expenses of operation. The director shall be the chief executive officer of the authority. Subject to the approval of the board, the director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the authority in the manner authorized by this act. The director shall attend the meetings of the board, and shall render to the board and to the governing body of the municipality a regular report covering the activities and financial condition of the authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of his office, the acting director shall take and subscribe to the oath, and furnish bond, as required of the director. The director shall furnish the board with information or reports governing the operation of the authority as the board requires.

(2) The board may employ and fix the compensation of a treasurer, who shall keep the financial records of the authority and who, together with the director, shall approve all vouchers for the expenditure of funds of the authority. The treasurer shall perform such other duties as may be delegated to him by the board and shall furnish bond in an amount as prescribed by the board.

(3) The board may employ and fix the compensation of a secretary, who shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the treasurer. The secretary shall attend meetings of the board and keep a record of its proceedings, and shall perform such other duties delegated by the board.

(4) The board may retain legal counsel to advise the board in the proper performance of its duties. The legal counsel shall represent the authority in actions brought by or against the authority.

(5) The board may employ other personnel deemed necessary by the board.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1656 Participation of employees in municipal retirement and insurance programs.

DOWNTOWN DEVELOPMENT AUTHORITY

Sec. 6. The employees of an authority shall be eligible to participate in municipal retirement and insurance programs of the municipality as if they were civil service employees except that the employees of an authority are not civil service employees.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1657 Powers of board.

Sec. 7. The board may:

- (a) Prepare an analysis of economic changes taking place in the downtown district.
- (b) Study and analyze the impact of metropolitan growth upon the downtown district.
- (c) Plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the downtown district.
- (d) Plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the state construction code promulgated under the state construction code act of 1972, Act No. 230 of the Public Acts of 1972, being sections 125.1501 to 125.1531 of the Michigan Compiled Laws.
- (e) Develop long-range plans, in cooperation with the agency which is chiefly responsible for planning in the municipality, designed to halt the deterioration of property values in the downtown district and to promote the economic growth of the downtown district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- (f) Implement any plan of development in the downtown district necessary to achieve the purposes of this act, in accordance with the powers of the authority as granted by this act.
- (g) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (h) Acquire by purchase or otherwise, on terms and conditions and in a manner the authority deems proper or own, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests therein, which the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect thereto.
- (i) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination thereof.
- (j) Fix, charge, and collect fees, rents, and charges for the use of any building or property under its control or any part thereof, or facility therein, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority.
- (k) Lease any building or property under its control, or any part thereof.
- (l) Accept grants and donations of property, labor, or other things of value from a public or private source.
- (m) Acquire and construct public facilities.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1985, Act 221, Imd. Eff. Jan. 10, 1986.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1658 Board serving as planning commission; agenda.

Sec. 8. If a board created under this act serves as the planning commission under section 2 of Act No. 285 of the Public Acts of 1931, being section 125.32 of the Michigan Compiled Laws, the board shall include planning commission business in its agenda.

History: Add. 1987, Act 66, Imd. Eff. June 25, 1987.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1659 Authority as instrumentality of political subdivision.

Sec. 9. The authority shall be deemed an instrumentality of a political subdivision for purposes of Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1660 Taking, transfer, and use of private property.

Sec. 10. A municipality may take private property under Act No. 149 of the Public Acts of 1911, as amended, being sections 213.21 to 213.41 of the Michigan Compiled Laws, for the purpose of transfer to the authority, and may transfer the property to the authority for use in an approved development, on terms and conditions it deems appropriate, and the taking, transfer, and use shall be considered necessary for public purposes and for the benefit of the public.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1661 Financing activities of authority; disposition of money received by authority; municipal obligations.

Sec. 11. (1) The activities of the authority shall be financed from 1 or more of the following sources:

- (a) Donations to the authority for the performance of its functions.
- (b) Proceeds of a tax imposed pursuant to section 12.
- (c) Money borrowed and to be repaid as authorized by sections 13 and 13a.
- (d) Revenues from any property, building, or facility owned, leased, licensed, or operated by the authority or under its control, subject to the limitations imposed upon the authority by trusts or other agreements.
- (e) Proceeds of a tax increment financing plan, established under sections 14 to 16.
- (f) Proceeds from a special assessment district created as provided by law.
- (g) Money obtained from other sources approved by the governing body of the municipality or otherwise authorized by law for use by the authority or the municipality to finance a development program.
- (h) Money obtained pursuant to section 13b.

(i) Revenue from the federal facility development act, Act No. 275 of the Public Acts of 1992, being sections 3.931 to 3.940 of the Michigan Compiled Laws, or revenue transferred pursuant to section 11a of chapter 2 of the city income tax act, Act No. 284 of the Public Acts of 1964, being section 141.611a of the Michigan Compiled Laws.

(j) Revenue from the federal data facility act, Act No. 126 of the Public Acts of 1993, being sections 3.951 to 3.961 of the Michigan Compiled Laws, or revenue transferred pursuant to section 11b of chapter 2 of the city income tax act, Act No. 284 of the Public Acts of 1964, being section 141.611b of the Michigan Compiled Laws.

(2) Money received by the authority and not covered under subsection (1) shall immediately be deposited to the credit of the authority, subject to disbursement pursuant to this act. Except as provided in this act, the municipality shall not obligate itself, nor shall it ever be obligated to pay any sums from public funds, other than money received by the municipality pursuant to this section, for or on account of the activities of the authority.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 122, Imd. Eff. July 20, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1662 Ad valorem tax; borrowing in anticipation of collection.

Sec. 12. (1) An authority with the approval of the municipal governing body may levy an ad valorem tax on the real and tangible personal property not exempt by law and as finally equalized in the downtown district. The tax shall not be more than 1 mill if the downtown district is in a municipality having a population of 1,000,000 or more, or not more than 2 mills if the downtown district is in a municipality having a population of less than 1,000,000. The tax shall be collected by the municipality creating the authority levying the tax. The municipality shall collect the tax at the same time and in the same manner as it collects its other ad valorem taxes. The tax shall be paid to the treasurer of the authority and credited to the general fund of the authority for purposes of the authority.

(2) The municipality may at the request of the authority borrow money and issue its notes under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, in anticipation of collection of the ad valorem tax authorized in this section.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1983, Act 86, Imd. Eff. June 16, 1983;—Am. 2002, Act 234, Imd. Eff. Apr. 29, 2002.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1663 Revenue bonds.

Sec. 13. The authority may borrow money and issue its negotiable revenue bonds therefor pursuant to Act No. 94 of the Public Acts of 1933, as amended, being sections 141.101 to 141.139 of the Michigan Compiled Laws. Revenue bonds issued by the authority shall not except as hereinafter provided be deemed a debt of the municipality or the state. The municipality by majority vote of the members of its governing body may pledge its full faith and credit to support the authority's revenue bonds.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1663a Borrowing money; issuing revenue bonds or notes; purpose; costs; security; pledge and lien of pledge valid and binding; filing or recordation not required; tax exemption; bonds or notes neither liability nor debt of municipality; statement; investment and deposit of bonds and notes.

Sec. 13a. (1) The authority may with approval of the local governing body borrow money and issue its revenue bonds or notes to finance all or part of the costs of acquiring or constructing property in connection with the implementation of a development plan in the downtown district or to refund or refund in advance bonds or notes issued pursuant to this section. The costs which may be financed by the issuance of revenue bonds or notes may include the cost of purchasing, acquiring, constructing, improving, enlarging, extending, or repairing property in connection with the implementation of a development plan in the downtown district; any engineering, architectural, legal, accounting, or financial expenses; the costs necessary or incidental to the borrowing of money; interest on the bonds or notes during the period of construction; a reserve for payment of principal and interest on the bonds or notes; and a reserve for operation and maintenance until sufficient revenues have developed. The authority may secure the bonds and notes by mortgage, assignment, or pledge of the property and any money, revenues, or income received in connection therewith.

(2) A pledge made by the authority shall be valid and binding from the time the pledge is made. The money or property pledged by the authority immediately shall be subject to the lien of the pledge without a physical delivery, filing, or further act. The lien of such a pledge shall be valid and binding as against parties having claims of any kind in tort, contract, or otherwise, against the authority, irrespective of whether the parties have notice of the lien. Neither the resolution, the trust agreement, nor any other instrument by which a pledge is created need be filed or recorded.

(3) Bonds or notes issued pursuant to this section shall be exempt from all taxation in this state except inheritance and transfer taxes, and the interest on the bonds or notes shall be exempt from all taxation in this state, notwithstanding that the interest may be subject to federal income tax.

(4) The municipality shall not be liable on bonds or notes of the authority issued pursuant to this section and the bonds or notes shall not be a debt of the municipality. The bonds or notes shall contain on their face a statement to that effect.

(5) The bonds and notes of the authority may be invested in by all public officers, state agencies and political subdivisions, insurance companies, banks, savings and loan associations, investment companies, and fiduciaries and trustees, and may be deposited with and received by all public officers and the agencies and political subdivisions of this state for any purpose for which the deposit of bonds is authorized.

History: Add. 1981, Act 151, Imd. Eff. Nov. 19, 1981.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1663b Insufficient tax increment revenues to repay advance or pay obligation; contents, time, and payment of claim; appropriation and distribution of aggregate amount; limitations; distribution subject to lien; obligation as debt or liability; certification of distribution amount; basis for calculation of distributions and claim reports.

Sec. 13b. (1) If the amount of tax increment revenues lost as a result of the reduction of taxes levied by local school districts for school operating purposes required by the millage limitations under section 1211 of the school code of 1976, 1976 PA 451, MCL 380.1211, reduced by the amount of tax increment revenues received from the capture of taxes levied under or attributable to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906,

DOWNTOWN DEVELOPMENT AUTHORITY

will cause the tax increment revenues received in a fiscal year by an authority under section 15 to be insufficient to repay an eligible advance or to pay an eligible obligation, the legislature shall appropriate and distribute to the authority the amount described in subsection (5).

(2) Not less than 30 days before the first day of a fiscal year, an authority eligible to retain tax increment revenues from taxes levied by a local or intermediate school district or this state or to receive a distribution under this section for that fiscal year shall file a claim with the department of treasury. The claim shall include the following information:

(a) The property tax millage rates levied in 1993 by local school districts within the jurisdictional area of the authority for school operating purposes.

(b) The property tax millage rates expected to be levied by local school districts within the jurisdictional area of the authority for school operating purposes for that fiscal year.

(c) The tax increment revenues estimated to be received by the authority for that fiscal year based upon actual property tax levies of all taxing jurisdictions within the jurisdictional area of the authority.

(d) The tax increment revenues the authority estimates it would have received for that fiscal year if property taxes were levied by local school districts within the jurisdictional area of the authority for school operating purposes at the millage rates described in subdivision (a) and if no property taxes were levied by this state under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(e) A list and documentation of eligible obligations and eligible advances and the payments due on each of those eligible obligations or eligible advances in that fiscal year, and the total amount of all the payments due on those eligible obligations and eligible advances in that fiscal year.

(f) The amount of money, other than tax increment revenues, estimated to be received in that fiscal year by the authority that is primarily pledged to, and to be used for, the payment of an eligible obligation or the repayment of an eligible advance. That amount shall not include excess tax increment revenues of the authority that are permitted by law to be retained by the authority for purposes that further the development program. However, that amount shall include money to be obtained from sources authorized by law, which law is enacted on or after December 1, 1993, for use by the municipality or authority to finance a development project.

(g) The amount of a distribution received pursuant to this act for a fiscal year in excess of or less than the distribution that would have been required if calculated upon actual tax increment revenues received for that fiscal year.

(h) A list and documentation of other protected obligations and the payments due on each of those other protected obligations in that fiscal year, and the total amount of all the payments due on those other protected obligations in that fiscal year.

(3) For the fiscal year that commences after September 30, 1993 and before October 1, 1994, an authority may make a claim with all information required by subsection (2) at any time after March 15, 1994.

(4) After review and verification of claims submitted pursuant to this section, amounts appropriated by the state in compliance with this act shall be distributed as 2 equal payments on March 1 and September 1 after receipt of a claim. An authority shall allocate a distribution it receives for an eligible obligation issued on behalf of a municipality to the municipality.

(5) Subject to subsections (6) and (7), the aggregate amount to be appropriated and distributed pursuant to this section to an authority shall be the sum of the amounts determined pursuant to subdivisions (a) and (b) minus the amount determined pursuant to subdivision (c), as follows:

(a) The amount by which the tax increment revenues the authority would have received for the fiscal year, excluding taxes exempt under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, if property taxes were levied by local school districts for school operating purposes at the millage rates described in subsection (2)(a) and if no property taxes were levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, exceed the tax increment revenues the authority actually received for the fiscal year.

(b) A shortfall required to be reported pursuant to subsection (2)(g) that had not previously increased a distribution.

(c) An excess amount required to be reported pursuant to subsection (2)(g) that had not previously decreased a distribution.

(6) The amount distributed under subsection (5) shall not exceed the difference between the amount described in subsection (2)(e) and the sum of the amounts described in subsection (2)(c) and (f).

(7) If, based upon the tax increment financing plan in effect on August 19, 1993, the payment due on eligible obligations or eligible advances anticipates the use of excess prior year tax increment revenues permitted by law to be retained by the authority, and if the sum of the amounts described in subsection (2)(c) and (f) plus the amount to

DOWNTOWN DEVELOPMENT AUTHORITY

be distributed under subsections (5) and (6) is less than the amount described in subsection (2)(e), the amount to be distributed under subsections (5) and (6) shall be increased by the amount of the shortfall. However, the amount authorized to be distributed pursuant to this section shall not exceed that portion of the cumulative difference, for each preceding fiscal year, between the amount that could have been distributed pursuant to subsection (5) and the amount actually distributed pursuant to subsections (5) and (6) and this subsection.

