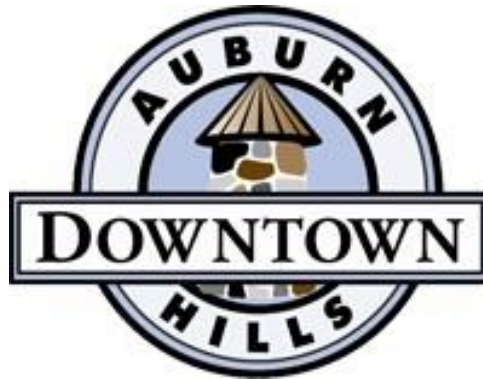


Auburn Hills Downtown Development Authority

Development and Tax Increment Financing

Recommended and approved by the DDA Board – April 28, 2015
Recommended by the Development Area Citizens Council – May 15, 2015
Approved by City Council – May 18, 2015



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I. Introduction

A. Legal Basis for Development and Tax Increment Financing Plan

The statute governing the Downtown Development Authority Development Plan and Tax Increment Financing Plan is Michigan Public Act 197 of 1975, as amended, MCL § 125.1651 *et. seq.* (the “Act”).

B. Purpose of DDA

The Act was enacted to provide a means for local units of government to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interest in real and personal property; to authorize the creation and implementation of a development plan in the district; to promote the economic growth of the district; to prescribe its powers and duties; to authorize the levy and collection taxes; and to authorize the use of Tax Increment Financing.

Tax Increment Financing is a government financing program which contributes to economic growth and development by dedicating a portion of the increase in the tax base resulting from the economic growth and development to facilities, structures or improvements within a development area thereby facilitating economic growth and development.

The Act seeks to accomplish its goals by providing local units of government with the necessary legal, monetary and organizational tools to eliminate property value deterioration and to promote economic growth through publically initiated projects undertaken cooperatively with privately initiated projects.

The Development Plan and Tax Increment Financing Plan is intended to describe the goals and objectives of the Auburn Hills Downtown Development Authority (hereinafter referred to as the “DDA” or the “Authority”). The Plan details and outlines the necessary steps for achieving the goals of redeveloping and maintaining infrastructure in the Downtown District.

It is intended that the Plan becomes the basis for all future development/redevelopment of projects in the downtown district. After it has been adopted the DDA Plan should be all of the following:

1. A long range guide for evaluating proposals for physical changes and for scheduling improvements in the downtown district
2. A guide for making recommendations and establishing priorities in the development area capital improvement program
3. A foundation for conducting more specific and detailed studies for the general development district and for assessing possible improvements and developments
4. A source of information and a statement of policy which is useful to citizens and business owners in making private investment decisions

This document constitutes both the Downtown Development Authority Development Plan and the Tax Increment Financing plan, with the format described in Section 17(2) of the Act followed by the Tax Increment Financing Plan as described in sections 14, 15 and 16 of the Act. [Section 14(2), 17(2)].

The specific purpose of the Development Plan is to define improvements proposed for the Development Area, estimate improvement costs and stages of construction, document the impact these activities are expected to have on the existing Downtown District, and indicate the methods proposed for financing the activities. The specific purpose of the Tax Increment Financing Plan is to provide the legal authority and procedure necessary to permit the DDA to finance improvements deemed necessary to achieve the public purpose of this Plan through the use of financing powers granted in Act 197.

C. Creation and History of DDA

On February 24, 1983, Pontiac Charter Township adopted Ordinance No. 325 that created a Downtown Development Authority and designated the boundaries for the Downtown Development Authority of the Charter Township of Pontiac. On April 18, 1983 the Township Board approved a Downtown Redevelopment Plan through the approval and adoption of Ordinance No. 327. The creation of the Authority was deemed necessary for the best interests of the public in the township to halt property value deterioration and increase property tax valuation where possible in the Downtown District; to eliminate the causes of that deterioration and promote economic growth. Although the DDA and redevelopment plans were formed and adopted, they were never implemented at that time.

On October 20, 2014, the Auburn Hills (formerly Pontiac Charter Township) City Council adopted an ordinance to expand and amend the boundaries of the Downtown District. On May 18, 2015 the first Development Plan and Tax Increment Financing Plan for the City of Auburn Hills was approved and recommended by the DDA and to the Auburn Hills City Council thereafter. The Plans were adopted by City Council on May 18, 2015.

D. Overview of the Development and Visions for the Future

Downtown Auburn Hills is as beautiful as it is unique. Located along the scenic Clinton River in Southeast Michigan, our downtown area features brick-paver sidewalks, a riverside park, and is blanketed by a free Wi-Fi network that can be accessed indoors and outdoors.

Auburn Hills is a dynamic community committed to growth and success. It continues to provide an environment in which businesses, both established and newly formed, can thrive. Making businesses our partners is an integral part of the success of Auburn Hills. Look at the area surrounding our downtown, and you will see the world headquarters of companies such as Borg-Warner, Chrysler Corporation, and US Farthane. Thriving among these large corporations is a plethora of smaller, unique businesses. Encouraging this type of entrepreneurship is what Downtown Auburn Hills does best.

Recently there has been a higher demand for real estate in the downtown area. The City of Auburn Hills has a responsibility to the community, its businesses and citizens. The commitment to downtown is evidenced by the following projects:

- University Center – an offsite classroom location in the heart of Downtown Auburn Hills. Utilized by Oakland University, Oakland Community College, Baker College, Thomas M. Cooley Law School and Avondale Community Schools distance learning center.
- Downtown Education Nook (DEN) – Coinciding the University Center, the DEN offers a location that includes two fireplaces and five rooms to provide students and the community a quiet and casual study space for individuals and/or small groups. The DEN's structure is built from the logs and is an historic landmark in Downtown Auburn Hills. The reinvention of the space is true to the city's motto of "Honoring the Past, Building the Future"
- Improved streetscape projects that unify the development area
- New mixed use commercial housing opportunities which enhance Downtown Auburn Hills and promote walkable traffic to help make Downtown a regional destination for individuals of all ages
- Created a favorable atmosphere for independent retail, entertainment businesses, housing developments and major employers.

The Downtown Development Authority recognizes the past accomplishments of the City of Auburn Hills. Through the Development Plan, the Authority will continue to foster the economic growth and development of Downtown. It is important that the DDA continue to enhance and maintain the viability of Downtown through the use of economic development techniques and tools for projects as described herein.

Auburn Hills believes that the pattern of development prior to the implementation of a DDA has helped lead to enhanced civic spaces, an inviting small business corridor and encouraged multiple housing developments. The future vision for Downtown Auburn Hills requires more infrastructure and maintenance than in the past. The necessity for the establishment of the DDA is appropriate to prevent property value deterioration, increase and maintain current infrastructure to accommodate the increasing population in the development area, and promote economic growth.

