



RESOLUTION

Brownfield Plan Amendment Approval

Cliffs Dow

At a regular meeting of the Marquette City Commission held at Marquette City Hall, 300 W. Baraga Avenue, Marquette, Michigan on September 25, 2023, 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 City of 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 a Brownfield Plan Amendment that outlines the qualifications, costs, impacts, and incentives for reimbursement from Brownfield Tax Increment Financing revenues with the adoption of the Brownfield Plan has been prepared and submitted for the continued assessment and remediation at the Cliffs Dow property; and

Whereas the City of Marquette Brownfield Redevelopment Authority reviewed the Brownfield Plan Amendment and determined the Brownfield Plan Amendment meets the requirements of Act 381 and constitutes a public purpose of protecting human health and the environment and increasing private investment and economic development; and

Whereas the City of Marquette Brownfield Redevelopment Authority approved the Brownfield Plan Amendment at a regular meeting on August 17, 2023 and provided a recommendation to the Marquette City Commission to approve the Brownfield Plan Amendment; and

Whereas a public hearing on the Brownfield Plan Amendment was held on September 25, 2023, and notice of the public hearing and notice to taxing jurisdictions has been provided in compliance with the requirements of Act 381; and

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

- (a) The Brownfield Plan Amendment constitutes a public purpose of protecting human health and the environment and increasing private investment and economic development;
- (b) The Brownfield Plan Amendment meets the requirements of Sections 13 and 13b of Act 381, Brownfield Plan Provisions as described in the Brownfield Plan Amendment, 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 the City of Marquette for environmental assessment and remediation is feasible, as described in Section 2.4 of the Brownfield Plan Amendment;
- (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, meeting regulatory requirements for environmental assessment and remediation, 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 2.1 and 2.2 of the Brownfield Plan; and
- (e) The amount of captured taxable value estimated from the adoption of the Brownfield Plan Amendment is reasonable, as calculated in Table 2.1 and 2.2 of the Brownfield Plan Amendment, 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 Amendment and expenses reviewed and approved by the City of 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 Brownfield Plan Amendment for Cliffs Dow.

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

Cody Mayer, Mayor
City of Marquette

Certified to be a true copy,

Date

Kyle Whitney, City Clerk