(8) A distribution under this section replacing tax increment revenues pledged by an authority or a municipality is subject to the lien of the pledge, whether or not there has been physical delivery of the distribution.

(9) Obligations for which distributions are made pursuant to this section are not a debt or liability of this state; do not create or constitute an indebtedness, liability, or obligation of this state; and are not and do not constitute a pledge of the faith and credit of this state.

(10) Not later than July 1 of each year, the authority shall certify to the local tax collecting treasurer the amount of the distribution required under subsection (5), calculated without regard to the receipt of tax increment revenues attributable to local or intermediate school district taxes or attributable to taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(11) Calculations of distributions under this section and claims reports required to be made under subsection (2) shall be made on the basis of each development area of the authority.

(12) The state tax commission may provide that the reimbursement calculations under this section and the calculation of allowable capture of school taxes shall be made for each calendar year's tax increment revenues using a 12-month debt payment period used by the authority and approved by the state tax commission.

History: Add. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 1994, Act 280, Imd. Eff. July 11, 1994;—Am. 1996, Act 269, Imd. Eff. June 12, 1996;—Am. 1996, Act 454, Imd. Eff. Dec. 19, 1996;—Am. 1997, Act 202, Imd. Eff. Jan. 13, 1998.

Compiler's note: Enacting section 1 of Act 202 of 1997 provides:

“The provisions of section 1 and section 13b, as amended by this amendatory act, are retroactive and effective for taxes levied after 1993.”

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1664 Tax increment financing plan; preparation and contents; limitation; definition; public hearing; fiscal and economic implications; recommendations; agreements; modification of plan.

Sec. 14. (1) When the authority determines that it is necessary for the achievement of the purposes of this act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 17, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, and the duration of the program, and shall be in compliance with section 15. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the authority shall be clearly stated in the tax increment financing plan. The authority or municipality may exclude from captured assessed value growth in property value resulting solely from inflation. The plan shall set forth the method for excluding growth in property value resulting solely from inflation.

(2) The percentage of taxes levied for school operating purposes that is captured and used by the tax increment financing plan shall not be greater than the plan's percentage capture and use of taxes levied by a municipality or county for operating purposes. For purposes of the previous sentence, taxes levied by a county for operating purposes include only millage allocated for county or charter county purposes under the property tax limitation act, Act No. 62 of the Public Acts of 1933, being sections 211.201 to 211.217a of the Michigan Compiled Laws. For purposes of this subsection, tax increment revenues used to pay bonds issued by a municipality under section 16(1) shall be considered to be used by the tax increment financing plan rather than shared with the municipality. The limitation of this subsection does not apply to the portion of the captured assessed value shared pursuant to an agreement entered into before 1989 with a county or with a city in which an enterprise zone is approved under section 13 of the enterprise zone act, Act No. 224 of the Public Acts of 1985, being section 125.2113 of the Michigan Compiled Laws.

(3) Approval of the tax increment financing plan shall be pursuant to the notice, hearing, and disclosure provisions of section 18. If the development plan is part of the tax increment financing plan, only 1 hearing and approval procedure is required for the 2 plans together.

(4) Before the public hearing on the tax increment financing plan, the governing body shall provide a reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to meet with the governing body. The

DOWNTOWN DEVELOPMENT AUTHORITY

authority shall fully inform the taxing jurisdictions of the fiscal and economic implications of the proposed development area. The taxing jurisdictions may present their recommendations at the public hearing on the tax increment financing plan. The authority may enter into agreements with the taxing jurisdictions and the governing body of the municipality in which the development area is located to share a portion of the captured assessed value of the district.

(5) A tax increment financing plan may be modified if the modification is approved by the governing body upon notice and after public hearings and agreements as are required for approval of the original plan.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1979, Act 26, Imd. Eff. June 6, 1979;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1986, Act 229, Imd. Eff. Oct. 1, 1986;—Am. 1988, Act 425, Imd. Eff. Dec. 27, 1988;—Am. 1989, Act 108, Imd. Eff. June 23, 1989;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1665 Transmitting and expending tax increments revenues; reversion of surplus funds; abolition of tax increment financing plan; conditions; annual report on status of tax increment financing account; contents; publication.

Sec. 15. (1) The municipal and county treasurers shall transmit to the authority tax increment revenues.

(2) The authority shall expend the tax increment revenues received for the development program only pursuant to the tax increment financing plan. Surplus funds shall revert proportionately to the respective taxing bodies. These revenues shall not be used to circumvent existing property tax limitations. The governing body of the municipality may abolish the tax increment financing plan when it finds that the purposes for which it was established are accomplished. However, the tax increment financing plan shall not be abolished until the principal of, and interest on, bonds issued pursuant to section 16 have been paid or funds sufficient to make the payment have been segregated.

(3) Annually the authority shall submit to the governing body of the municipality and the state tax commission a report on the status of the tax increment financing account. The report shall be published in a newspaper of general circulation in the municipality and shall include the following:

- (a) The amount and source of revenue in the account.
- (b) The amount in any bond reserve account.
- (c) The amount and purpose of expenditures from the account.
- (d) The amount of principal and interest on any outstanding bonded indebtedness.
- (e) The initial assessed value of the project area.
- (f) The captured assessed value retained by the authority.
- (g) The tax increment revenues received.
- (h) The number of jobs created as a result of the implementation of the tax increment financing plan.
- (i) Any additional information the governing body or the state tax commission considers necessary.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1979, Act 26, Imd. Eff. June 6, 1979;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1986, Act 229, Imd. Eff. Oct. 1, 1986;—Am. 1988, Act 425, Imd. Eff. Dec. 27, 1988;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1666 General obligation bonds and tax increment bonds; qualified refunding obligation.

Sec. 16. (1) The municipality may by resolution of its governing body authorize, issue, and sell general obligation bonds subject to the limitations set forth in this subsection to finance the development program of the tax increment financing plan and shall pledge its full faith and credit for the payment of the bonds. The municipality may pledge as additional security for the bonds any money received by the authority or the municipality pursuant to section 11. The bonds are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. Before the municipality may authorize the borrowing, the authority shall submit an estimate of the anticipated tax increment revenues and other revenue available under section 11 to be available for payment of principal and interest on the bonds, to the governing body of the municipality. This estimate shall be approved by the governing

DOWNTOWN DEVELOPMENT AUTHORITY

body of the municipality by resolution adopted by majority vote of the members of the governing body in the resolution authorizing the bonds. If the governing body of the municipality adopts the resolution authorizing the bonds, the estimate of the anticipated tax increment revenues and other revenue available under section 11 to be available for payment of principal and interest on the bonds shall be conclusive for purposes of this section. The bonds issued under this subsection shall be considered a single series for the purposes of the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2801.

(2) By resolution of its governing body, the authority may authorize, issue, and sell tax increment bonds subject to the limitations set forth in this subsection to finance the development program of the tax increment financing plan. The tax increment bonds issued by the authority under this subsection shall pledge solely the tax increment revenues of a development area in which the project is located or a development area from which tax increment revenues may be used for this project, or both. In addition or in the alternative, the bonds issued by the authority pursuant to this subsection may be secured by any other revenues identified in section 11 as sources of financing for activities of the authority that the authority shall specifically pledge in the resolution. However, the full faith and credit of the municipality shall not be pledged to secure bonds issued pursuant to this subsection. The bond issue may include a sum sufficient to pay interest on the tax increment bonds until full development of tax increment revenues from the project and also a sum to provide a reasonable reserve for payment of principal and interest on the bonds. The resolution authorizing the bonds shall create a lien on the tax increment revenues and other revenues pledged by the resolution that shall be a statutory lien and shall be a first lien subject only to liens previously created. The resolution may provide the terms upon which additional bonds may be issued of equal standing and parity of lien as to the tax increment revenues and other revenues pledged under the resolution. Bonds issued under this subsection that pledge revenue received under section 11 for repayment of the bonds are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(3) Notwithstanding any other provision of this act, if the state treasurer determines that an authority or municipality can issue a qualified refunding obligation and the authority or municipality does not make a good faith effort to issue the qualified refunding obligation as determined by the state treasurer, the state treasurer may reduce the amount claimed by the authority or municipality under section 13b by an amount equal to the net present value saving that would have been realized had the authority or municipality refunded the obligation or the state treasurer may require a reduction in the capture of tax increment revenues from taxes levied by a local or intermediate school district or this state by an amount equal to the net present value savings that would have been realized had the authority or municipality refunded the obligation. This subsection does not authorize the state treasurer to require the authority or municipality to pledge security greater than the security pledged for the obligation being refunded.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1983, Act 34, Imd. Eff. May 10, 1983;—Am. 1985, Act 159, Imd. Eff. Nov. 15, 1985;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 122, Imd. Eff. July 20, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 1996, Act 269, Imd. Eff. June 12, 1996;—Am. 2002, Act 234, Imd. Eff. Apr. 29, 2002.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1667 Development plan; preparation; contents; improvements related to qualified facility.

Sec. 17. (1) When a board decides to finance a project in the downtown district by the use of revenue bonds as authorized in section 13 or tax increment financing as authorized in sections 14, 15, and 16, it shall prepare a development plan.

(2) The development plan shall contain all of the following:

(a) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.

(b) The location and extent of existing streets and other public facilities within the development area, shall designate the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses, and shall include a legal description of the development area.

(c) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.

(d) The location, extent, character, and estimated cost of the improvements including rehabilitation contemplated for the development area and an estimate of the time required for completion.

(e) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.

(f) A description of any parts of the development area to be left as open space and the use contemplated for the space.

DOWNTOWN DEVELOPMENT AUTHORITY

- (g) A description of any portions of the development area that the authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms.
- (h) A description of desired zoning changes and changes in streets, street levels, intersections, or utilities.
- (i) An estimate of the cost of the development, a statement of the proposed method of financing the development, and the ability of the authority to arrange the financing.
- (j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the authority.
- (k) The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed in any manner to those persons.
- (l) Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those units in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.
- (m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.
- (n) Provision for the costs of relocating persons displaced by the development and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the federal uniform relocation assistance and real property acquisition policies act of 1970, being Public Law 91-646, 42 U.S.C. sections 4601, et seq.
- (o) A plan for compliance with Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.
- (p) Other material that the authority, local public agency, or governing body considers pertinent.
- (3) A development plan may provide for improvements related to a qualified facility, as defined in the federal facility development act, Act No. 275 of the Public Acts of 1992, being sections 3.931 to 3.940 of the Michigan Compiled Laws, that is located outside of the boundaries of the development area but within the district, including the cost of construction, renovation, rehabilitation, or acquisition of that qualified facility or of public facilities and improvements related to that qualified facility.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 122, Imd. Eff. July 20, 1993.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1668 Ordinance approving development plan or tax increment financing plan; public hearing; notice; record.

Sec. 18. (1) The governing body, before adoption of an ordinance approving a development plan or tax increment financing plan, shall hold a public hearing on the development plan. Notice of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the municipality, the first of which shall be not less than 20 days before the date set for the hearing. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the downtown district not less than 20 days before the hearing. Notice shall also be mailed to all property taxpayers of record in the downtown district not less than 20 days before the hearing.

(2) Notice of the time and place of hearing on a development plan shall contain: a description of the proposed development area in relation to highways, streets, streams, or otherwise; a statement that maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at a place designated in the notice, and that all aspects of the development plan will be open for discussion at the public hearing; and other information that the governing body deems appropriate. At the time set for hearing, the governing body shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference thereto. The hearing

DOWNTOWN DEVELOPMENT AUTHORITY

shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the development plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1669 Development plan or tax increment financing plan as constituting public purpose; determination; ordinance; considerations.

Sec. 19. (1) The governing body after a public hearing on the development plan or the tax increment financing plan, or both, with notice thereof given in accordance with section 18, shall determine whether the development plan or tax increment financing plan constitutes a public purpose. If it determines that the development plan or tax increment financing plan constitutes a public purpose, it shall then approve or reject the plan, or approve it with modification, by ordinance based on the following considerations:

(a) The findings and recommendations of a development area citizens council, if a development area citizens council was formed.

(b) The plan meets the requirements set forth in section 17 (2).

(c) The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.

(d) The development is reasonable and necessary to carry out the purposes of this act.

(e) The land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of this act in an efficient and economically satisfactory manner.

(f) The development plan is in reasonable accord with the master plan of the municipality.

(g) Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.

(h) Changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the project and for the municipality.

(2) Amendments to an approved development plan or tax increment plan must be submitted by the authority to the governing body for approval or rejection.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1670 Notice to vacate.

Sec. 20. A person to be relocated under this act shall be given not less than 90 days' written notice to vacate unless modified by court order for good cause.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1671 Development area citizens council; establishment; appointment and qualifications of members; representative of development area.

Sec. 21. (1) If a proposed development area has residing within it 100 or more residents, a development area citizens council shall be established at least 90 days before the public hearing on the development or tax increment financing plan. The development area citizens council shall be established by the governing body and shall consist of not less than 9 members. The members of the development area citizens council shall be residents of the development area and shall be appointed by the governing body. A member of a development area citizens council shall be at least 18 years of age.

(2) A development area citizens council shall be representative of the development area.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1672 Development area citizens council; advisory body.