E. Goals of the DDA

The goals of the DDA were established with help and careful consideration from our Development Area Citizen's Council, and city staff. The group consulted Auburn Hills Downtown Economic enhancement Strategy produced in 2009 by HyettPalma for history and knowledge of the downtown area. Members also shared his or her own vision of what the DDA should strategically focus on over the next fifteen (15) years. The following list is a compilation of ideas and discussions with the group:

- 1) Establish reasonable development opportunities and attract a variety of both public and private interests.
- 2) Accommodate mixed uses within the DDA district to continue the retail and residential component and create a continuum of activity to the east and west of the core downtown as driven by developer demand.
- 3) Provide a diversity of experiences and views that will appeal to all ages of the permanent community, business community, college community and visitors.
- 4) Link the DDA District with the river and the park systems through walkable, pedestrian friendly, and green space enhancements.
- 5) Encourage events within Downtown in ways that create community excitement through increasing involvement and public ownership of the events and nightlife.
- 6) Improve wayfinding in Downtown Auburn Hills for both foot traffic as well as automobiles. Establish Downtown as a destination through enhanced signage and branding.
- 7) Establish facility designs that reflect the character of Downtown and promote compatibility between new and existing developments.
- 8) Improve the overall business climate of the DDA District through planning, promotion and strategic coordination of activities and implementation of improvement projects
- 9) Foster cooperation between the DDA, City staff and officials, residents and our partners at Oakland County, including the Main Street Oakland County downtown program.

II. Development Plan

A. Boundaries of the DDA

The Development Area includes the entire DDA District. A map showing the boundaries of the DDA district is attached as Map A. Further, the District's Legal Description and Parcel Identification Numbers are attached at Exhibit B and C, respectively.

B. Rationale of Boundaries of the Development Area

The boundaries for the DDA were established in an effort to coordinate future development efforts in a cohesive manner. The boundary delineation permits the DDA to capture fifty percent of the increases in assessed valuations resulting directly from development projects or improvements, determined to do the following:

- Permit the Authority to capture fifty percent of increases in assessed valuations resulting directly from anticipated development projects
- It is property planned for major redevelopment in the future, which may require DDA financial involvement
- It is property upon which the DDA proposed to make public improvements
- It is property that will permit maximum flexibility in the selection of any future public improvements to be financed by the DDA.

C. Location of Existing Streets and Other Public Facilities

The main roadways through the proposed development area include: Auburn Road running East to West and Adams Road running North to South. The proposed DDA road network falls within the Northwest and Southwest Quadrants of the Auburn Road and Adams Road intersection. Please refer to Map E for a map of all existing streets. All roadway portions that are within the DDA District include:

Existing Public Access Roadways:

- **Auburn Road** – The section of Auburn Road that the development area limits encompass is from the intersection of Adams and Auburn to approximately 2,300 feet West of Adams Road. Additionally a portion of Auburn road that connects to Churchill Road. This portion begins approximately 3,900 feet West of Adams Road and ends approximately 4,600 feet West of Adams Road.
- **Oakmont Street** – perpendicular to Auburn Road, approximately 1,500 feet West of Adams Road. Roadway runs North to South in a straight line. Total Length of the roadway is approximately 180 feet South from Auburn Road, beginning at Auburn Road.
- **Cherryland Street** - perpendicular to Auburn Road, approximately 2,000 feet West of Adams Road. Roadway runs North to South in a straight line. Total Length of the roadway is approximately 220 feet South from Auburn Road, beginning at Auburn Road.
- **Juniper Street** - perpendicular to Auburn Road, approximately 2,250 feet West of Adams Road. Roadway runs North to South in a straight line. Total Length of the roadway is approximately 380 feet South from Auburn Road, beginning at Auburn Road.

- **South Grey Road** - perpendicular to Auburn Road, approximately 2,900 feet West of Adams Road. Roadway runs North to South in a straight line. Total Length of the roadway is approximately 500 feet South from Auburn Road, beginning at Auburn Road.
- **Primary Street** – parallel to Auburn Road, approximately 325 feet South of Auburn Road. Roadway runs East to West in a straight line. Total Length of the roadway is approximately 1,200 feet from South Squirrel Road to Juniper Street.
- **South Squirrel Road** - perpendicular to Auburn Road, approximately 3,500 feet West of Adams Road. Roadway runs North to South in a straight line. Total Length of the roadway is approximately 400 feet, beginning approximately 185 feet South of Auburn Road.
- **Squirrel Court** - begins perpendicular to Auburn Road but curves to become parallel approximately 200 feet North of Auburn Road. Roadway is located approximately 3,500 feet West of Adams road in the North to South section and approximately 370 feet North of Auburn Road in the East to West section. Total length of the roadway is approximately 1,500 feet.
- **North Squirrel Road** – perpendicular to Auburn Road, approximately 2,900 feet West of Adams Road. Roadway runs North to South in a fairly straight line. Total length of the roadway is approximately 530 feet from Squirrel Court to Parklawn Street.
- **Tebeau Court** - perpendicular to Auburn Road, approximately 2,400 feet West of Adams Road. Roadway runs North to South in a fairly straight line. Total length of the roadway is approximately 440 feet from Squirrel Court to Parklawn Street.
- **Parklawn Street** - parallel to Auburn Road, approximately 850 feet North of Auburn Road. Roadway runs East to West in a fairly straight line. Total length of the roadway is approximately 450 feet from North Squirrel Road to Tebeau Court.
- **Churchill Road** - perpendicular to Auburn Road, approximately 4,000 feet West of Adams Road. Roadway runs North to South in a fairly straight line. Total length of the roadway is approximately 750 feet North of Auburn Road, beginning at Auburn Road.

Existing Private Access Roadways:

- **Forester Boulevard** – perpendicular to Old Adams road, approximately 2,000 feet North of Auburn Road. Roadway runs East to West, is straight for approximately 500 feet West and then becomes a circular drive with a total circumference of approximately 750 feet. Forester Boulevard continues West on a straight path an additional 425 feet until it reaches the River Woods Trail.
- **Beverly Avenue** – perpendicular to Forester Boulevard, approximately 175 feet West of Old Adams Road. Roadway runs North to South in a straight line. Total length of the roadway is approximately 625 feet, with 150 feet being South of Forester Boulevard.
- **Jotham Avenue** – perpendicular to Forester Boulevard, approximately 500 feet West of Old Adams Road. Roadway runs North to South in a straight line. Total length of the roadways is approximately 1,200 feet long, with 850 feet being South of Forester Boulevard.

- **Pierce Avenue** – perpendicular to Jotham Avenue, approximately 1,400 feet North of Auburn Road. Roadway runs East to West in a straight line. Total length of the roadway is approximately 500 feet long and connects Jotham Avenue to Raleigh Avenue.
- **Raleigh Avenue** - perpendicular to Forester Boulevard, approximately 1,000 feet West of Old Adams Road. Roadway runs North and South in a straight line. Total length of the roadway is approximately 750 feet long South of Forester Boulevard.
- **Andover Avenue** – perpendicular to Beverly Avenue, approximately 2,400 feet North of Auburn Road for its Northernmost section. Andover Avenue is approximately 2,200 feet North of Auburn Road for its Southernmost section. Andover Avenue connects to Beverly Avenue and follows a straight line West for approximately 550 feet. Andover Avenue then turns into a North to South Roadway for a length of approximately 250 feet before returning to an East to West roadway South of where it originated. This southern stretch has a slight jog to the Southwest but is fairly straight for a length of approximately 300 feet.
- **College Street** - perpendicular to Auburn Road, approximately 2,200 feet West of Adams Road. College Street is a North to South roadway with a bend to the Northeast that is roughly in the middle of the total length. The total length of the roadway is approximately 1,500 feet long. College street ends when it reaches College Drive.
- **College Drive** – from College Street, that is in a relatively circular shape. College Drive encompasses Tulane Street, Harvard Street, and Purdue Street with a total length of approximately 2,400 feet.
- **Tulane Street** – within College Drive, approximately 1,600 feet North of Auburn Road. Roadway runs East to West in a straight line. Total length of the roadway is approximately 500 feet.
- **Harvard Street** – within College Drive, approximately 1,400 feet North of Auburn Road. Roadway runs East to West in a straight line. Total length of the roadway is approximately 600 feet.
- **Purdue Street** – within College Drive, approximately 1,200 feet North of Auburn Road. Roadway runs East to West in a straight line. Total length of the roadway is approximately 425 feet.

