



RESOLUTION
Brownfield Plan Second Amendment
DLP Marquette General Replacement Hospital

At a regular meeting of the Marquette City Commission held at Marquette City Hall, 300 W. Baraga Avenue, Marquette, Michigan on May 24, 2021 at 6:00 p.m., the following resolution was offered by

Commissioner _____ and supported by

Commissioner _____.

Whereas the Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended, authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, or historic property through tax increment financing of eligible activities approved in a Brownfield Plan; and,

Whereas the Marquette City Commission (the "Commission") established the Marquette Brownfield Redevelopment Authority (MBRA) under the procedures under Act 381 on September 8, 1997 and certified by the State of Michigan on January 28, 1998 to facilitate the cleanup and redevelopment of Brownfields within the City of Marquette; and,

Whereas the original Brownfield Plan for the DLP Marquette General Replacement Hospital was approved in 2014 to establish the Brownfield Eligible Property as the former Roundhouse and former Municipal Service Center located between W. Washington Street and U.S. Highway 41 and between South Seventh Street and South McClellan Avenue and established a Brownfield budget for Environmental and Non-Environmental Eligible Activities for reimbursement from future increase real and personal property taxes from additional private investment; and,

Whereas the Brownfield Plan was amended in 2017 to adjust the budget for additional public infrastructure, including McClellan Avenue improvements; and,

Whereas a second amendment is proposed to adjust the budget to provide for reimbursement for Environmental and Non-Environmental Eligible Activities as part of the Beacon House development on the Eligible Property; and,

Whereas the Marquette Brownfield Redevelopment Authority reviewed and approved the Amended Brownfield Plan at a regular meeting on February 18, 2021 finding the Brownfield Plan Second Amendment met the requirements of Act 381 and constitutes a public purpose of environmental protection, job creation, community services, and economic development, and recommends approval by the City Commission; and,

Whereas a public hearing on the Brownfield Plan was held on May 24, 2021, and notice to taxing jurisdictions has been provided in compliance with the requirements of Act 381; and,

Now, Therefore, be it Resolved, the Marquette City Commission has reviewed the Brownfield Plan and finds, in accordance with the requirements of Section 14 of Act 381 that:

- (a) The Brownfield Plan constitutes a public purpose of environmental protection, job creation, community services, and economic development;
- (b) The Brownfield Plan meets the requirements of Sections 13 and 13b of Act 381, Brownfield Plan Provisions as described in the Brownfield Plan, consistent with format recommended by the State of Michigan, including a description of the costs intended to be paid with tax increment revenues, a brief summary of Eligible Activities, estimate of captured taxable value and tax increment revenues, method of financing, maximum amount of indebtedness, beginning date and duration of capture, estimate of impact on taxing jurisdictions, legal description of Eligible Property, estimates of persons residing on the Eligible Property if applicable, and a plan and provisions for relocation of residents, if applicable;
- (c) The proposed method of financing the costs of Eligible Activities by Beacon House for private Eligible Activities is feasible and that the Authority will not arrange financing, as described in Section 3.2 of the Plan;
- (d) The costs of Eligible Activities proposed are reasonable and necessary to carry out the purposes of Act 381, including environmental due diligence and due care activities and site preparation, and the cost estimates are based on evaluation from certified professionals, experience in comparable projects, and preliminary discussions with reputable companies, as described in Section 4.1, 4.2, and 4.3 of the Brownfield Plan; and
- (e) The amount of captured taxable value estimated from the adoption of the Brownfield Plan is reasonable, as calculated in Table 2 of the Brownfield Plan, based on calculations of the tax revenues derived from taxable value increases and millage rates approved and authorized by the taxing jurisdictions on an annualized basis and balances against the outstanding Eligible Activity obligation approved as part of the Brownfield Plan and expenses reviewed and approved by the Marquette Brownfield Redevelopment Authority; and

Be it Further Resolved that pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of 1996, as amended, being MCL 125.2651, *et seq*, the Marquette City Commission hereby approves the Second Amendment for the DLP Marquette General Replacement Hospital Brownfield Plan.

Be it Further Resolved that should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof, other than the part so declared to be invalid; and,

Be it Further Resolved that any prior resolutions, or any part thereof, in conflict with any of the provisions of this Resolution are hereby repealed.

Yes:_____

No:_____

Resolution duly adopted

Jennifer A. Smith, Mayor
City of Marquette

Certified to be a true copy,

Date

Kyle Whitney, City Clerk