Sec. 22. A development area citizens council established pursuant to this act shall act an advisory body to the authority and the governing body in the adoption of the development or tax increment financing plans.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1673 Consultation.

Sec. 23. Periodically a representative of the authority responsible for preparation of a development or tax increment financing plan within the development area shall consult with and advise the development area citizens council regarding the aspects of a development plan, including the development of new housing for relocation purposes located either inside or outside of the development area. The consultation shall begin before any final decisions by the authority and the governing body regarding a development or tax increment financing plan. The consultation shall continue throughout the preparation and implementation of the development or tax increment financing plan.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1674 Development area citizens council; meetings; notice; record; information and technical assistance; failure to organize, consult, or advise.

Sec. 24. (1) Meetings of the development area citizens council shall be open to the public. Notice of the time and place of the meetings shall be given by publication in a newspaper of general circulation not less than 5 days before the dates set for meetings of the development area citizens council. A person present at those meetings shall have reasonable opportunity to be heard.

(2) A record of the meetings of a development area citizens council, including information and data presented, shall be maintained by the council.

(3) A development area citizens council may request of and receive from the authority information and technical assistance relevant to the preparation of the development plan for the development area.

(4) Failure of a development area citizens council to organize or to consult with and be advised by the authority, or failure to advise the governing body, as provided in this act, shall not preclude the adoption of a development plan by a municipality if the municipality complies with the other provisions of this act.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1675 Citizens district council as development area citizens council.

Sec. 25. In a development area where a citizens district council established according to Act No. 344 of the Public Acts of 1945, as amended, being sections 125.71 to 125.84 of the Michigan Compiled Laws, already exists the governing body may designate it as the development area citizens council authorized by this act.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1676 Notice of findings and recommendations.

Sec. 26. Within 20 days after the public hearing on a development or tax increment financing plan, the development area citizens council shall notify the governing body, in writing, of its findings and recommendations concerning a proposed development plan.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1677 Development area citizens council; dissolution.

Sec. 27. A development area citizens council may not be required and, if formed, may be dissolved in any of the following situations:

(a) On petition of not less than 20% of the adult resident population of the development area by the last federal decennial or municipal census, a governing body, after public hearing with notice thereof given in accordance with section 18 and by a 2/3 vote, may adopt an ordinance for the development area to eliminate the necessity of a development area citizens council.

DOWNTOWN DEVELOPMENT AUTHORITY

(b) When there are less than 18 residents, real property owners, or representatives of establishments located in the development area eligible to serve on the development area citizens council.

(c) Upon termination of the authority by ordinance of the governing body.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1678 Budget; cost of handling and auditing funds.

Sec. 28. (1) The director of the authority shall prepare and submit for the approval of the board a budget for the operation of the authority for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Before the budget may be adopted by the board, it shall be approved by the governing body of the municipality. Funds of the municipality shall not be included in the budget of the authority except those funds authorized in this act or by the governing body of the municipality.

(2) The governing body of the municipality may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the authority, other than those committed, which cost shall be paid annually by the board pursuant to an appropriate item in its budget.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1679 Historic sites.

Sec. 29. (1) A public facility, building, or structure that is determined by the municipality to have significant historical interests shall be preserved in a manner as considered necessary by the municipality in accordance with laws relative to the preservation of historical sites. The preservation of facilities, buildings, or structures determined to be historic sites by a municipality shall include, at a minimum, equipping the historic site with a fire alarm system.

(2) An authority shall refer all proposed changes to the exterior of sites listed on the state register of historic sites and the national register of historic places to the applicable historic district commission created under the local historic districts act, 1970 PA 169, MCL 399.201 to 399.215, or the department of history, arts, and libraries for review.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 2001, Act 68, Imd. Eff. July 24, 2001;—Am. 2004, Act 66, Imd. Eff. Apr. 20, 2004.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1680 Dissolution of authority; disposition of property and assets; reinstatement of authority; contesting validity of proceedings, findings, and determinations.

Sec. 30. (1) An authority that has completed the purposes for which it was organized shall be dissolved by ordinance of the governing body. The property and assets of the authority remaining after the satisfaction of the obligations of the authority belong to the municipality.

(2) An authority established under this act before December 31, 1988, that is dissolved by ordinance of the governing body before September 30, 1990 and that is reinstated by ordinance of the governing body after notice and public hearing as provided in section 3(2) shall not be invalidated pursuant to a claim that, based upon the standards set forth in section 3(1), a governing body improperly determined that the necessary conditions existed for the reinstatement of an authority under the act if at the time the governing body established the authority the governing body determined or could have determined that the necessary conditions existed for the establishment of an authority under this act or could have determined that establishment of an authority under this act would serve to promote economic growth and notwithstanding that the boundaries of the downtown district are altered at the time of reinstatement of the authority.

(3) In the resolution of intent, the municipality shall set a date for the holding of a public hearing on the adoption of a proposed ordinance reinstating the authority. The procedure for publishing the notice of hearing, holding the hearing, and adopting the ordinance reinstating the authority shall be as provided in section 3(2), (4), and (5).

(4) The validity of the proceedings, findings, and determinations reinstating an authority shall be conclusive unless contested in a court of competent jurisdiction within 60 days after the last of the following occurs:

(a) Publication of the ordinance reinstating the authority as adopted.

(b) Filing of the ordinance reinstating the authority with the secretary of state.

(c) May 27, 1993.

DOWNTOWN DEVELOPMENT AUTHORITY

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1993, Act 42, Imd. Eff. May 27, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Popular name: Downtown Development Authority Act

Popular name: DDA

125.1681 Proceedings to compel enforcement of act; rules.

Sec. 31. (1) The state tax commission may institute proceedings to compel enforcement of this act.

(2) The state tax commission may promulgate rules necessary for the administration of this act pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

History: Add. 1988, Act 425, Imd. Eff. Dec. 27, 1988.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: Downtown Development Authority Act

Popular name: DDA

Table Of Contents

DOWNTOWN DEVELOPMENT AUTHORITY — Act 197 of 1975		1
125.1651	Definitions.	4
125.1651a	Legislative findings.	5
125.1652	Authority; establishment; restriction; public body corporate; powers generally.	5
125.1653	Resolution of intent to create and provide for operation of authority; public hearing on proposed ordinance creating authority and designating boundaries of downtown district; notice; exemption of taxes from capture; adoption, filing, and publication of ordinance; altering or amending boundaries.	6
125.1653a	Authority of annexing or consolidated municipality; obligations, agreements, and bonds.	6
125.1653b	Ratification and validation of ordinance and actions; applicability of section.	6
125.1653c	Proceedings or findings; validity.	7
125.1653d	Establishment or amendment of authority, district, or plan; notice; publication or posting.	7
125.1654	Board; appointment, terms, and qualifications of members; vacancy; compensation and expenses; election of chairperson; oath; conducting business at public meeting; public notice; special meetings; removal of members; review; expense items and financial records; availability of writings to public; single board governing all authorities; member as resident or having interest in property; planning commission serving as board in certain municipalities.	8
125.1655	Director, acting director, treasurer, secretary, legal counsel, and other personnel.	8
125.1656	Participation of employees in municipal retirement and insurance programs.	9
125.1657	Powers of board.	9
125.1658	Board serving as planning commission; agenda.	9
125.1659	Authority as instrumentality of political subdivision.	10
125.1660	Taking, transfer, and use of private property.	10
125.1661	Financing activities of authority; disposition of money received by authority; municipal obligations.	10
125.1662	Ad valorem tax; borrowing in anticipation of collection.	11
125.1663	Revenue bonds.	11
125.1663a	Borrowing money; issuing revenue bonds or notes; purpose; costs; security; pledge and lien of pledge valid and binding; filing or recordation not required; tax exemption; bonds or notes neither liability nor debt of municipality; statement; investment and deposit of bonds and notes.	11
125.1663b	Insufficient tax increment revenues to repay advance or pay obligation; contents, time, and payment of claim; appropriation and distribution of aggregate amount; limitations; distribution subject to lien; obligation as debt or liability; certification of distribution amount; basis for calculation of distributions and claim reports.	13
125.1664	Tax increment financing plan; preparation and contents; limitation; definition; public hearing; fiscal and economic implications; recommendations; agreements; modification of plan.	14

Table of Contents

125.1665	Transmitting and expending tax increments revenues; reversion of surplus funds; abolition of tax increment financing plan; conditions; annual report on status of tax increment financing account; contents; publication.	14
125.1666	General obligation bonds and tax increment bonds; qualified refunding obligation.	15
125.1667	Development plan; preparation; contents; improvements related to qualified facility.	16
125.1668	Ordinance approving development plan or tax increment financing plan; public hearing; notice; record.	17
125.1669	Development plan or tax increment financing plan as constituting public purpose; determination; ordinance; considerations.	17
125.1670	Notice to vacate.	17
125.1671	Development area citizens council; establishment; appointment and qualifications of members; representative of development area.	17
125.1672	Development area citizens council; advisory body.	18
125.1673	Consultation.	18
125.1674	Development area citizens council; meetings; notice; record; information and technical assistance; failure to organize, consult, or advise.	18
125.1675	Citizens district council as development area citizens council.	18
125.1676	Notice of findings and recommendations.	18
125.1677	Development area citizens council; dissolution.	19
125.1678	Budget; cost of handling and auditing funds.	19
125.1679	Historic sites.	19
125.1680	Dissolution of authority; disposition of property and assets; reinstatement of authority; contesting validity of proceedings, findings, and determinations.	20
125.1681	Proceedings to compel enforcement of act; rules.	20

Appendix D:

*List of DDA Parcel
Numbers and
Base Values*

City of Swartz Creek DDA Taxable Value as of July 16, 2005

address	parcel real	parcel personal	real tax value	personal tax value
5279 Morrish	58-01-100-001		\$35,350.00	
5239 Morrish	58-01-100-005		\$84,220.00	
5239 Morrish		58-80-389-095		\$1,310.00
5239 Morrish		58-80-482-585		\$6,110.00
5181 Morrish	58-01-100-007		\$36,960.00	
5175 Morrish	58-01-100-008		\$3,910.00	
5167 Morrish	58-01-100-009		\$29,840.00	
7493 Grove	58-01-100-011		\$27,920.00	
7503 Grove	58-01-100-012		\$22,260.00	
5157 Morrish	58-01-100-013		\$22,720.00	
5151 Morrish	58-01-100-014		\$41,950.00	
7488 Grove	58-01-100-016		\$28,240.00	
7494 Grove	58-01-100-017		\$41,340.00	
7506 Grove	58-01-100-018		\$38,860.00	
7512 Grove	58-01-100-019		\$36,110.00	
7512 Grove		58-80-387-591		\$970.00
City of SC	58-01-100-020			exempt
5123 Morrish	58-01-100-021		\$33,120.00	
5073 Morrish	58-01-100-022		\$29,620.00	
5067 Morrish	58-01-100-023		\$16,460.00	
5061 Morrish	58-01-100-024		\$49,090.00	
owner unknown	58-01-100-025			owner unknown
City of SC	58-01-100-026			exempt
City of SC	58-01-100-027			exempt
City of SC	58-01-100-028			exempt
5038 Holland	58-01-100-029			exempt
City of SC	58-01-100-031			exempt
5023 Holland	58-01-100-032		\$36,850.00	
5023 Holland		58-80-362-585		\$9,460.00
City of SC	58-01-100-033			exempt
5017 Holland	58-01-100-034		\$37,920.00	
5015 Holland	58-01-100-035		\$35,460.00	
5015 Holland		58-80-433-000		\$540.00
5015 Holland		58-80-490-000		\$1,500.00
5015 Holland		58-80-717-570		\$650.00
8027 Miller	58-01-100-036		\$18,040.00	
Luea-Miller	58-01-100-037		\$5,090.00	
8021 Miller	58-01-100-038		\$48,320.00	
8021 Miller		58-80-437-560		\$9,160.00
8015 Miller	58-01-100-039		\$13,800.00	
8015 Miller		58-80-620-061		\$820.00
8013 Miller	58-01-100-040		\$42,800.00	
8013 Miller		58-80-217-580		\$9,730.00
8011 Miller	58-01-100-041		\$45,020.00	
8011 Miller		58-80-377-561		\$14,610.00
8011 Miller		58-80-630-097		\$2,110.00
City of SC	58-01-100-042			exempt
owner unknown	58-01-100-044			owner unknown
7589 Miller	58-01-100-045		\$51,390.00	
5203 Morrish	58-01-100-046		\$79,680.00	
5203 Morrish		58-80-199-402		\$0.00
5203 Morrish		58-80-292-589		\$12,350.00
5203 Morrish		58-80-665-072		\$16,210.00
5203 Morrish		58-80-745-601		\$0.00
7529 Miller	58-01-502-011		\$8,060.00	
7529 Miller	58-01-502-012		\$32,810.00	
7543 Miller	58-01-502-013		\$32,060.00	
7543 Miller		58-80-265-199		\$3,560.00
5018 Third	58-01-502-015		\$37,690.00	