Proposed Public Access Roadways:

Parkways Boulevard – proposed construction perpendicular to South Adams Road in a Southwest direction. Parkways Boulevard is proposed to connect to both College Street and Auburn Road with a wishbone. The connection to College Street, approximately 380 feet long, will run East to West and the connection with Auburn Road, approximately 350 feet long, will run North to South. The remainder of the roadway is relatively straight and is approximately 2,300 feet long.

D. Extent of Public and Private Land Uses

There are community facilities within the development area boundary including Riverwoods and Riverside Parks. There is a diverse land use mixture currently as well as planned in the future. Refer to Map B for Existing Land Use (7.35% Single Family Residential), Map C for Future Land Use (3.42% Single Family Residential) and Map D for the current zoning of all parcels within the DDA District. Future Land Use in the DDA is focused on mixed use developments with high-density commercial residential with retail and office components.

E. Proposed Improvements, Estimated Cost and Financing Procedures of Improvements Proposed & Maintenance Costs of the City of Auburn Hills

Pursuant to MCL 125.1661, 125.1663, and 125.1666(1) the costs of acquisition and development are anticipated to be financed by:

- Tax Increment Revenues (at a 50% rate of capture)
- Public and private grants
- Donations received by the DDA
- Proceeds of tax, not to exceed 2 mills, imposed pursuant to Section 12 of Act 197 (potentially implemented in the future)

Refer to Table C for a proposed time of completion for each potential Auburn Hills Improvement. Proposed projects have been placed in phases for estimated time of completion. Several of the projects are ongoing and will be worked on throughout the duration of the Plan.

1. Phase 1 – Years 0 – 5
2. Phase 2 – Years 6 – 10
3. Phase 3 – Years 11 – 15

The improvements contemplated by this Development Plan will commence as monies become available to pay for them. A specific project may need to be moved to a different phase of construction if growth and development occur at a different rate than anticipated or as specific grant funding becomes available to assist with a project. Auburn Hills anticipates partnerships with developers for contribution and cost sharing of infrastructure as private investment projects take place.

Please refer to Table B for anticipated, phased maintenance costs in the Auburn Hills DDA.

F. Estimated Cost of New Private Improvements and Proposed Schedule of Phased Construction

Refer to Table A for a proposed time of completion for each potential private investment. These are expected land uses and projects based upon comparable projects and investments throughout the community. Proposed projects have been placed in phases for estimated time of completion. Several of the projects are ongoing and will be worked on throughout the duration of the Plan.

4. Phase 1 – Years 0 – 5
5. Phase 2 – Years 6 – 10
6. Phase 3 – Years 11 – 15

A specific project may need to be moved to a different phase of construction if growth and development occur at a different rate than anticipated or as specific grant funding becomes available to assist with a project.

G. Description of Desired Zoning, Street and Utility Changes

In early 2015 construction began on The Parkways Boulevard on Parcel 1425426011. This road will be extended in future years as development allows. This is the only known zoning, street or utility change planned at this time. However, certain times of development may require that some of these changes occur. The proper City of Auburn Hills procedures will be followed for approving and constructing these changes.

H. Open Space Areas and Use

The current areas that are open along the riverfront are Riverwoods and Riverside Parks. Both are intended to remain open spaces and greenways for gathering and enjoying concerts, festivals and multiple other activities.

I. Sales, Leases, and Exchanges of Property within the DDA

It is unknown at this time if the DDA intends to sell, donate, exchange or lease any portions of the development area. If it is determined necessary in order to achieve the goals and objectives of the DDA, the DDA will follow the City of Auburn Hills procedure for doing so.

As development and market opportunities occur, the DDA may enter into agreements to lease, sell or convey a portion of the development to natural or corporate persons if it is deemed to be in the best interest of the DDA and its goals in preventing deterioration and revitalization of its downtown area. The DDA will proceed with the process that the City of Auburn Hills ordinarily uses for leasing, selling or conveying property.

J. Estimated Number of Persons Residing in Development Area and Number to be Displaced

There are approximately 300 persons residing in the Development area. Consequently, in accordance with Act 197, a Development Area Citizens Council has been appointed to aid in the creation of the Development Plan and Tax Increment Financing Plan. The Authority does not foresee the displacement of families in the Development Area.

K. Plan for Establishing Priority for Relocation of Persons Displaced by Development

Since no persons will be displaced from the Development Area by any of the proposed projects, it is not necessary to prepare a plan for establishing priority for displaced persons.

L. Provision Cost of Relocating Displaced Persons

All costs associated with any real property acquisition and relocation activities will be approved by the DDA. In the event any future projects involve the relocation of displaced persons, 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, shall be made in accordance with the standards and provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, USC § 4601-4655.

M. Compliance with Act 227 of 1972

This Development Plan meets the requirements of Act 227 of Michigan Public Acts of 1972, as amended, in that there are no displaced persons or businesses at present and future development will comply with Act 227 to the extent required.

III. Tax Increment Financing Plan

Section 14(1) of the DDA Act provides that when the authority deems that it is necessary for the achievement of the purposes of the DDA Act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The DDA Act requires that the plan include (A) a detailed explanation of the tax increment procedure, (B) the maximum amount of bonded indebtedness to be incurred, (C) the duration of the program, (D) compliance with Section 15 of the DDA act, (E) a statement of the estimated impact of tax increment financing on the assessed value of all taxing jurisdictions in which the development area is located and (F) a statement of the portion of the captured assessed value intended to be used by the authority.

A. Tax Increment Financing Procedure

The DDA Act enables downtown development authorities to undertake a broad range of downtown improvement activities which will contribute to the economic growth and the halting of deterioration of property values in a designated downtown district. These improvement activities include, but are not limited to, the following: plan and propose construction, renovation, repair, remodeling, rehabilitation, restoration or reconstruction of public facilities, existing buildings, or multi-family dwelling facilities; development of long-range plans; and otherwise implement any plan of development in the downtown district necessary to achieve the purposes of the DDA Act.

In order to provide the Downtown Development Authority with the means of financing the plan and implementation of development proposals, the DDA Act affords the opportunity to undertake tax increment financing of development programs. These programs must be identified in a tax increment financing plan which has been approved by the governing body of a municipality.

The tax increment financing plan permits the authority to capture tax revenues attributable to increases in the value of real and personal property located within an approved development area. The increases in property value may be attributable to new construction, rehabilitation, remodeling, alterations, and additions or to such other factors the assessor may deem appropriate.

“Initial Assessed Value” is the assessed value, as equalized, 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, 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. In each subsequent year, the total assessed value, as assessed value is defined in MCL 125.1651(b), of real and personal property within the district is termed the “Current Assessed Value.”

The difference in any one year between the Current Assessed Value and the Initial Assessed value is the “Captured Assessed Value.” During that period during which the tax increment financing plan is in place, local taxing jurisdictions continue to receive ad valorem taxes based on the Initial Assessed Value. Taxes paid on the Captured Assessed Value in years subsequent to the establishment of the development are, however, are payable to the authority at a rate of fifty percent with the remainder being distributed to all other taxing jurisdictions at their corresponding millage rates.