5018 Third		58-80-242-594		\$2,500.00
5036 Third	58-01-502-018		\$36,630.00	
5036 Third	58-01-502-019		\$4,340.00	
5036 Third	58-01-502-020		\$4,340.00	
5021 Second	58-01-502-021		\$37,160.00	
5021 Second		58-80-657-569		\$430.00
5027 Second	58-01-502-022		\$34,400.00	
5033 Second	58-01-502-023		\$53,560.00	
7561 Miller	58-01-502-027		\$125,110.00	
7561 Miller		58-80-687-585		\$15,410.00
5020 Second	58-01-502-031		\$39,290.00	
5028 Second	58-01-502-032		\$92,420.00	
5036 Second	58-01-502-034		\$35,680.00	
5044 Second	58-01-502-035		\$25,160.00	
5044 Second	58-01-502-036		\$4,340.00	
5027 First	58-01-502-038		\$36,110.00	
5031 First	58-01-502-039		\$45,530.00	
5026 First	58-01-502-043		\$1,790.00	
5036 First	58-01-502-046		\$36,630.00	
7484 Wade	58-01-502-047		\$39,490.00	
7484 Wade		58-80-710-083		\$6,460.00
7500 Wade	58-01-502-049		\$10,080.00	
7501 Wade	58-01-502-052		\$41,420.00	
7501 Wade		58-80-340-088		\$530.00
City of SC	58-01-502-059			exempt
5037 Second	58-01-502-081		\$36,730.00	
Consumers	58-01-502-082		\$17,190.00	
5019 First	58-01-502-086		\$40,670.00	
7577 Miller	58-01-502-087		\$78,380.00	
7577 Miller		58-80-251-596		\$2,910.00
7577 Miller		58-80-740-903		\$0.00
5026 First	58-01-502-088		\$31,100.00	
City of SC	58-01-502-089			exempt
5030 First	58-01-502-090		\$44,970.00	
Waddill	58-01-502-091		\$3,910.00	
7508 Wade	58-01-502-092		\$29,510.00	
7479 Wade	58-01-502-093		\$33,870.00	
7469 Wade	58-01-502-094		\$30,690.00	
7465 Wade	58-01-502-095		\$35,680.00	
7459 Wade	58-01-502-096		\$34,400.00	
7455 Wade	58-01-502-097		\$32,070.00	
7451 Wade	58-01-502-098		\$26,540.00	
7445 Wade	58-01-502-099		\$48,070.00	
7435 Wade	58-01-502-100		\$33,000.00	
City of SC	58-01-502-101			exempt
5083 Morrish	58-01-502-102		\$85,920.00	
5083 Morrish		58-80-647-577		\$2,300.00
Wade	58-01-502-103		\$1,790.00	
5099 Morrish	58-01-502-104		\$40,240.00	
5099 Morrish		58-80-227-585		\$24,350.00
O'Brien	58-01-502-105		\$7,320.00	
5032 Third	58-01-502-112		\$58,730.00	
7567 Miller	58-01-502-113		\$48,210.00	
7567 Miller		58-80-363-095		\$14,180.00
7485 Wade	58-01-502-116		\$57,760.00	
5037 First	58-01-502-118		\$61,550.00	
7474 Wade	58-01-502-119		\$44,380.00	
7468 Wade	58-01-502-120		\$74,560.00	
8159 Miller	58-02-200-002		\$46,610.00	
8132 Ingalls	58-02-200-003		\$32,380.00	
8126 Ingalls	58-02-200-004		\$42,280.00	
5086 Morrish	58-02-200-014		\$14,860.00	

5116 Morrish	58-02-200-017		\$53,200.00	
5118 Morrish	58-02-200-018		\$30,360.00	
5126 Morrish	58-02-200-019		\$30,470.00	
5130 Morrish	58-02-200-020		\$29,840.00	
5138 Morrish	58-02-200-021		\$50,400.00	
5144 Morrish	58-02-200-022		\$40,050.00	
5152 Morrish	58-02-200-023		\$1,177,040.00	
5152 Morrish		58-80-587-578		\$170.00
5256 Morrish	58-02-200-029		\$672,000.00	
5256 Morrish		58-80-681-597		\$13,840.00
5220 Morrish	58-02-200-030		\$42,150.00	
5220 Morrish		58-80-765-093		\$5,200.00
5208 Morrish	58-02-200-032		\$24,310.00	
5232 Morrish	58-02-200-033		\$114,580.00	
5232 Morrish		58-80-530-008		\$1,920.00
5232 Morrish		58-80-757-588		\$224,510.00
5288 Morrish	58-02-400-002		\$123,590.00	
5288 Morrish		58-80-681-805		\$3,000.00
5280 Morrish	58-02-400-018		\$47,760.00	
5280 Morrish		58-80-375-087		\$4,920.00
8169 Miller	58-02-526-001		\$59,170.00	
8179 Miller	58-02-526-002		\$40,450.00	
5021 School	58-02-526-003		\$31,320.00	
5027 School	58-02-526-004		\$44,280.00	
5033 School	58-02-526-005		\$50,670.00	
5039 School	58-02-526-006		\$66,650.00	
8197 Miller	58-02-526-027			exempt
8127 Miller	58-02-527-001		\$25,690.00	
8127 Miller		58-80-657-072		\$22,500.00
8129 Miller	58-02-527-002		\$66,260.00	
8129 Miller		58-80-247-578		\$14,840.00
8145 Miller	58-02-527-003		\$25,590.00	
8151 Miller	58-02-527-004		\$39,290.00	
5020 Brady	58-02-527-005		\$40,690.00	
5024 Brady	58-02-527-006		\$29,090.00	
5032 Brady	58-02-527-007		\$26,110.00	
5038 Brady	58-02-527-008		\$25,590.00	
5019 Brady	58-02-527-014		\$49,480.00	
5027 Brady	58-02-527-015		\$43,030.00	
5031 Brady	58-02-527-016		\$33,650.00	
8100 Ingalls	58-02-527-022		\$25,060.00	
8096 Ingalls	58-02-527-023		\$19,110.00	
8093 Miller	58-02-528-001		\$34,610.00	
8103 Miller	58-02-528-002		\$63,840.00	
5021 Ford	58-02-528-003		\$27,920.00	
Gen Telephone	58-02-528-004			exempt
Gen Telephone	58-02-528-005			exempt
Gen Telephone	58-02-528-006			exempt
5020 Ford	58-02-528-009		\$47,200.00	
5026 Ford			\$50,200.00	
5006 Ford	58-02-528-011		\$34,500.00	
5014 Ford	58-02-528-012		\$38,440.00	
8121 Miller	58-02-528-013		\$23,030.00	
8121 Miller		58-80-085-000		\$240.00
8121 Miller		58-80-008-000		\$2,950.00
5032 Ford	58-02-528-014		\$37,690.00	
8090 Ingalls	58-02-528-015		\$44,450.00	
5038 Ford	58-02-528-016		\$31,100.00	
5018 Holland	58-02-529-005		\$37,910.00	
5019 Hayes	58-02-529-006		\$50,980.00	
5026 Holland	58-02-529-007		\$39,610.00	
5026 Holland		58-80-652-587		\$7,000.00

8032 Ingalls	58-02-529-008		\$46,410.00	
5032 Holland	58-02-529-009		\$78,140.00	
5044 Morrish	58-02-529-010		\$23,680.00	
5052 Morrish	58-02-529-011		\$45,230.00	
5058 Morrish	58-02-529-012		\$35,250.00	
5018 Hayes	58-02-529-015		\$40,350.00	
5012 Holland	58-02-529-017		\$127,240.00	
5012 Holland		58-80-266-000		\$25,220.00
8047 Miller	58-02-529-018		\$11,460.00	
8053 Miller	58-02-529-019		\$44,810.00	
8053 Miller		58-80-060-078		\$2,450.00
8057 Miller	58-02-529-020		\$56,810.00	
8057 Miller		58-80-687-004		\$1,660.00
8067 Miller	58-02-529-021		\$45,020.00	
8023 Ingalls	58-02-529-022		\$24,730.00	
8033 Ingalls	58-02-529-023		\$29,300.00	
City of SC	58-02-529-024			exempt
8077 Miller	58-02-529-025		\$65,530.00	
8077 Miller		58-80-225-092		\$370.00
8083 Miller	58-02-529-026		\$37,260.00	
8089 Miller	58-02-529-027		\$57,760.00	
5014 Hayes	58-02-529-028		\$31,220.00	
5032 Hayes	58-02-529-029		\$39,290.00	
5038 Hayes	58-02-529-030		\$40,990.00	
5038 Hayes		58-80-685-093		\$270.00
5070 Morrish	58-02-529-031		\$32,600.00	
5170 Morrish	58-02-530-044		\$49,190.00	
8012 Maple	58-02-530-045		\$67,020.00	
8035 Crapo	58-02-530-047		\$43,640.00	
4062 Morrish	58-35-200-005		\$61,830.00	
4140 Morrish	58-35-200-007		\$462,670.00	
4140 Morrish		58-80-007-304		\$29,500.00
County Rd Comm	58-35-200-008			exempt
8119 Bristol	58-35-200-009		\$151,350.00	
8079 Bristol	58-35-200-010		\$124,370.00	
8065 Bristol	58-35-200-012		\$101,440.00	
8041 Bristol	58-35-200-013		\$89,510.00	
8032 Bristol	58-35-200-014		\$14,330.00	
4048 Morrish	58-35-200-015		\$95,350.00	
4076 Morrish	58-35-200-016		\$11,980.00	
4088 Morrish	58-35-200-017		\$0.00	
4110 Morrish	58-35-200-018		\$0.00	
4110 Morrish	58-35-200-019		\$1,292,280.00	
4110 Morrish		58-80-119-004		\$26,355.00
4290 Morrish	58-35-400-001		\$3,201,220.00	
4290 Morrish		58-80-322-200		\$80.00
4290 Morrish		58-80-487-590		\$350.00
4290 Morrish		58-80-622-587		\$111,850.00
4290 Morrish		58-80-627-587		\$23,300.00
4290 Morrish		58-80-747-896		\$5,900.00
City of SC	58-35-576-001			exempt
4438 Morrish	58-35-576-002		\$35,570.00	
4432 Morrish	58-35-576-003		\$51,930.00	
4426 Morrish	58-35-576-004		\$38,970.00	
4412 Morrish	58-35-576-005		\$47,250.00	
4400 Morrish	58-35-576-006		\$70,950.00	
4394 Morrish	58-35-576-007		\$31,220.00	
4384 Morrish	58-35-576-008		\$32,170.00	
4374 Morrish	58-35-576-009		\$38,640.00	
4366 Morrish	58-35-576-010		\$79,880.00	
4360 Morrish	58-35-576-011		\$38,540.00	
4354 Morrish	58-35-576-012		\$38,040.00	

4344 Morrish	58-35-576-013		\$44,810.00	
4336 Morrish	58-35-576-014		\$49,270.00	
4318 Morrish	58-35-576-015		\$58,260.00	
4306 Morrish	58-35-576-016		\$13,340.00	
Morrish	58-35-576-017		\$4,860.00	
Morrish	58-35-576-018		\$5,720.00	
4278 Morrish	58-35-576-019		\$140,210.00	
4278 Morrish		58-80-255-895		\$2,990.00
4150 Morrish	58-35-576-020			exempt
4264 Morrish	58-35-576-021		\$65,420.00	
8118 Miller	58-35-576-023		\$72,720.00	
8110 Morrish	58-35-576-024		\$47,470.00	
8104 Miller	58-35-576-025		\$40,240.00	
8098 Miler	58-35-576-026		\$36,110.00	
8092 Miller	58-35-576-027		\$55,840.00	
8084 Miller	58-35-576-028		\$35,880.00	
	58-35-576-029		\$102,040.00	
8060 Miller		58-80-308-004		\$160.00
City of SC	58-35-576-030			exempt
4459 Fortino	58-35-576-031		\$241,320.00	
Branoff	58-35-576-032		\$16,340.00	
City of SC	58-35-576-033			exempt
US Post Office	58-35-576-034			exempt
8100 Civic	58-35-576-037			exempt
8056 Miller	58-35-576-038		\$53,730.00	
8056 Miller		58-80-257-095		\$810.00
8048 Miller	58-35-576-039		\$115,550.00	
8048 Miller		58-80-007-093		\$7,500.00
8048 Miller		58-80-335-086		\$10,000.00
8048 Miller		58-80-370-091		\$25,000.00
8048 Miller		58-80-413-905		\$510.00
Groves	58-35-576-040		\$32,810.00	
Fortino	58-35-576-041		\$11,030.00	
Fortino	58-35-576-042		\$2,630.00	
8024 Miller	58-35-576-043		\$51,080.00	
8024 Miller		58-80-282-560		\$40,000.00
Fortino	58-35-576-044		\$16,460.00	
8014 Miller	58-35-576-045		\$21,230.00	
8014 Miler		58-80-207-576		\$300.00
8012 Miller	58-35-576-046		\$49,850.00	
8012 Miller		58-80-136-000		\$7,500.00
8010 Miller	58-35-576-047		\$16,870.00	
8010 Miller		58-80-402-562		\$520.00
8006 Miller	58-35-576-048		\$27,610.00	
8006 Miller		58-80-350-065		\$7,900.00
8002 Miller	58-35-576-049		\$36,630.00	
City of SC	58-35-576-050			exempt
4500 Morrish	58-35-576-051		\$96,120.00	
4500 Morrish		58-80-182-588		\$28,480.00
City of SC	58-35-576-052			exempt
Unity Church	58-35-576-053			exempt
Church	58-35-576-054			exempt
City of SC	58-35-576-055			exempt
8138 Miller	58-35-576-057		\$338,530.00	
8138 Miller		58-80-612-561		\$44,490.00
City of SC	58-35-576-058			exempt
City Hall	58-35-576-059			exempt
4013 Morrish	58-36-100-001		\$133,080.00	
7524 Miller	58-36-300-019		\$58,870.00	
7530 Miller	58-36-300-020		\$50,220.00	
7530 Miller		58-80-253-500		\$3,980.00
7538 Miller	58-36-300-021		\$110,340.00	