B. Bonded Indebtedness Incurred

The municipality does not foresee the use of public bonds for DDA projects throughout the duration of the plan. However, should the city need the use of bonded indebtedness to carry out project, the debt load will be limited by the estimated costs of the development plus any associated

costs of accompanying services. The bond will also be limited to the expected tax financing revenues for the year of the bond issuance.

C. Duration of the TIF Plan

The tax increment financing plan shall have a term of fifteen (15) years and shall expire the following collection of the December 1, 2030 tax levy. The term of the Plan may be modified from time to time by the City Council upon notice, public hearing and amendments as required by the Act.

D. Compliance with Section 15 of the DDA Act

It is recognized that the amount of tax increment revenue to be transmitted to the authority by the City Treasurer shall be that portion of fifty percent of the tax levy of all taxing bodies subject to capture paid annually on the capture of assessed value of real and personal property in the development area.

It is further recognized that tax increment revenues shall be expended only in accordance with the provisions of the tax increment financing plan and the surplus increment revenues shall revert proportionately to the respective local taxing jurisdictions.

It is also recognized that tax increment revenues shall not be used to circumvent existing property tax limit laws and that the Auburn Hills City Council may abolish the tax increment financing plan when it finds that the purposes for which the plan was created are accomplished.

Pursuant to section 15(3) of the DDA Act, the authority shall submit to the Auburn Hills City Council an annual report on the status of the tax increment financing account. The report shall include, but not be limited to the following items.

1. Amount and source of revenue in the account
2. Account and purpose of expenditures from the account
3. Amount of principal interest on the outstanding bonded indebtedness, if any.
4. Initial assessed value retained by the authority
5. Captured assessed value retained by the authority
6. Tax increments received by the authority
7. Such other additional information as is deemed necessary by City Council

The authority shall publish or cause to be published the annual tax increment financing report in the local newspaper.

E. Estimated Impact on Assessed Value of all Taxing Jurisdictions

The tax increment financing plan will in no way diminish the assessed values of their property within the area boundaries. Local taxing jurisdictions therefore will suffer no loss of current amount of tax revenues.

For the period during with the tax increment financing plan is in effect, the assessed value of properties within the redevelopment area will effectively remain constant insofar as the local taxing jurisdictions are concerned. Any increase in property values will generate tax increment revenues, fifty percent of which will be available only to the authority during the duration of the plan. The remaining revenues will be disbursed to the local taxing jurisdictions.

It should be noted, however, that Act No. 404 of the Public Acts of 1974, as amended, specifically authorizes the exclusion of the Captured Assessed Value of the redevelopment area in computations made by school districts to determine state financial assistance.

It is anticipated that the development activities of the authority to finance in whole or in part by tax increment revenues will produce positive, material effect on the assessed values of property within and in the proximity of the development area and will ultimately result in the eventual collection of greater real and personal property tax revenues than would otherwise have been available.

Pursuant to Section 14(4) of the DDA Act, the authority shall fully inform stakeholders of the various fiscal and economic implications of the proposed development area.

F. Provisions for the Use of the Captured Assessed Value

In the view of the necessity of halting property value deterioration, adding essential infrastructural improvements and of promoting economic growth within the downtown area, it is in the intention of the authority to expend and obligate all of the tax increment proceeds to achieve the purposes of the DDA Act.

The tax increment revenues which are generated by the Captured Assessed Value will be used in connection with DDA projects including maintenance construction, renovation, repair, remodeling, rehabilitation, restoration or reconstruction of public facilities, existing buildings, or multi-family dwelling facilities; development of long-range plans; and otherwise implement any plan of development in the downtown district necessary to achieve the purposes of the DDA Act.

IV. Exhibits

A. DDA Act 197 of 1975

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.

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 211.155.

(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 (aa), exceeds the initial assessed value. The state tax commission shall prescribe the method for calculating captured assessed value.

(g) "Catalyst development project" means a project that is located in a municipality with a population greater than 600,000, is designated by the authority as a catalyst development project, and is expected to result in at least \$300,000,000.00 of capital investment. There shall be no more than 1 catalyst development project designated within each authority.

(h) "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.

(i) "Development area" means that area to which a development plan is applicable.

(j) "Development plan" means that information and those requirements for a development plan set forth in section 17.

(k) "Development program" means the implementation of the development plan.

(l) "Downtown district" means that part of an area in a business district that is specifically designated by ordinance of the governing body of the municipality pursuant to this act. A downtown district may include 1 or more separate and distinct geographic areas in a business district as determined by the municipality if the municipality enters into an agreement with a qualified township under section 3(7) or if the municipality is a city that surrounds another city and that other city lies between the 2 separate and distinct geographic areas. If the downtown district contains more than 1 separate and distinct geographic area in the downtown district, the separate and distinct geographic areas shall be considered 1 downtown district.

(m) "Eligible advance" means an advance made before August 19, 1993.

(n) "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.

(o) "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.

(p) "Fiscal year" means the fiscal year of the authority.

(q) "Governing body of a municipality" means the elected body of a municipality having legislative powers.

(r) "Initial assessed value" means the assessed value, as equalized, 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, 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 (aa). 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.

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

(t) "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.

(u) "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.

(v) "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.

(w) "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.

(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.

(ix) An obligation incurred after July 31, 2012 by an authority, municipality, or other governmental unit to pay for costs associated with a catalyst development project.

(x) "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. Public

facility also includes the acquisition, construction, improvement, and operation of a building owned or leased by the authority to be used as a retail business incubator.

(y) "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 1 or more of the following apply:

(i) The obligation is issued to refund a qualified refunding obligation issued in November 1997 and any subsequent refundings of that obligation issued before January 1, 2010 or the obligation is issued to refund a qualified refunding obligation issued on May 15, 1997 and any subsequent refundings of that obligation issued before January 1, 2010 in an authority in which 1 parcel or group of parcels under common ownership represents 50% or more of the taxable value captured within the tax increment finance district and that will ultimately provide for at least a 40% reduction in the taxable value of the property as part of a negotiated settlement as a result of an appeal filed with the state tax tribunal. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2611, if issued before January 1, 2010. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is hereby extended to 1 year after the final date of maturity of the qualified refunding obligations.

(ii) The refunding obligation meets both of the following:

(A) 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.

(B) The net present value of the sum of the tax increment revenues described in subdivision (cc)(ii) 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 (cc)(ii) and the distributions under section 13b to repay the obligation being refunded, as calculated using a method approved by the department of treasury.

(iii) The obligation is issued to refund an other protected obligation issued as a capital appreciation bond delivered to the Michigan municipal bond authority on December 21, 1994 and any subsequent refundings of that obligation issued before January 1, 2012. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 305(2), (3), (5), and (6), section 501, section 503, or section 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2305, 141.2501, 141.2503, and 141.2611, if issued before January 1, 2012. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is extended to 1 year after the final date of maturity of the qualified refunding obligations. The obligation may be payable through the year 2025 at an interest rate not exceeding the maximum rate permitted by law, notwithstanding the bond maturity dates contained in the notice of intent to issue bonds published by the municipality. An obligation issued under this subparagraph is a qualified refunding obligation only to the extent that revenues described in subdivision (cc)(ii) and distributions under section 13b to repay the qualified refunding obligation do not exceed \$750,000.00.

(iv) The obligation is issued to refund a qualified refunding obligation issued on February 13, 2008, and any subsequent refundings of that obligation, issued before December 31, 2018. Qualified refunding

obligations issued under this subparagraph are not subject to the requirements of section 305(2), (3), (5), and (6), 501, 503, or 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2305, 141.2501, 141.2503, and 141.2611. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is extended to 1 year after the final date of maturity of the qualified refunding obligations. Revenues described in subdivision (cc)(ii) and distributions made under section 13b in excess of the amount needed for current year debt service on an obligation issued under this subparagraph may be paid to the authority to the extent necessary to pay future years' debt service on the obligation as determined by the board.

(z) "Qualified township" means a township that meets all of the following requirements:

(i) Was not eligible to create an authority prior to January 3, 2005.

(ii) Adjoins a municipality that previously created an authority.

(iii) Along with the adjoining municipality that previously created an authority, is a member of the same joint planning commission under the joint municipal planning act, 2003 PA 226, MCL 125.131 to 125.143.

(aa) "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 in lieu of a property tax.

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

(cc) "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.

(D) Ad valorem property taxes levied under 1 or more of the following or specific local taxes attributable to those ad valorem property taxes:

(I) The zoological authorities act, 2008 PA 49, MCL 123.1161 to 123.1183.

(II) The art institute authorities act, 2010 PA 296, MCL 123.1201 to 123.1229.

(iv) The amount of tax increment revenues authorized to be included under subparagraph (ii) or (v), 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) or (v).

(v) Tax increment revenues include ad valorem property taxes and specific local taxes, in an annual amount and for each year approved by the state treasurer, attributable to the levy by this state under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and by local or intermediate school districts, upon the captured assessed value of real and personal property in the development area of an authority established in a city with a population of 600,000 or more to pay for, or reimburse an advance for, not more than \$8,000,000.00 for the demolition of buildings or structures on public or privately owned property within a development area that commences in 2005, or to pay the annual principal of or interest on an obligation, the terms of which are approved by the state treasurer, issued by an authority, or by a city on behalf of an authority, to pay not more than \$8,000,000.00 of the costs to demolish buildings or structures on public or privately owned property within a development area that commences in 2005.

(vi) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the levy by this state under the state education tax act, 1993 PA 331, MCL 211.201 to 211.906, and by local or intermediate school districts which were levied on or after July 1, 2010, upon the captured assessed value of real and personal property in the development area of an authority established in a city with a population of 600,000 or more to pay for, or reimburse an advance for, costs associated with the land acquisition, preliminary site work, and construction of a catalyst development project.

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.
- (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.

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.

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; agreement with adjoining municipality; agreement with qualified township.

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. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail 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.

(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 or her 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.

(6) A municipality that has created an authority may enter into an agreement with an adjoining municipality that has created an authority to jointly operate and administer those authorities under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(7) A municipality that has created an authority may enter into an agreement with a qualified township to operate its authority in a downtown district in the qualified township under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512. The interlocal agreement between the municipality and the qualified township shall provide for, but is not limited to, all of the following:

- (a) Size and makeup of the board.
- (b) Determination and modification of downtown district, business district, and development area.
- (c) Modification of development area and development plan.
- (d) Issuance and repayment of obligations.
- (e) Capture of taxes.
- (f) Notice, hearing, and exemption of taxes from capture provisions described in this section.

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.

125.1653b Ratification and validation of ordinance and actions; compliance.

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.

(3) 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 7,000 before June 1, 1998 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.

125.1653c Proceedings or findings; validity.

Sec. 3c.

The validity of the proceedings or findings establishing an authority, or of the procedure, adequacy of 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 an other protected obligation that is a bond issued after October 1, 1994.

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.

125.1654 Board; appointment, terms, and qualifications of members; vacancy; compensation and expenses; election of chairperson; appointment as public official; 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; modification by interlocal agreement.

Sec. 4.

(1) Except as provided in subsections (7), (8), and (9), 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 or officers, members, trustees, principals, or employees of a legal entity 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. The rules of procedure or the bylaws of the authority may provide that a person be appointed to the board in his or her capacity as a public official, whether appointed or elected. The rules of procedure or bylaws may also provide that the public official's term shall expire upon expiration of his or her service as a public official. In addition, the public official's membership on the board expires on his or her resignation from office as a public official.

(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, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board shall adopt rules consistent with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, 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, 1976 PA 442, MCL 15.231 to 15.246.

(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 former 1931 PA 285 or the Michigan planning enabling act, 2008 PA 33, MCL 125.3801 to 125.3885, serve as the board provided for in subsection (1).

(9) If a municipality enters into an agreement with a qualified township under section 3(7), the membership of the board may be modified by the interlocal agreement described in section 3(7).

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.

125.1656 Participation of employees in municipal retirement and insurance programs.

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.

125.1657 Powers of board; creation, operation, or funding of retail business incubator.

Sec. 7.

(1) 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 Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.
- (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 considers 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 in property, 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 to that property.
- (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 to that property, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination of them.
- (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 of a building or property.
- (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.

(n) Create, operate, and fund marketing initiatives that benefit only retail and general marketing of the downtown district.

(o) Contract for broadband service and wireless technology service in the downtown district.

(p) Operate and perform all duties and exercise all responsibilities described in this section in a qualified township if the qualified township has entered into an agreement with the municipality under section 3(7).

(q) Create, operate, and fund a loan program to fund improvements for existing buildings located in a downtown district to make them marketable for sale or lease. The board may make loans with interest at a market rate or may make loans with interest at a below market rate, as determined by the board.

(r) Create, operate, and fund retail business incubators in the downtown district.

(2) If it is the express determination of the board to create, operate, or fund a retail business incubator in the downtown district, the board shall give preference to tenants who will provide goods or services that are not available or that are underserved in the downtown area. If the board creates, operates, or funds retail business incubators in the downtown district, the board and each tenant who leases space in a retail business incubator shall enter into a written contract that includes, but is not limited to, all of the following:

(a) The lease or rental rate that may be below the fair market rate as determined by the board.

(b) The requirement that a tenant may lease space in the retail business incubator for a period not to exceed 18 months.

(c) The terms of a joint operating plan with 1 or more other businesses located in the downtown district.

(d) A copy of the business plan of the tenant that contains measurable goals and objectives.

(e) The requirement that the tenant participate in basic management classes, business seminars, or other business education programs offered by the authority, the local chamber of commerce, local community colleges, or institutions of higher education, as determined by the board.

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.

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.

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.

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.

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.

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.

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.

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, 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 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.

125.1663c Retention and payment of taxes levied under state education tax act; conditions; application by authority for approval; information to be included; approval, modification, or denial of application by department of treasury; appropriation and distribution of amount; calculation of aggregate amount; lien; reimbursement calculations; legislative intent.

Sec. 13c.

(1) If the amount of tax increment revenues lost as a result of the personal property tax exemptions provided by section 1211(4) of the revised school code, 1976 PA 451, MCL 380.1211, section 3 of the state education tax act, 1993 PA 331, MCL 211.903, section 14(4) of 1974 PA 198, MCL 207.564, and section 9k of the general property tax act, 1893 PA 206, MCL 211.9k, will reduce the allowable school tax capture received in a fiscal year, then, notwithstanding any other provision of this act, the authority, with approval of the department of treasury under subsection (3), may request the local tax collecting treasurer to retain and pay to the authority taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, to be used for the following:

(a) To repay an eligible advance.

(b) To repay an eligible obligation.

(c) To repay another protected obligation.

(2) Not later than June 15, 2008, not later than September 30, 2009, and not later than June 1 of each subsequent year, except for 2011, not later than June 15, an authority eligible under subsection (1) to have taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, retained and paid to the authority under this section, shall apply for approval with the department of treasury. The application for approval shall include the following information:

(a) 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.