7538 Miller		58-80-357-503		\$5,000.00
7538 Miller		58-80-347-589		\$2,610.00
4485 Frederick	58-36-300-022		\$90,070.00	
4453 Morrish	58-36-300-023		\$31,640.00	
4437 Morrish	58-36-300-024		\$287,960.00	
Church	58-36-300-025			exempt
4379 Morrish	58-36-300-026		\$34,610.00	
City of SC	58-36-300-027			
4345 Morrish	58-36-300-028		\$181,360.00	
4369 Roundhouse	58-36-300-030		\$2,719,460.00	
4369 Roundhouse		58-80-047-574		\$57,790.00
4463 Morrish	58-36-551-001		\$58,410.00	
4473 Morrish	58-36-551-002		\$48,100.00	
Morrish	58-36-551-003		\$4,450.00	
7579 Mason	58-36-551-004		\$35,150.00	
7565 Mason	58-36-551-005		\$61,700.00	
7557 Mason	58-36-551-006		\$20,600.00	
7553 Mason	58-35-551-007		\$17,940.00	
7550 Church	58-36-551-008		\$38,340.00	
7556 Church	58-36-551-009		\$29,840.00	
7562 Church	58-36-551-010		\$19,740.00	
7572 Church	58-36-551-011		\$36,110.00	
7580 Church	58-36-551-012		\$57,690.00	
7579 Church	58-36-551-013		\$27,610.00	
7571 Church	58-36-551-014		\$36,730.00	
7563 Church	58-36-551-015		\$30,360.00	
7557 Church	58-36-551-016		\$29,840.00	
7551 Church	58-36-551-017		\$32,380.00	
4495 Morrish	58-36-552-001		\$88,240.00	
4495 Morrish		58-80-767-570		\$56,310.00
4501 Morrish	58-36-552-002		\$24,840.00	
4505 Morrish	58-36-552-003		\$23,250.00	
7594 Miller	58-36-552-004		\$72,380.00	
7582 Miller	58-36-552-005		\$45,230.00	
7574 Miller	58-36-552-006		\$37,480.00	\$1.00
7566 Miller	58-36-552-007		\$38,010.00	
7562 Miller	58-36-552-008		\$32,380.00	
7556 Miller	58-36-552-009		\$25,490.00	
7556 Miller		58-80-385-084		\$730.00
7550 Miller	58-36-552-010		\$78,380.00	
7550 Miller		58-80-538-000		\$1,840.00
7550 Miller		58-80-018-001		\$3,180.00
Totals			\$20,548,900.00	\$994,156.00
Grand Total				\$21,543,056.00

Appendix E:

*Plan Adoption
Documentation*

**NOTICE OF PUBLIC HEARING
CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
CITY COUNCIL**

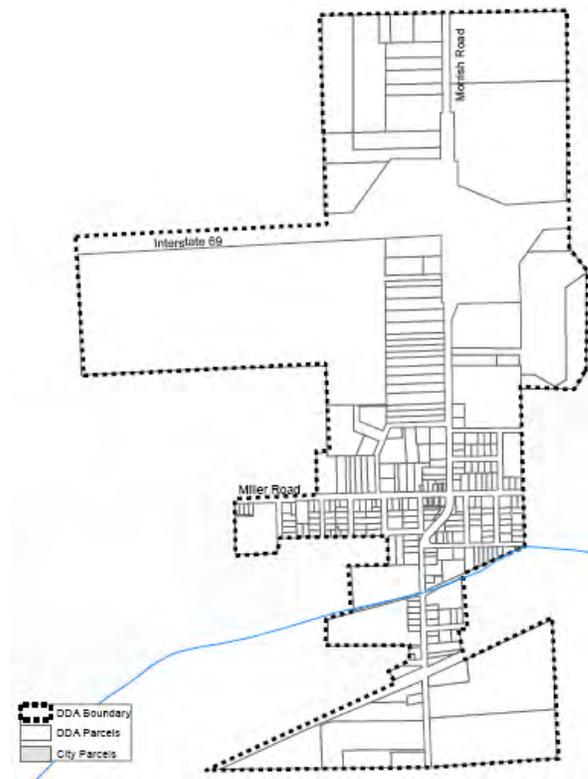
Notice is hereby given that a Public Hearing of the Swartz Creek City Council shall be held on Monday, November 28, 2005, which begins at 7:00 p.m., in the City Council Chambers, City Hall, 8083 Civic Drive, Swartz Creek, Michigan, for discussion of all aspects concerning the Swartz Creek Downtown Development Authority Tax Increment Financing Plan and Development Plan. These plans are available in their entirety for inspection at City Hall, including any and all maps, plats, and a description of the development plan. Written comments may be submitted prior to or at the public hearing. See below for details on the boundaries of the development district.

Mary Jo Clark, City Clerk
City of Swartz Creek, Michigan

“An Equal Opportunity Employer”

.....
PUBLISH: Sunday, November 13, 2005
PROOF REQUIRED
THE SWARTZ CREEK NEWS

Please Bill: City of Swartz Creek
8083 Civic Dr.
Swartz Creek MI 48473



**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE DOWNTOWN DEVELOPMENT AUTHORITY
DATE 10/06/05**

The Regular Meeting was called to order at 7:03 by Chairman Asta in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Board members Present: Abrams, Asta, Balars, Bueche, Hull, Mardlin, Nemer, Raffaelli, Sharp.

Board members Absent: None.

Staff Present: Assistant to the City Manager Zettel

Others Present: Caryn Wenzara of LSL Planning, Jenny Moench of the Development Area Citizens' Council

APPROVAL OF MINUTES:

The minutes for the September 22nd, 2005 meeting were unanimously approved after motions by Mr. Abrams and support by Mrs. Balars.

APPROVAL OF AGENDA:

Mr. Zettel recommended two addendums to the reports and communications section of the agenda. The first was the inclusion of the Veterans' Memorial Park concept plan and the second was the inclusion of a membership solicitation letter from the Michigan Downtown Association. Mr. Hull moved to accept the amended agenda, and Mr. Bueche seconded. The agenda was approved unanimously.

REPORTS AND COMMUNICATIONS:

DDA Report for the Month of September

Mr. Zettel briefly summarized the report additions for the month of September.

Draft II of the DDA Development and TIF Plan & LSL letter

This document is the culmination of the review of the original draft as delivered on September 22, 2005.

All LSL billings to the DDA to date (invoice #'s 182-2504-07,182-2504-08,182-2505-08)

Mr. Zettel explained that all current LSL invoices have been attached and are for later discussion if the Board so chooses.

Veteran' Memorial Park Concept Plan

This was included for reference as the park is planned for a location on Paul Fortino Drive, across from the Fire Department and north of the bank.

Michigan Downtown Association membership solicitation

This letter and brochure was included for reference in case the Board decides that membership in the organization is worth while.

MEETING OPENED TO THE PUBLIC:

No public comment.

OLD BUSINESS:

TIF Plan and Development Plan Review

Caryn Wenzara explained the revisions to the Development and TIF plan page by page to the Board.

It was noted that page eight was blank. Mr. Abrams noted typos on page nineteen and twenty of the document. Caryn noted these for change.

The existing land use map was noted as not reflecting the current use for the raceway. Caryn noted that this zone should be light industrial.

It was noted by Mr. Hull that the parcel on the north-east corner of Ingalls, Holland, and Miller was designated for future use as medium residential, but that this parcel is parkland.

It was also noted by Sandy Raffaelli that the future land use on the NW corner of Miller and Paul Fortino should be investigated for continued residential instead of commercial. As such, it appears that a revisit of the Future Land Use map may be order.

At this point, the Board decided that it would be best if the plans were tentatively approved by the Board and delivered to the City Council, the DACC, and the DDA Board Members received a copy of the finished draft in preparation for a public hearing by the City Council in late November.

Resolution 051006-01 (Carried)

Motion by Boardmember Hull,
Second by Boardmember Mardlin,

WHEREAS, the Swartz Creek Downtown Development Authority and the DDA Board was established to revitalize the downtown and provide for financing under the authority of Act 197 of 1975, as amended; and

WHEREAS, under that authority the Board prepared a development plan and tax increment finance plan in accordance with Section 17(1) and Section 14(1); and

WHEREAS, the method of financing is feasible and the Authority has the ability to arrange the financing; and

WHEREAS, the proposed development projects are reasonable and necessary to carry out the Act; and

WHEREAS, the development plan is in reasonable accord with the master plan of the City; and

WHEREAS, public services, such as fire and police protection and utilities, are or will be adequate to service the development area; and

WHEREAS, changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the plan constitutes a public purpose; and

NOW THEREFORE BE IT RESOLVED, that the City of Swartz Creek Downtown Development Authority recommends to the City Council approval of the Development Plan and Tax Increment Finance Plan dated October, 2005 as amended.

YES: Abrams, Asta, Balars, Bueche, Hull, Mardlin, Raffaelli, Sharp.

NO: None. Motion declared carried.

Trip to Mt. Pleasant

Mr. Zettel explained that a Saturday visit to Mt. Pleasant sometime in the next month or so was possible. Mr. Kulick, Director of Planning and Community Development in Mt. Pleasant, agreed to guide a tour of the downtown area. He also said that he may be able to get some football tickets to a Central University game. In the mean time, Mr. Kulick is checking his schedule and that of others to find potential dates to accommodate the DDA. The Swartz Creek Board decided that the 22nd of October would be good for a meeting in Mt. Pleasant.

At this point, the Board discussed the details of DDA financing and invoices from LSL Planning.

Mr. Zettel explained that the City Finance Director recommends that the DDA open a separate account and nominate two members of the Board to approve and sign invoices. The Finance Director also stated that a purchasing policy should be adopted that would define who writes the DDA's payable checks, who

signs these checks, and what, if any, thresholds on the amounts that can be approved administratively are defined.

Mr. Bueche and Mr. Zettel stated that staff will look into a purchasing policy and would also present a resolution to open an account in the DDA's name at the next meeting. This should assist in making future invoicing and check writing more uniform and efficient.

Concerning the LSL bills, Mr. Zettel found it in the best interest of the Board to withhold payment till such time that the invoices were resubmitted to reflect more detailed and accurate work statements. Caryn said that this would be done. She also explained to the Board that the invoice amounts are to remain constant, but the work description detail would change.

Mr. Asta said that he wanted to see very detailed descriptions concerning the work detail and the reimbursement expenses. Mr. Asta further stated that regular activities such as travel to regular meetings should be included in the regular work and not included as a reimbursable expense.

Caryn said that this can be accomplished but would have to be defined at the beginning of a contract. She also said that she can handle future invoice concerns. The Board discussed payment of the invoices at this time, and it was moved that payment be withheld till new invoices were received.

**Resolution No. 050707-02
(Carried)**

Motion by Boardmember Bueche,
Second by Boardmember Mardlin,

The Board shall delay payment of the LSL invoices till such time that they were resubmitted by LSL and confirmed by the staff.

YES: Abrams, Asta, Balars, Bueche, Hull, Mardlin, Raffaelli,
Sharp.
NO: None. Motion declared carried.

MEETING OPENED TO THE PUBLIC:

No public comment.

REMARKS BY BOARD MEMBERS:

Paul Bueche spoke on the Veterans' Memorial Park fundraising efforts.

Sandy discussed the idea of a farmers' market in Swartz Creek. She said that we could use her pavilion during the day. Paul nominated Mr. Zettel to investigate the possibility.

Mr. Sharp apologized to the Board for his previous absences and stated that he would be present at future meetings.

Mr. Hull inquired as to when the time for the Mr. Pleasant would be. There was no definitive answer at this time.

ADJOURNMENT:

Chairman Asta declared the meeting adjourned at approximately 8:19 p.m.

Al Asta
Chairman

Paul D. Bueche
Secretary

**CITY OF SWARTZ CREEK
ORDINANCE NO. 392**

**Downtown Development Authority
Development and Tax Increment Financing Plan No. 1**

An ordinance to amend Chapter 6, Article II of the Code of Ordinances of the City of Swartz Creek to designate sections 6-21 through 6-25 thereof as “Division 1” and to add sections 6-31 through 6-40 designated as “Division 2;” to approve the Downtown Development Authority Development and Tax Increment Financing Plan No. 1 as prepared and approved by the Downtown Development Authority of the City of Swartz Creek.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Chapter 6, Article II; Designation of Division 1.

Chapter 6, Article II of the Code of Ordinances of the City of Swartz Creek is hereby amended to designate sections 6-21 through 6-25 thereof as “Division 1.”

Section 2. Amendment of Chapter 6, Article II; Addition of sections 6-31 through 6-40 approving Downtown Development Authority Development and Tax Increment Financing Plan No. 1

Chapter 6, Article II of the Code of Ordinances of the City of Swartz Creek is hereby amended to add thereto sections 6-31 through 6-40 to read as follows:

Section 6-31 Definition of Terms

The terms used in this division and in the Plan shall have the meanings assigned to them in the Plan and in section 1 of Public Act 197 of the public Acts of 1975, as amended, being MCL 125.1651, et seq (“Act”).

Section 6-32 Public Purposes; Best Interest of the Public

The city council hereby finds and determines:

- (1) the Plan constitutes a public purpose.
- (2) it is in the best interests of the public, in order to halt property value deterioration, increase property tax valuation, eliminate the cause of property value deterioration and to promote economic growth in the development area, to proceed with the Plan.

Section 6-32 Review Findings.

Having determined that the Plan constitutes a public purpose, as required by the Act, the city council has considered the various elements of the Plan as required by section 19 of the Act and, as a result thereof, the city council finds:

- (1) The Plan meets the requirements set forth in section 17(2) of the Act;
- (2) The proposed method of financing the development is feasible, and the authority has the ability to arrange the financing.
- (3) The development is reasonable and necessary to carry out the purposes of the act.
- (4) The amount of captured assessed value estimated to result from adoption of the plan is reasonable.
- (5) The land included within the development area to be acquired (to the extent required by the plan) is reasonably necessary to carry out the purposes of the plan and the purposes of the act in an efficient and economically satisfactory manner.
- (6) The development plan is in reasonable accord with the master plan of the village.
- (7) Public services such as fire and police protection and utilities, are or will be adequate to service the development area.
- (8) Changes in zoning, streets, street levels, intersections and utilities (to the extent required by the plan) are reasonably necessary for the project and for the village.

Section 6-34 Approval and Adoption of Development and Tax Increment Financing Plan

The Plan is hereby approved and adopted as set forth in Exhibit A hereto. The duration of the Plan shall be thirty (30) years from the effective date of the ordinance establishing this division. A copy of the Plan and any amendments thereto shall be maintained on file in the city clerk's office.

Section 6-35 Boundaries of the Development Area

The boundaries of the development area, as set forth in the Plan, are adopted and confirmed.

Section 6-36 Establishment of Initial Assessed Value

The initial assessed value for purposes of the Plan shall be the assessed value of all real and personal property in the development Area as of December 31, 2004, and equalized by the State of Michigan in May, 2005. Said initial assessed value is \$21,543,055.

Section 6-37 Annual Calculation of Captured Assessed Value and Tax Increment Revenues; Payment to the DDA

Each year, within fifteen (15) days following the final equalization of property in the development area, the city assessor shall calculate the captured assessed value for the development area and report said value to the city council and to the DDA. As real and personal property taxes are collected by the city and county treasurers for properties within the development area, the tax increment revenue portion of said taxes shall be paid to the DDA. The payments to the DDA shall be made on the date or dates on which the city and the county treasurers are required to remit taxes to each of the taxing jurisdictions.

Section 6-38 Use of Tax Increment Revenues.

The DDA shall utilize the tax increment revenues only in accordance with the Plan and in the following manner and following order of priority:

- (1) First, if bonds are issued pursuant to the Plan, to pay into the debt retirement fund or funds, for all outstanding series of bonds issued pursuant to the Plan, an amount equal to the interest and principal coming due (in the case of principal, whether by maturity or mandatory redemption) prior to the next collection of taxes, less any credit for sums on hand in a debt retirement fund.
- (2) Second, to establish a reserve account for payment of principal of an interest on bonds issued pursuant to the Plan to the extent required by any resolution authorizing bonds.
- (3) Third, to pay the administrative, auditing, legal and operating costs of the authority and the City pertaining to the development area, including planning and promotion, to the extent provided in the annual budget of the DDA.
- (4) Fourth, to repay amounts advanced by the City for project costs as may be set forth in the Plan, including costs for preliminary plans, and fees for other professional services.
- (5) Fifth, to pay, to the extent determined desirable by the DDA and approved by the City, the cost of completing the public improvements as may be set forth in the Plan to the extent those costs are not financed from other sources.
- (6) Sixth, to pay the cost of any additional amendments to the Plan that are determined necessary by the DDA and approved by the village council in accordance with the Act.

Section 6-39 Annual report

Within ninety (90) days after the end of each fiscal year, the DDA shall submit to the city council, with copies to each taxing jurisdiction, a report on the status of the Plan. The report shall include the information

required by MCL 125.1665(3). The DDA shall cause a copy of the report to published in a newspaper of general circulation in the City.

Section 6-40 Termination of Tax Increment Financing Plan

As provided in MCL 125.1665(2), the city council may abolish the tax increment financing plan when it finds that the purposes for which it was established are accomplished. The tax increment financing plan shall not be abolished, however, until the principal of, and interest on, any bonds issued pursuant to the Plan have been paid or funds sufficient to make the payment have been segregated.

Section 3. Emergency Ordinance; Effective date.

The city council hereby finds that an emergency exists and that it is critical that this ordinance become effective as soon as possible in order to meet the public purposes of the plan and to timely provide the benefits to be derived by the development area. Therefore, pursuant to section 6.3(a) of the city charter, the city council hereby declares this to be an emergency ordinance which shall become effective immediately upon publication.

Voting for:
Voting against:
Absent:

The ordinance having received the affirmative vote of no less than 5 members of the city council, as required by section 6.3 of the city charter, the Mayor declared the ordinance adopted as an emergency ordinance.

Richard Abrams, Mayor

CERTIFICATION

The foregoing is a true copy of Ordinance #392, an emergency Ordinance, which was enacted by the City of Swartz Creek City Council at a regular meeting held on Monday the 19th Day of December, 2005

Mary Jo Clark, City Clerk

Publish Date: **Dec 25, 2005**
Swartz Creek News

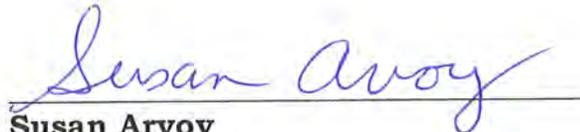
Effective Date: **Dec 25, 2005**

PROOF OF SERVICE

Susan Arvoy, being first duly sworn, deposes and says that on August 18, 2015 she served true copies of attached Notice, DDA Boundary Map, and City of Swartz Creek DDA Expansion Projected Impact by Taxing Jurisdiction Table upon:

*****SEE ATTACHED LIST**

by depositing sealed envelopes containing same, plainly addressed to said parties with Certified Mail postage fully prepaid, in a United States mail receptacle.


Susan Arvoy

Subscribed and sworn to before me this 8-18-15


Amy Nichols, Notary Public
Genesee County, Michigan

My Commission expires: 5-27-2021



Juanita Aguilar

City Clerk

810.635.4464

jagular@cityofswartzcreek.org

Date: August 17, 2015

TO: Impacted taxing authorities within the City of Swartz Creek.

Genesee County Clerk
Genesee County Courthouse
900 S. Saginaw St.
Flint, MI 48502

Genesee County Board of Commissioners
Board of Commissioners Office
1101 Beach St. Room 312
Flint, MI 48502

Mott Community College
1401 E. Court St.
Flint, MI 48503

Mass Transportation Authority
1401 S. Dort
Flint, MI 48503

Genesee County Library
G-4195 W. Pasadena Ave.
Flint, MI 48504

City of Swartz Creek
8083 Civic Dr.
Swartz Creek, MI 48473

Bishop International Airport Authority
G-3425 West Bristol Road
Flint, MI 48507-3183

PLEASE TAKE NOTICE that the Swartz Creek City Council, pursuant to and in compliance with MCL 125.1653, will hold a public hearing on Monday, September 14, 2015 at or soon after 7:00 p.m. in the city council chambers, 8083 Civic Drive in the City of Swartz Creek. The purpose of the public hearing is review and seek comment related to an amendment to the Downtown Development Authority ordinance & boundaries, including related amendments to the existing Development Plan and existing Tax Increment Financing Plan.

The proposed new boundaries of the DDA District are attached and include two small businesses and two homes. In addition, the estimated taxing impact of this amendment is included as Table 3. The entire plan and maps depicting the proposed amendments are available electronically and at the Swartz Creek City Hall, 8083 Civic Drive in the City of Swartz Creek.

This notice is given to you pursuant to and in compliance with MCL 125.1653 due to your status as a taxing jurisdiction levying taxes that would be subject to capture if a tax increment financing plan is approved.

Juanita Aguilar
City Clerk

Enclosures

8083 Civic Drive

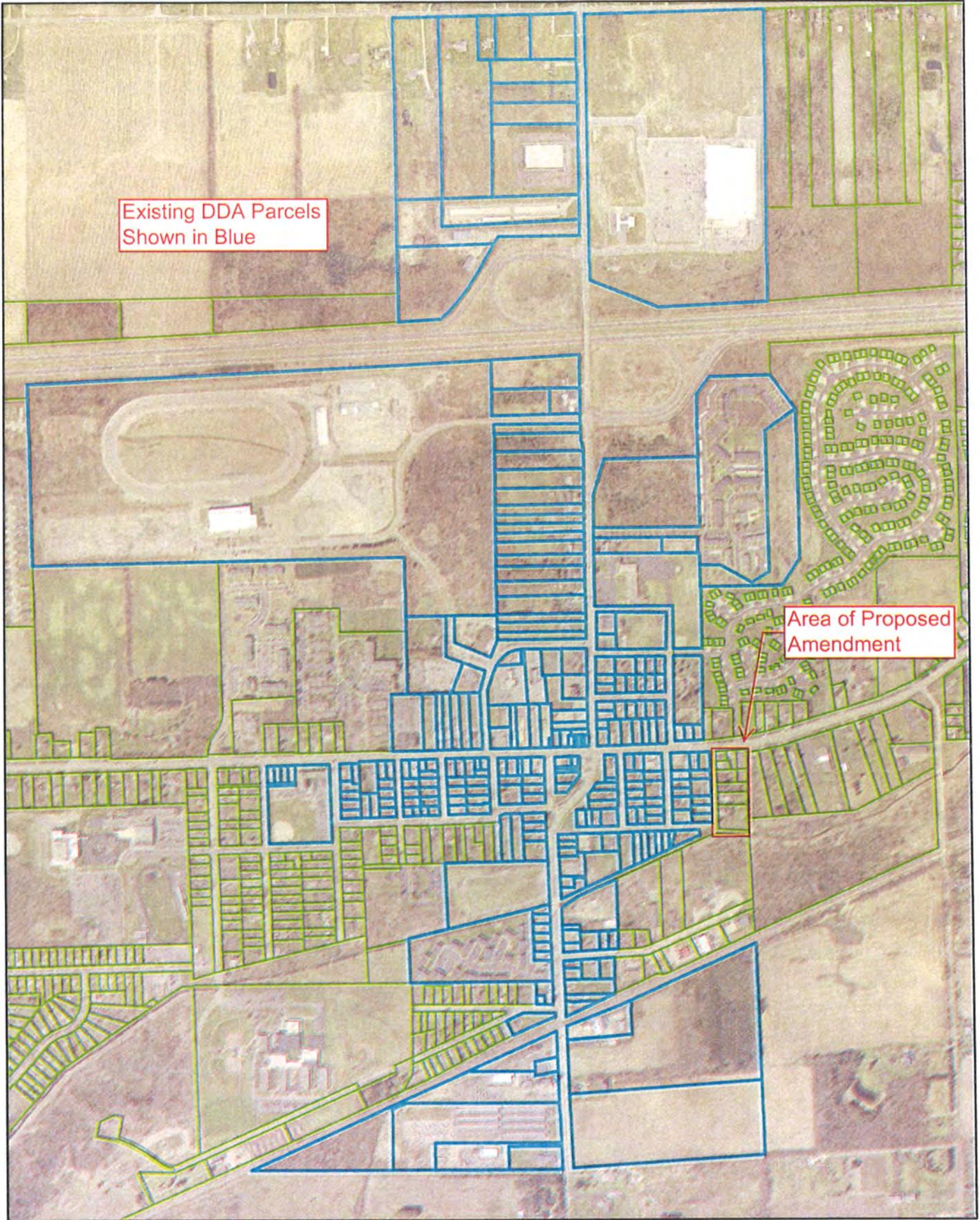
Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

<http://cityofswartzcreek.org>



Existing DDA Parcels
Shown in Blue

Area of Proposed
Amendment

City of Swartz Creek DDA Boundary Map

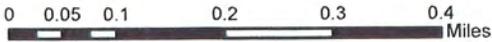


Table 3: City of Swartz Creek DDA Expansion Projected Impact By Taxing Jurisdiction

FY	TV	Genesee County										Other		Mott		City		Revenue	
		Capture	Gen Op	Paramed	Parks	Senior	Health	Vets	MSU	Animal	Airport	Library	MTA	Gen Op	Voted Op	Gen Op	SAD*		Voted Op
Base	\$320,275																		
2016	\$320,275	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2017	\$326,681	\$6,406	\$35	\$4	\$6	\$1	\$0	\$0	\$1	\$3	\$6	\$5	\$5	\$9	\$4	\$31	\$17	\$31	\$163
2018	\$333,214	\$12,939	\$71	\$6	\$9	\$13	\$1	\$1	\$3	\$6	\$13	\$10	\$10	\$17	\$8	\$62	\$34	\$63	\$329
2019	\$339,878	\$19,603	\$108	\$10	\$14	\$20	\$1	\$1	\$4	\$10	\$20	\$16	\$16	\$26	\$13	\$95	\$96	\$96	\$498
2020	\$346,676	\$26,401	\$145	\$13	\$20	\$18	\$3	\$1	\$5	\$13	\$26	\$21	\$21	\$36	\$17	\$127	\$129	\$129	\$671
2021	\$353,609	\$33,334	\$184	\$16	\$25	\$23	\$3	\$1	\$7	\$16	\$33	\$27	\$27	\$45	\$21	\$161	\$163	\$163	\$847
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2023	\$367,895	\$47,620	\$262	\$23	\$36	\$33	\$5	\$2	\$10	\$23	\$48	\$38	\$38	\$64	\$31	\$230	\$233	\$233	\$1,210
2024	\$375,253	\$54,978	\$303	\$27	\$41	\$38	\$5	\$2	\$11	\$27	\$55	\$44	\$44	\$74	\$35	\$265	\$269	\$269	\$1,444
2025	\$382,758	\$62,483	\$344	\$30	\$47	\$44	\$6	\$2	\$12	\$30	\$62	\$50	\$50	\$84	\$40	\$302	\$306	\$306	\$1,644
2026	\$390,413	\$70,138	\$385	\$34	\$53	\$49	\$7	\$3	\$14	\$34	\$70	\$56	\$56	\$95	\$45	\$339	\$344	\$344	\$1,782
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Total \$1,376,340 \$7,580 \$667 \$1,032 \$963 \$1,376 \$138 \$55 \$275 \$667 \$1,374 \$1,101 \$1,857 \$882 \$6,646 \$6,744 \$3,616 \$34,974