(b) 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.

(c) The tax increment revenues the authority estimates it would have received for that fiscal year if the personal property tax exemptions described in subsection (1) were not in effect.

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

(e) 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, the repayment of an eligible advance, or the payment of an other protected obligation. 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 plan.

(f) 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.

(3) Not later than August 15, 2008; for 2009, not later than February 3, 2010; for 2011 only, not later than 30 days after the effective date of the amendatory act that amended this sentence; and not later than August 15 for 2010, 2012, and each subsequent year, based on the calculations under subsection (5), the department of treasury shall approve, modify, or deny the application for approval to have taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, retained and paid to the authority under this section. If the application for approval contains the information required under subsection (2)(a) through (f) and appears to be in substantial compliance with the provisions of this section, then the department of treasury shall approve the application. If the application is denied by the department of treasury, then the department of treasury shall provide the opportunity for a representative of the authority to discuss the denial within 21 days after the denial occurs and shall sustain or modify its decision within 30 days after receiving information from the authority. If the application for approval is approved or modified by the department of treasury, the local tax collecting treasurer shall retain and pay to the authority the amount described in subsection (5) as approved by the department. If the department of treasury denies the authority's application for approval, the local tax collecting treasurer shall not retain or pay to the authority the taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906. An approval by the department does not prohibit a subsequent audit of taxes retained in accordance with the procedures currently authorized by law.

(4) Each year the legislature shall appropriate and distribute an amount sufficient to pay each authority the following:

(a) If the amount to be retained and paid under subsection (3) is less than the amount calculated under subsection (5), the difference between those amounts.

(b) If the application for approval is denied by the department of treasury, an amount verified by the department equal to the amount calculated under subsection (5).

(5) Subject to subsection (6), the aggregate amount under this section shall be the sum of the amounts determined under subdivisions (a) and (b) minus the amount determined under subdivision (c), as follows:

(a) The amount by which the tax increment revenues the authority would have received and retained for the fiscal year, excluding taxes exempt under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, if the personal property tax exemptions described in subsection (1) were not in effect, exceed the tax increment revenues the authority actually received for the fiscal year.

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

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

(6) A distribution or taxes retained under this section replacing tax increment revenues pledged by an authority or a municipality are subject to any lien of the pledge described in subsection (1), whether or not there has been physical delivery of the distribution.

(7) Obligations for which distributions are made under 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.

(8) Not later than September 15 of each year, the authority shall provide a copy of the application for approval approved by the department of treasury to the local tax collecting treasurer and provide the amount of the taxes retained and paid to the authority under subsection (5).

(9) Calculations of amounts retained and paid and appropriations to be distributed under this section shall be made on the basis of each development area of the authority.

(10) 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.

(11) It is the intent of the legislature that, to the extent that the total amount of taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, that are allowed to be retained under this section and section 11b of the local development financing act, 1986 PA 281, MCL 125.2161b, section 15a of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2665a, and section 12b of the tax increment financing act, 1980 PA 450, MCL 125.1812b, exceeds the difference of the total school aid fund revenue for the tax year minus the estimated amount of revenue the school aid fund would have received for the tax year had the tax exemptions described in subsection (1) and the earmark created by section 515 of the Michigan business tax act, 2007 PA 36, MCL 208.1515, not taken effect, the general fund shall reimburse the school aid fund the difference.

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

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, 1933 PA 62, MCL 211.201 to 211.217a. 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, 1985 PA 224, MCL 125.2113.

(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 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.

(6) Under a tax increment financing plan that includes a catalyst development project, an authority may pledge available tax increment revenues of the authority as security for any bonds issued to develop and construct a catalyst development project.

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.

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 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.

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.
- (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.

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 or amending a development plan or approving or amending a 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. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the development plan or the tax increment financing plan is approved or amended.

(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 considers 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 to the development plan. The hearing 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.

125.1669 Development plan or tax increment financing plan as constituting public purpose; determination; ordinance; considerations; amendments; incorporation of catalyst development project plan.

Sec. 19.

(1) The governing body after a public hearing on the development plan or the tax increment financing plan, or both, with notice of the hearing 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.

(3) Proposed amendments made to an approved development plan to incorporate a catalyst development project plan shall be submitted by the authority to the Michigan strategic fund for approval or rejection of that part of the plan relating to the catalyst development project. Amendments not approved or rejected under this subsection by the Michigan strategic fund within 45 days of submission for approval shall be considered approved.

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.

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.

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.

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.

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.

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.

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.

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.

(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.

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.

125.1678a Exemption.

Sec. 28a.

Beginning January 1, 2010, the authority shall be exempt from all taxation on its earnings or property. Instruments of conveyance from an authority are exempt from transfer taxes under 1966 PA 134, MCL 207.501 to 207.513, and the state real estate transfer tax act, 1993 PA 330, MCL 207.521 to 207.537.

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.

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.

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.

B. Legal Description of DDA and Development Area

A parcel of land being part of the SE 1/4 & SW 1/4 of Section 25 and the NE 1/4 & NW 1/4 of Section 36, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows: Commencing at the SE corner of said Section 25 also being the NE corner of said Section 36; thence West 33 feet along the South line of said Section 25 and the North line of said Section 36 also being the Centerline of Auburn Road (66 ft. wide) to the Point of Beginning; thence South along the West right of way line of S. Adams Road (66 ft. wide) to the SE corner of Lot 1 of "Supervisor's Plat No. 16", as recorded in Liber 28, Page 46, Oakland County Records, also being the SW corner of parcel (#14-36-226-023); thence West to the SW corner of Lot 33 of said Supervisor's Plat No. 16, also being the SW corner of parcel (#14-36-226-002); thence South along the West line of said Supervisor's Plat No. 16 to the SE corner of parcel (#14-36-226-001); thence West along the South line of said parcel to the SW corner of