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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$3.94	

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 City, State, ZIP+4 Flint, MI 48502

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Restricted Delivery Fee (Endorsement Required)	\$0.00	
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 City, State, ZIP+4 Flint, MI 48504

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 Board of Commissioners Office
 Street, Apt. No.; or PO Box No. 1101 Beach St., Room 312
 City, State, ZIP+4 Flint, MI 48502

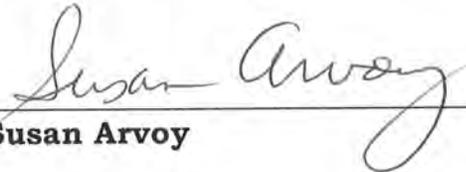
PS Form 3800, June 2002 See Reverse for Instructions

PROOF OF SERVICE

Susan Arvoy, being first duly sworn, deposes and says that on October 30, 2015 she served true copies of attached Notice, DDA Boundary Map, and City of Swartz Creek DDA Expansion Projected Impact by Taxing Jurisdiction Table upon:

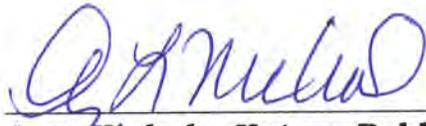
*****SEE ATTACHED LIST**

by depositing sealed envelopes containing same, plainly addressed to said parties with Certified Mail postage fully prepaid, in a United States mail receptacle.



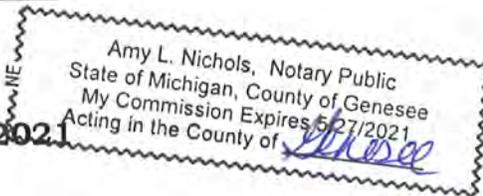
Susan Arvoy

Subscribed and sworn to before me this 10-30-15



**Amy Nichols, Notary Public
Genesee County, Michigan**

My Commission expires: 5-27-2021


Amy L. Nichols, Notary Public
State of Michigan, County of Genesee
My Commission Expires 5/27/2021
Acting in the County of Genesee



Juanita Aguilar

City Clerk

810.635.4464

jagular@cityofswartzcreek.org

Date: October 29, 2015

TO: Impacted taxing authorities within the City of Swartz Creek.

Genesee County Clerk
Genesee County Courthouse
900 S. Saginaw St.
Flint, MI 48502

Genesee County Board of Commissioners
Board of Commissioners Office
1101 Beach St. Room 312
Flint, MI 48502

Mott Community College
1401 E. Court St.
Flint, MI 48503

Mass Transportation Authority
1401 S. Dort
Flint, MI 48503

Genesee County Library
G-4195 W. Pasadena Ave.
Flint, MI 48504

City of Swartz Creek
8083 Civic Dr.
Swartz Creek, MI 48473

Bishop International Airport Authority
G-3425 West Bristol Road
Flint, MI 48507-3183

PLEASE TAKE NOTICE that the Swartz Creek City Council, pursuant to and in compliance with MCL 125.1668, will hold a public hearing on Monday, December 7, 2015 at or soon after 7:00 p.m. in the city council chambers, 8083 Civic Drive in the City of Swartz Creek. The purpose of the public hearing is review and seek comment related to an amendment to the existing Downtown Development Authority Development Plan and existing Tax Increment Financing Plan.

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Juanita Aguilar
City Clerk

Enclosures

8083 Civic Drive

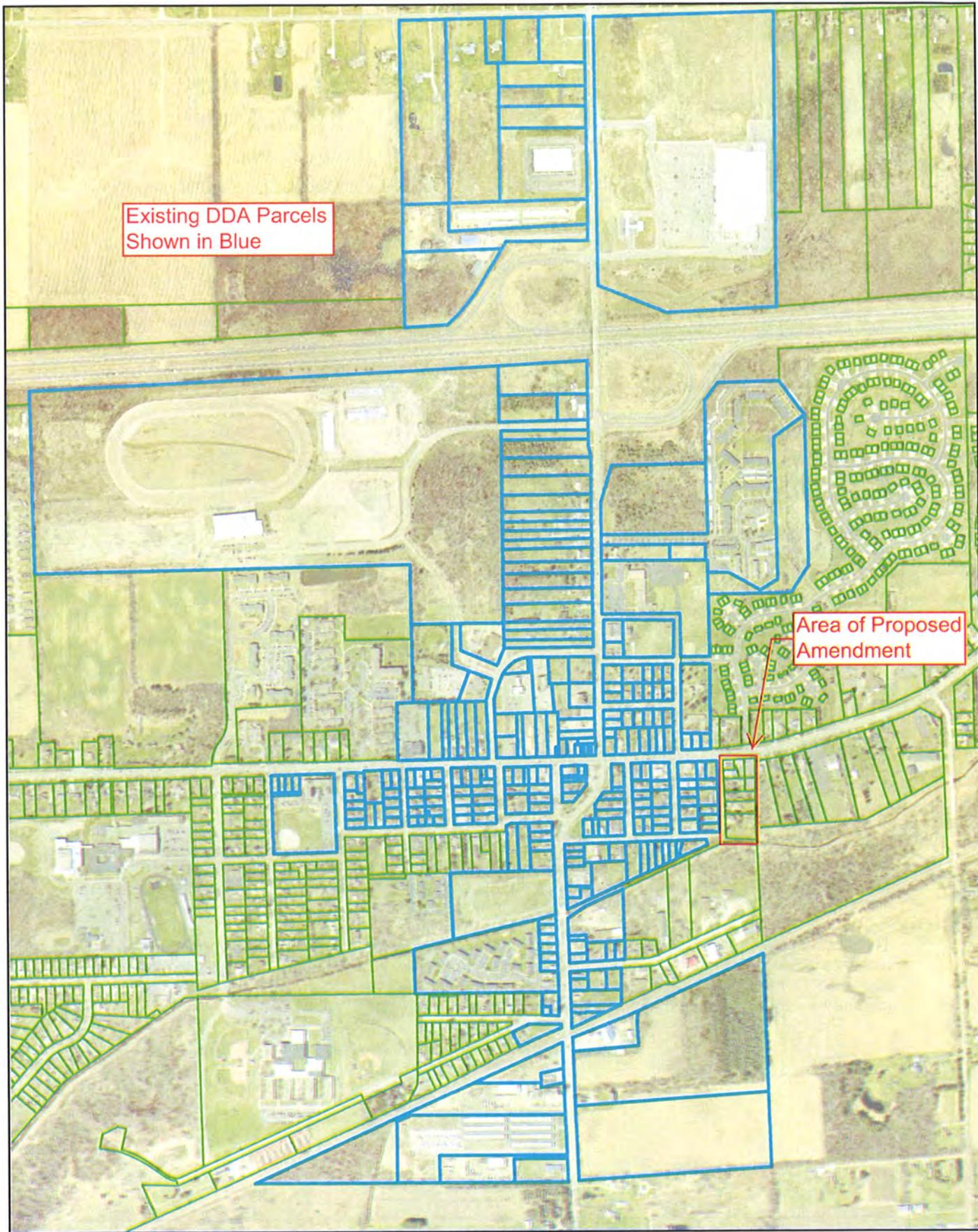
Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

<http://cityofswartzcreek.org>



Existing DDA Parcels
Shown in Blue

Area of Proposed
Amendment

City of Swartz Creek DDA Boundary Map



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	\$3.94

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 City, State, ZIP+4 *Flint, MI 48502*

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 City, State, ZIP+4 *Flint, MI 48503*

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 City, State, ZIP+4 *Flint, MI 48504*

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 City, State, ZIP+4 *Flint, MI 48507-3183*

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Postmark Here
10/30/2015

Sent To *Genesee County Clerk Courthouse*
 Street, Apt. No.; or PO Box No. *900 S Saginaw St*
 City, State, ZIP+4 *Flint MI 48502*

PS Form 3800, June 2002 See Reverse for Instructions

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Sent To *Mott Community College*
 Street, Apt. No.; or PO Box No. *1401 E. Court St*
 City, State, ZIP+4 *Flint, MI 48503*

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**Genesee County Clerk
Genesee County Courthouse
900 S. Saginaw St
Flint, MI 48502**

**Mott Community College
1401 E. Court St
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**Genesee County Library
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G-3425 West Bristol Road
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**Genesee County Board of Commissioners
Board of Commissioners Office
1101 Beach St. Room 312
Flint, MI 48502**

**Mass Transportation Authority
1401 S. Dort
Flint, MI 48503**

Date: October 29, 2015

TO: Impacted taxing authorities within the City of Swartz Creek.

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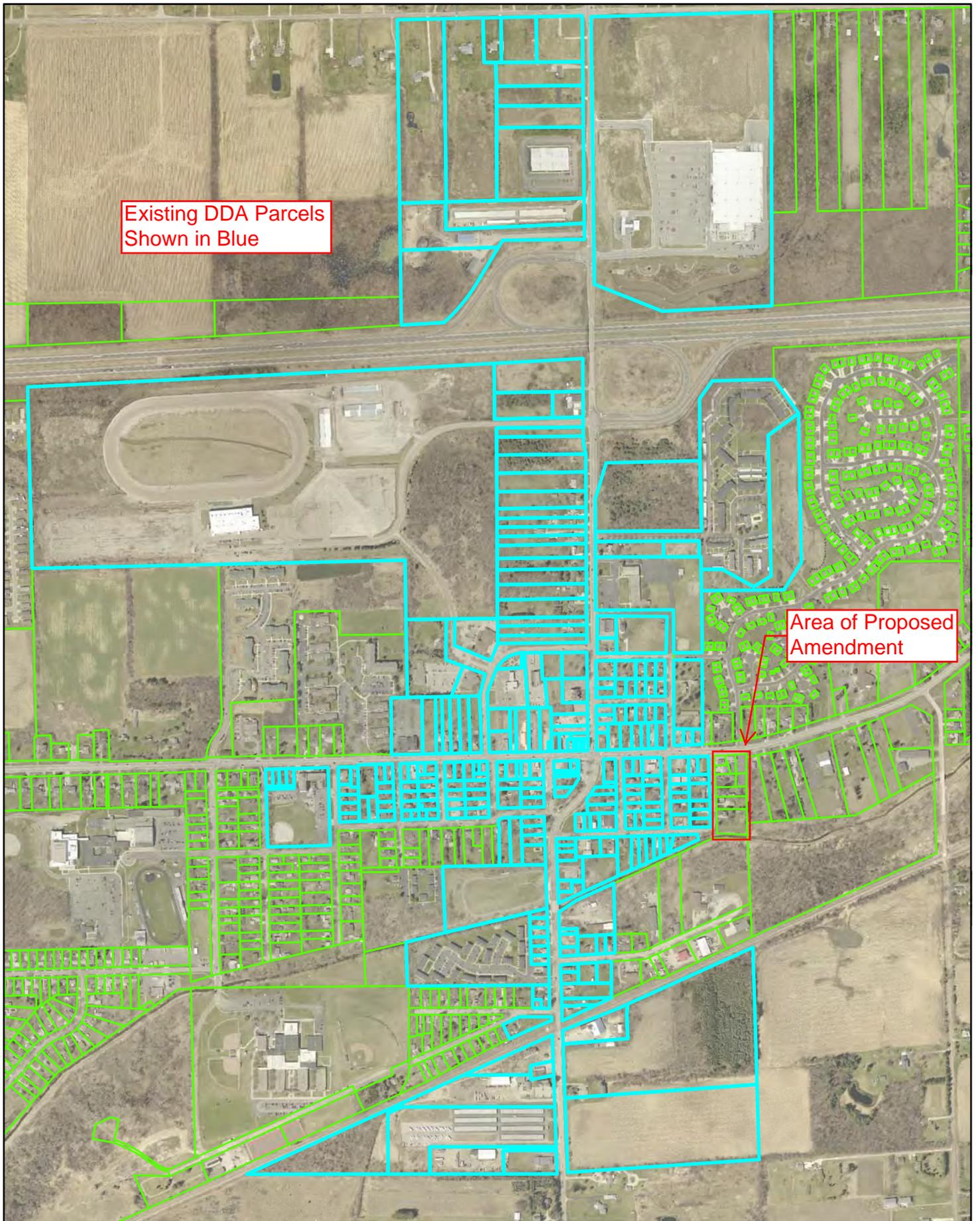
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Juanita Aguilar
City Clerk

Enclosures



Existing DDA Parcels
Shown in Blue

Area of Proposed
Amendment

City of Swartz Creek DDA Boundary Map

DDA Development Plan

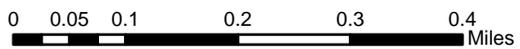


Table 3: City of Swartz Creek DDA Expansion Projected Impact By Taxing Jurisdiction

FY	TV	Capture	Genesee County										Other	Mott		City		Revenue		
			Gen Op	Paramed	Parks	Senior	Health	Vets	MSU	Animal	Airport	Library	MTA	Gen Op	Voted Op	Gen Op	SAD*		Voted Op	
Base	\$320,275	-																		
2016	\$320,275	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2017	\$326,681	\$6,406	\$35	\$3	\$5	\$4	\$6	\$6	\$1	\$0	\$1	\$3	\$6	\$5	\$9	\$4	\$31	\$31	\$17	\$163
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Total **\$1,376,340** **\$7,580** **\$667** **\$1,032** **\$963** **\$1,376** **\$138** **\$55** **\$275** **\$667** **\$1,374** **\$1,101** **\$1,857** **\$882** **\$6,646** **\$6,744** **\$3,616** **\$34,974**

*The special assessment does not levy against personal property, thereby making current capture \$0. Future impacts are not estimated.