said parcel; thence South to the SE corner of parcel (#14-36-203-012); thence West along the South line of said parcel to a point on the East line of "Maplehurst Subdivision", as recorded in Liber 32, Page 7, Oakland County Records also being the SW corner of said parcel; thence North along said East line to the SE corner of parcel (#14-36-203-001); thence West to a point on the West right of way line of Oakmont Street (50 ft. wide); thence South to the SE corner of parcel (#14-36-202-062), also the NE corner of Public Alley (16 ft. wide); thence West along the North line of said Alley to a point on the West line of said Maplehurst Subdivision also being the SW corner of Lot 1 of said Subdivision, the SW corner of Parcel (14-36-202-005) and the NW corner of said Alley; thence South along the West line of said Maplehurst Subdivision also being the East line of "Supervisor's Plat No. 1", as recorded in Liber 50, Page 19, Oakland County Records, to the SW corner of said Alley, the SE corner of parcel (#14-36-202-004) and the SE corner of Lot 5 of said Supervisor's Plat No. 1; thence West along the South line of said Lot 5 to the SW corner of said parcel (#14-36-202-004) also being the SE corner of Public Alley (16 ft. wide); thence North along said Alley to the NE corner of said Alley also being the SE corner of parcel (#14-36-202-003); thence West along the North line of said Alley to a point on the West right of way line of Cherryland Street (60 ft. wide); thence South along said line to the SE corner of parcel (#14-36-201-001); thence West along the South line of said parcel to the SW corner of said parcel; thence North along the West line of parcel (14-36-201-001) to a point on the South right of way line of Railroad; thence Southwesterly 17.16 feet along said South line to a point on the West line of "Cherryland Subdivision", as recorded in Liber 48, Page 3, Oakland County Records; thence along said West line to the SW corner of parcel (#14-36-201-002); thence Southwesterly to a point on the South right of way line of Primary Street; thence West along said South line to a point on the East right of way line of S. Grey Road (66 ft. wide); thence South along said East line to the SW corner of parcel (#14-36-130-018); thence West to a point on the West right of way line of said S. Grey Road; thence North along said West line to a point on the South right of way line of Railroad; thence Southwesterly along said South line to a point on the West right of way line of S. Squirrel Road (66 ft. wide) and the North right of way line of Railroad also being the SE corner of parcel (#13-36-103-010); thence North along said West line of S. Squirrel Road to the SE corner of parcel (#14-36-103-012); thence West along the South lines of parcels (#14-36-103-012), (#14-36-102-006), (#14-36-102-005) and (#14-36-102-009), crossing Clinton River; thence North along the West line of parcel (#14-36-102-009) to the SW corner of Cross Street; thence North along the West right of way line of said Cross Street to a point on the South line of said Auburn Road; thence North to a point on the North line of said Auburn Road also being the SW corner of parcel (#14-25-351-023); thence North along the West line of parcels (#14-25-351-023) & (#14-25-351-033) to the NW corner of parcel (#14-25-351-033); thence East along the North line of said parcel to the NE corner of said parcel also being the NW corner of parcel (#14-25-351-034); thence South to the SW corner of said parcel (#14-25-351-034); thence East along the South line of said parcel to a point on the West right of way line of Churchill Road (50 ft. wide); thence North along said West line to the SE corner of parcel (#14-25-351-028); thence East to a point on the East right of way line of said Churchill Road also being the SW corner of parcel (#14-25-303-004); thence East to the SE corner of said parcel (#14-25-303-004); thence North to the NW corner of parcel (#14-25-303-006); thence East along said North line of said parcel to the NE corner of said parcel; thence South along the East line of said parcel (#14-25-303-006) to the NW corner of parcel (#14-25-376-006); thence Northeasterly to a point on the West right of way line of N. Squirrel Road (variable width); thence South along said West line to the SE corner of parcel (#14-25-377-017); thence East to the intersection of the West line of said N. Squirrel Road and the South right of way line of Parklawn Street (30 ft. wide); thence East along the South line of said Parklawn Street to the West right of way line of Tebeau Court; thence South along said West line to a point on the North right of way line of Squirrel Court; thence West along said North line to the SE corner of parcel (#14-25-378-015); thence West along the Southerly line of parcel (#14-25-378-015) & (#14-25-378-013) to a point on the North right of way line of said Auburn Road; thence West along said North line to the

SW corner of parcel (#14-25-378-013), crossing Clinton River; thence South to a point on the South line of said Auburn Road; thence West along said South line to the NE corner of parcel (#14-36-102-008); thence South to the SE corner of parcel (#14-36-102-008); thence East to the East edge of Clinton River; thence South to the NW corner of parcel (#14-36-103-012); thence East to a point on the East line of said S. Squirrel Road also being the SW corner of parcel (#14-36-126-001); thence South along the East line of Said S. Squirrel Road to the intersection of said East line and the North line of said Primary Street; thence along said North line to the SW corner of parcel (#14-36-126-025); thence North to the SW corner of parcel (#14-36-126-022); thence East to the SE corner of said parcel; thence North to a point on the South right of way line of said Auburn Road also being the NW corner of parcel (#14-36-126-023); thence East along the South line of said Auburn Road to the NE corner of parcel (#14-36-203-001); thence North to a point on the South line of parcel (#14-25-452-007); thence West to the SW corner of said parcel; thence North to the NW corner of parcel (#14-25-452-007); thence West along the North right of way line of said Auburn Road to the SW corner of parcel (#14-25-451-008); thence North along the West line of parcels (#14-25-451-008), (#14-25-401-004), (#14-25-401-003) and (#14-25-401-006) to the North corner of Lot 37 of "Supervisor's Plat No. 9", as recorded in Liber 52, Page 33, Oakland County Records, also being the North corner of parcel (#14-25-327-008); thence Northeasterly along the North lines of parcels (#14-25-401-006) and (#14-25-426-001) to a point on the West right of way line of Old Adams Road (variable width); thence South along West line of said Old Adams Road and S. Adams Road to the Point of Beginning. Except that part beginning at a point on the South Auburn Road, also said point being the NW corner of Lot 33 of said Supervisor's Plat No. 16 and the NW corner of parcel (#14-36-226-002); thence West 50 feet; thence North 33 feet; thence East 50 feet; thence South 33 feet to the Point of Beginning.

C. Parcel Identification Numbers in DDA

1425351023, 1425351024, 1425351025, 1425351026, 1425351027, 1425351033, 1425351035, 1425351036, 1425352001, 1425352002, 1425352003, 1425352004, 1425352005, 1436102001, 1436102002, 1436102003, 1436102005, 1436102006, 1436102007, 1436102008, 1436103012, 1436102009, 1425376005, 1425303006, 1425377004, 1425377001, 1425377002, 1425377017, 1425377018, 1425377005, 1425382001, 1425382002, 1425382003, 1425382004, 1425382005, 1425382006, 1425382007, 1425382008, 1425382009, 1425382010, 1425382011, 1425382012, 1425382013, 1425382014, 1425382015, 1425382016, 1425382017, 1425382018, 1425382019, 1425382020, 1425382021, 1425382022, 1425382023, 1425382024, 1425382025, 1425382026, 1425401003, 1425401004, 1436126023, 1436126024, 1436126025, 1436127007, 1436129002, 1436129003, 1436129004, 1436127003, 1436127004, 1436127005, 1436127006, 1436127008, 1436127009, 1436128001, 1436128002, 1436128003, 1436129005, 1436129006, 1436202002, 1436202003, 1436202004, 1436202005, 1436202006, 1436202007, 1436202062, 1436203001, 1436203012, 1436201001, 1436226001, 1425451007, 1425451008, 1425451012, 1425451013, 1436226002, 1436226003, 1436226004, 1436226005, 1436226006, 1436226007, 1436226008, 1436226009, 1436226010, 1436226022, 1436226023, 1425478006, 1425452007, 1425478013, 1425452009, 1425452001, 1425452002, 1425452010, 1425478005, 1425478010, 1425478012, 1425426011, 1425426009, 1425429001, 1425429002, 1425429003, 1425429004, 1425429005, 1425429006, 1425429007, 1425429008, 1425429009, 1425429010, 1425429011, 1425429012, 1425429013, 1425429014, 1425429015, 1425429016, 1425429017, 1425429018, 1425429019, 1425429020, 1425429021, 1425429022, 1425429023, 1425429024, 1425429025, 1425429026, 1425429027, 1425429028, 1425429029, 1425429030, 1425429031, 1425429032, 1425429033, 1425429034, 1425429035, 1425429036, 1425429037, 1425429038, 1425429039, 1425429040,

1425429041, 1425429042, 1425429043, 1425429044, 1425429045, 1425429046, 1425429047,
1425429048, 1425429049, 1425429050, 1425429051, 1425429052, 1425429053, 1425429054,
1425429055, 1425429056, 1425429057, 1425429058, 1425429059, 1425429060, 1425426010,
1425426001, 1425426002, 1425451009, 1425376006, 1425378013, 1425378014, 1425378015, and
1425401006