**CITY OF SWARTZ CREEK
CITY COUNCIL
CERTIFIED RESOLUTION 151207-05**

Ordinance #424 Amendment Section 6-22, DDA Boundaries

Resolution No. 151207-05

(Carried)

Motion by Councilmember Gilbert
Second by Mayor Pro Tem Abrams

WHEREAS, on September 14, 2015, the Swartz Creek City Council held a public hearing as required by the Downtown Development Authority Act [MCL 125.1651, et seq] on a proposal to amend the boundaries of the Downtown Development Authority District; and

WHEREAS, due notice of said public hearing was given to the public and the governing body of each taxing jurisdiction levying taxes within the proposed district which taxes would be subject to capture if a tax increment financing plan is approved, all as required by Section 3 of the DDA Act [MCL 125.1653]; and

WHEREAS, none of the taxing jurisdictions levying taxes within the proposed district which would be subject to capture if a tax increment financing plan is approved, have adopted a resolution to exempt its taxes from capture; and

WHEREAS, more than sixty (60) days have passed since the public hearing on the proposed amended boundaries, and

WHEREAS, the tax exemption of certain real property, identified as 4110 Morrish Road, parcel 58-35-200-019 from the DDA has recently been found to negatively impact the DDA,

NOW, THEREFORE, BE IT RESOLVED, THE CITY OF SWARTZ CREEK ORDAINS;

ORDINANCE NO #424

An ordinance to amend Chapter 6, Section 6-22 of the Code of Ordinances of the City of Swartz Creek to amend the boundaries of the Downtown Development Authority District to include additional properties not previously included and to remove a property previously included.

Section 1. Amendment of Section 6-22.

Section 6-22 of Chapter 6 of the Code of Ordinances of the City of Swartz Creek is hereby amended to alter the boundaries of the Downtown Development Authority District as follows:

Sec. 6-22. Boundaries of Downtown Development Authority District are hereby amended to remove the following parcel of property, as described in the 2015 assessment roll:

<u>Tax Identification Number</u>	<u>Address</u>	<u>Zoning</u>	
200-019	4110 Morrish Road	GBD	58-35-

Boundaries of the Downtown Development Authority District are hereby amended to include all of the following parcels of property, as described in the 2015 assessment roll, with all such changes reflected in the map attached to this resolution:

<u>Tax Identification Number</u>	<u>Address</u>	<u>Zoning</u>
58-01-502-073	7497 Miller Road	CBD
58-01-502-074	7499 Miller Road	CBD
58-01-502-076	7509 Miller Road	CBD
58-01-502-075	5015 Third Street	CBD
58-01-502-077	5017 Third Street	CBD
58-01-502-079	5029 Third Street	CBD
58-01-502-080	5033 Third Street	CBD
58-01-502-008	5043 Third Street	CBD

Section 2. Effective Date.

This Ordinance shall become effective 20 days after publication, expected to be December 30, 2015.

At a regular meeting of the Swartz Creek City Council held on the 7th day of December, 2015, Councilmember Gilbert moved for adoption of the ordinance and Mayor Pro Tem Abrams supported the motion.

Voting For: Porath, Shumaker, Abrams, Gilbert, Hicks, Krueger, Pinkston.
Voting Against: None.

The Mayor declared the ordinance adopted.

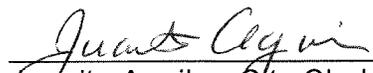
David Krueger
Mayor

Juanita Aguilar
City Clerk

YES Porath, Shumaker, Abrams, Gilbert, Hicks, Krueger, Pinkston.
NO: Motion Declared Carried.

I, Juanita Aguilar, City Clerk in and for the City of Swartz Creek, hereby certify the above resolution was adopted by the Swartz Creek City Council at its regular meeting held Monday, December 7, 2015.

CORRECT ATTEST:



Juanita Aguilar, City Clerk
City of Swartz Creek, Michigan

**CITY OF SWARTZ CREEK
CITY COUNCIL
CERTIFIED RESOLUTION 151207-06**

Adopt Ordinance #425, DDA TIF Plan

Resolution No. 151207-06

Motion by Councilmember Pinkston
Second by Councilmember Porath

WHEREAS, the Swartz Creek Downtown Development Authority and the DDA Board was established to revitalize the downtown and provide for financing under the authority of Act 197 of 1975, as amended; and

WHEREAS, under that authority the Board prepared a development plan and tax increment finance plan in accordance with Section 17(1) and Section 14(1); and

WHEREAS, the proposed method of financing the development is feasible and the authority has the ability to arrange the financing; and

WHEREAS, the proposed development projects are reasonable and necessary to carry out the Act; and

WHEREAS, the development plan is in reasonable accord with the master plan of the City; and

WHEREAS, public services, such as fire and police protection and utilities, are adequate to service the development area; and

WHEREAS, changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the plan constitutes a public purpose; and

WHEREAS, the Downtown Development Authority endorsed the plan on July 9, 2015, and

WHEREAS, the plan was distributed and vetted in a set of public hearings, the first being September 14, 2015 and the second on December 7, 2015, in which notice to the public, taxpayers of record, and taxing jurisdictions was provided in accordance with the Act,

NOW THEREFORE BE IT RESOLVED, that the City of Swartz Creek City Council approves the Development Plan and Tax Increment Finance Plan dated December 2, 2015.

BE IT FURTHER RESOLVED, THE CITY OF SWARTZ CREEK ORDAINS:

**CITY OF SWARTZ CREEK
ORDINANCE NO. 425**

**Downtown Development Authority
Development and Tax Increment Financing Plan No. 1**

An ordinance to amend Chapter 6, Article II of the Code of Ordinances of the City of Swartz Creek to amend the Downtown Development Authority Development and Tax Increment Financing Plan No. 1 as prepared and approved by the Downtown Development Authority of the City of Swartz Creek.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Chapter 6, Article II; amending Downtown Development Authority Development and Tax Increment Financing Plan No. 1

Chapter 6, Article II of the Code of Ordinances of the City of Swartz Creek is hereby amended to read as follows:

Section 6-31 Definition of Terms

The terms used in this division and in the Plan shall have the meanings assigned to them in the Plan and in section 1 of Public Act 197 of the public Acts of 1975, as amended, being MCL 125.1651, et seq ("Act").

Section 6-32 Public Purposes; Best Interest of the Public

The city council hereby finds and determines:

- (1) the Plan constitutes a public purpose.
- (2) it is in the best interests of the public, in order to halt property value deterioration, increase property tax valuation, eliminate the cause of property value deterioration and to promote economic growth in the development area, to proceed with the Plan.

Section 6-33 Review Findings.

Having determined that the Plan constitutes a public purpose, as required by the Act, the city council has considered the various elements of the Plan as required by section 19 of the Act and, as a result thereof, the city council finds:

- (1) The Plan meets the requirements set forth in section 17(2) of the Act;
- (2) The proposed method of financing the development is feasible, and the authority has the ability to arrange the financing.

- (3) The development is reasonable and necessary to carry out the purposes of the act.
- (4) The amount of captured assessed value estimated to result from adoption of the plan is reasonable.
- (5) The land included within the development area to be acquired (to the extent required by the plan) is reasonably necessary to carry out the purposes of the plan and the purposes of the act in an efficient and economically satisfactory manner.
- (6) The development plan is in reasonable accord with the master plan of the city.
- (7) Public services such as fire and police protection and utilities, are or will be adequate to service the development area.
- (8) Changes in zoning, streets, street levels, intersections and utilities (to the extent required by the plan) are reasonably necessary for the project and for the village.

Section 6-34 Approval and Adoption of Development and Tax Increment Financing Plan

The Plan is hereby approved and adopted as set forth in Exhibit A hereto. The duration of the Plan shall be thirty (30) years from the effective date of the ordinance establishing this division. A copy of the Plan and any amendments thereto shall be maintained on file in the city clerk's office.

Section 6-35 Boundaries of the Development Area

The boundaries of the development area, as set forth in the Plan, are adopted and confirmed.

Section 6-36 Establishment of Initial Assessed Value

The initial assessed value for purposes of the Plan shall be the assessed value of all real and personal property in the development Area as of December 31, 2004, and equalized by the State of Michigan in May, 2005, less any parcels subsequently removed from the district by Ordinance. The initial assessed value shall also include all real and personal property in the development Area as of December 31, 2014, and equalized by the State of Michigan in May 2015, for the following parcels added to the district by Ordinance 425:

Section 6-37 Annual Calculation of Captured Assessed Value and Tax Increment Revenues; Payment to the DDA

Each year, within fifteen (15) days following the final equalization of property in the development area, the city assessor shall calculate the captured assessed

value for the development area and report said value to the city council and to the DDA. As real and personal property taxes are collected by the city and county treasurers for properties within the development area, the tax increment revenue portion of said taxes shall be paid to the DDA. The payments to the DDA shall be made on the date or dates on which the city and the county treasurers are required to remit taxes to each of the taxing jurisdictions.

Section 6-38 Use of Tax Increment Revenues.

The DDA shall utilize the tax increment revenues only in accordance with the Plan and in the following manner and following order of priority:

- (1) First, if bonds are issued pursuant to the Plan, to pay into the debt retirement fund or funds, for all outstanding series of bonds issued pursuant to the Plan, an amount equal to the interest and principal coming due (in the case of principal, whether by maturity or mandatory redemption) prior to the next collection of taxes, less any credit for sums on hand in a debt retirement fund.
- (2) Second, to establish a reserve account for payment of principal of an interest on bonds issued pursuant to the Plan to the extent required by any resolution authorizing bonds.
- (3) Third, to pay the administrative, auditing, legal and operating costs of the authority and the City pertaining to the development area, including planning and promotion, to the extent provided in the annual budget of the DDA.
- (4) Fourth, to repay amounts advanced by the City for project costs as may be set forth in the Plan, including costs for preliminary plans, and fees for other professional services.
- (5) Fifth, to pay, to the extent determined desirable by the DDA and approved by the City, the cost of completing the public improvements as may be set forth in the Plan to the extent those costs are not financed from other sources.
- (6) Sixth, to pay the cost of any additional amendments to the Plan that are determined necessary by the DDA and approved by the village council in accordance with the Act.

Section 6-39 Annual report

Within ninety (90) days after the end of each fiscal year, the DDA shall submit to the city council, with copies to each taxing jurisdiction, a report on the status of the Plan. The report shall include the information required by MCL 125.1665(3). The DDA shall cause a copy of the report to be published in a newspaper of general circulation in the City.

Section 6-40 Termination of Tax Increment Financing Plan

As provided in MCL 125.1665(2), the city council may abolish the tax increment financing plan when it finds that the purposes for which it was established are accomplished. The tax increment financing plan shall not be abolished, however, until the principal of, and interest on, any bonds issued pursuant to the Plan have been paid or funds sufficient to make the payment have been segregated.

Section 2. Effective Date.

This Ordinance shall become effective 20 days after publication, expected to be December 30, 2015.

Public Hearing Open: 7:59pm

No public comments.

Public Hearing Closed: 8:00pm

**Resolution No. 151207-06a
(Amended)**

Motion by Councilmember Gilbert
Second by Councilmember Hicks

I Move to amend Ordinance # 425 to reflect Ordinance #424 and remove 4110 Morrish from the maps on pages 53 & 54 of the plan.

YES: Shumaker, Abrams, Gilbert, Hicks, Krueger, Pinkston, Porath.
NO: None. Motion Declared Carried.

At a regular meeting of the Swartz Creek City Council held on the 7th day of December, 2015, Councilmember Pinkston moved for adoption of the ordinance and Councilmember Porath supported the motion.

Voting For: Shumaker, Abrams, Gilbert, Hicks, Krueger, Pinkston, Porath.
Voting Against: None.

The Mayor declared the ordinance adopted.

David Krueger
Mayor

Juanita Aguilar
City Clerk

Adopt Ordinance #425, DDA TIF Plan

Resolution No. 151207-06

(Carried as amended)

To include the following change.

Section 6-35 Boundaries of the Development Area

The boundaries of the development area, as set forth in the Plan, are adopted and confirmed, as amended to remove 4110 Morrish Road, tax identification number 58-35-200-019, as described in the 2015 assessment roll.

YES: Abrams, Gilbert, Hicks, Krueger, Pinkston, Porath, Shumaker.

NO: None. Motion Declared Carried.

I, Juanita Aguilar, City Clerk in and for the City of Swartz Creek, hereby certify the above resolution was adopted by the Swartz Creek City Council at its regular meeting held Monday, December 7, 2015.

CORRECT ATTEST:



Juanita Aguilar, City Clerk
City of Swartz Creek, Michigan