V. Tables

A. Auburn Hills Potential Private Improvements – Costs and Phased Construction Timetable

Phase 1	Phase 2	Phase 3
0-5 Years	6-10 Years	11-15 Years
Development 1a	Development 2a	Development 3a
Moceri (FMD) Commercial Housing Development	Contains Student Housing, New Steuer Development, Den & Pepsi Building	Small Condo or Office next to YourSource Management
\$189,313.00	\$45,109.75	\$2,057.75
Current Assessed Value: \$0.00	Current Assessed Value: \$2,519,530.00	Current Assessed Value: \$336,530.00
Market Value After Redevelopment: \$46 Million	Market Value After Redevelopment: \$16 Million	Market Value After Redevelopment: \$500K
Assessed Value After Redevelopment: \$23 Million	Assessed Value After Redevelopment: \$8 Million	Assessed Value After Redevelopment: \$250K
Development 1b	Development 2b	Development 3b
Forester Square Development	Senior Housing Redevelopment Single Family Homes around \$100k each	Mixed-use Redevelopment on 4.65 Acres
\$27,139.01	\$3,431.75	\$77,093.36
Current Assessed Value: \$1,102,830.00	Current Assessed Value: \$113,070.00	Current Assessed Value: \$633,780.00
Market Value After Redevelopment: \$8.8 Million	Market Value After Redevelopment: \$1.5 Million	Market Value After Redevelopment: \$20 Million
Assessed Value After Redevelopment: \$4.4 Million	Assessed Value After Redevelopment: \$750K	Assessed Value After Redevelopment: \$10 Million
Development 1c*		Development 3c
Mattera 28 Lots around \$200k each		High Density Housing and Mixed Use
\$23,046.80		\$151,354.34
Current Assessed Value: \$0.00		Current Assessed Value: \$1,611,670.00
Market Value After Redevelopment: 5.6 Million		Market Value After Redevelopment: \$40 Million
Assessed Value After Redevelopment: \$2.8 Million		Assessed Value After Redevelopment: \$20 Million
Development 1d		Development 3d
17 acres for Mixed Use Development		Redevelopment of Condo/Townhomes with 32 Units
\$80,980.69		\$4,689.69
Current Assessed Value: \$161,500.00		Current Assessed Value: \$680,240.00
Market Value After Redevelopment: \$20 Million		Market Value After Redevelopment: \$2.5 Million
Assessed Value After Redevelopment: \$10 Million		Assessed Value After Redevelopment: \$1.25 Million
		Development 3e
		Pharmacy/Either High Density Housing or Office Space
		\$21,875.61
		Current Assessed Value: \$842,290.00
		Market Value After Redevelopment: \$7 Million
		Assessed Value After Redevelopment: \$3.5 Million

* Single Family Housing Development

B. Phased Maintenance Costs in Proposed Auburn Hills DDA

Maintenance Costs for Auburn Hills DDA

<u>Phase 1: Years 0 - 5</u>	<u>Maintenance</u>
Development 1a-d	DPW Ongoing Maintenance \$113,500.00 * 35% Increase
<u>Phase 2: Years 6 - 10</u>	<u>Maintenance</u>
Development 2a-b	DPW Ongoing Maintenance \$153,225.00 * 20% Increase
<u>Phase 3: Years 11 - 15</u>	<u>Maintenance</u>
Developments 3a-e	DPW Ongoing Maintenance \$183,870.00 * 35% Increase

C. Timetable of City Projects within the DDA

Phase 1	Phase 2	Phase 3
<u>0-5 Years</u>	<u>6-10 Years</u>	<u>11-15 Years</u>
Parkways Blvd. Expansion		
The continuation of Parkways Boulevard to make connection at Squirrel. Potential for developer cost contributions as private investment ensues. (2015-2030)		
\$3,500,000		
Supporting Activities		
Business development and acquisition meetings (2015-2030)		
\$2,000/year		
Townsquare Greenspace*	Sidewalk Improvements	
Building a Townsquare Greenspace between The Den and Ashford Commons. (2015)	Upgrade sidewalks throughout the DDA for ADA compliance. Transition as projects are being completed. (2020-2030)	
\$50,000	\$15,000/intersection	
Amphitheater*	Riverwalk*	
Construction of Amphitheater in Riverside Park	Construction and land acquisition to connect park system along the Clinton River. (2020-2030)	
\$1,000,000	\$500,000	
<p>* Shared costs with TIFA A</p> <p>Auburn Hills will continually search for cost savings in the form of grants, cost sharing, and contributions from private developers for infrastructure</p>	Downtown Designation	Park Improvements*
	Additional signage designating Downtown Auburn Hills at the West and North ends	Improvements to Riverside and Riverwoods parks
	\$50,000/sign	\$500,000.00
	Clinton River Trail Paving	
	Paving of the Clinton River Trail within the DDA District from Adams to Squirrel Road	
	\$80,000	

D. Projection Schedule of Anticipated Tax Increment Revenues and Projected Impact on Taxing Jurisdictions

2014 Base TV \$20,882,550.00

	Inflation Rate	TV Increase from Redevelopments	Base + Inflation Rate + Redevelopment Increase	Increase	Cumulative Total Capture
Phase 1: Years 0 - 5					
Year 1	2.4%	-	\$ 21,383,731.20	\$ 501,181.20	\$ 501,181.20
Year 2 - b**	2.4%	\$ 4,400,000.00	\$ 26,296,940.75	\$ 4,913,209.55	\$ 5,414,390.75
Year 3 - a**	2.4%	\$ 23,000,000.00	\$ 49,928,067.33	\$ 23,631,126.58	\$ 29,045,517.33
Year 4 - c*,d	2.4%	\$ 12,800,000.00	\$ 63,926,340.94	\$ 13,998,273.62	\$ 43,043,790.94
Year 5	2.4%	-	\$ 65,460,573.13	\$ 1,534,232.18	\$ 44,578,023.13
Phase 2: Years 6 - 10					\$ 122,582,903.34
Year 6 - a	2.4%	\$ 8,000,000.00	\$ 75,031,626.88	\$ 9,571,053.76	\$ 54,149,076.88
Year 7 - b	2.4%	\$ 750,000.00	\$ 77,582,385.93	\$ 2,550,759.05	\$ 56,699,835.93
Year 8	2.4%	-	\$ 79,444,363.19	\$ 1,861,977.26	\$ 58,561,813.19
Year 9	2.4%	-	\$ 81,351,027.90	\$ 1,906,664.72	\$ 60,468,477.90
Year 10	2.4%	-	\$ 83,303,452.57	\$ 1,952,424.67	\$ 62,420,902.57
Phase 3: Years 11 - 15					\$ 292,300,106.47
Year 11 - a	2.4%	\$ 250,000.00	\$ 85,552,735.44	\$ 2,249,282.86	\$ 64,670,185.44
Year 12	2.4%	-	\$ 87,606,001.09	\$ 2,053,265.65	\$ 66,723,451.09
Year 13 - b	2.4%	\$ 10,000,000.00	\$ 99,708,545.11	\$ 12,102,544.03	\$ 78,825,995.11
Year 14 - d, e	2.4%	\$ 4,750,000.00	\$ 106,851,550.19	\$ 7,143,005.08	\$ 85,969,000.19
Year 15 - c	2.4%	\$ 3,500,000.00	\$ 112,915,987.40	\$ 6,064,437.20	\$ 92,033,437.40
					\$ 803,105,079.04

* Single Family Housing

* OCPTA Millage rate increase (1.00) reflected in years 1-3 (2015-2017 respectively)

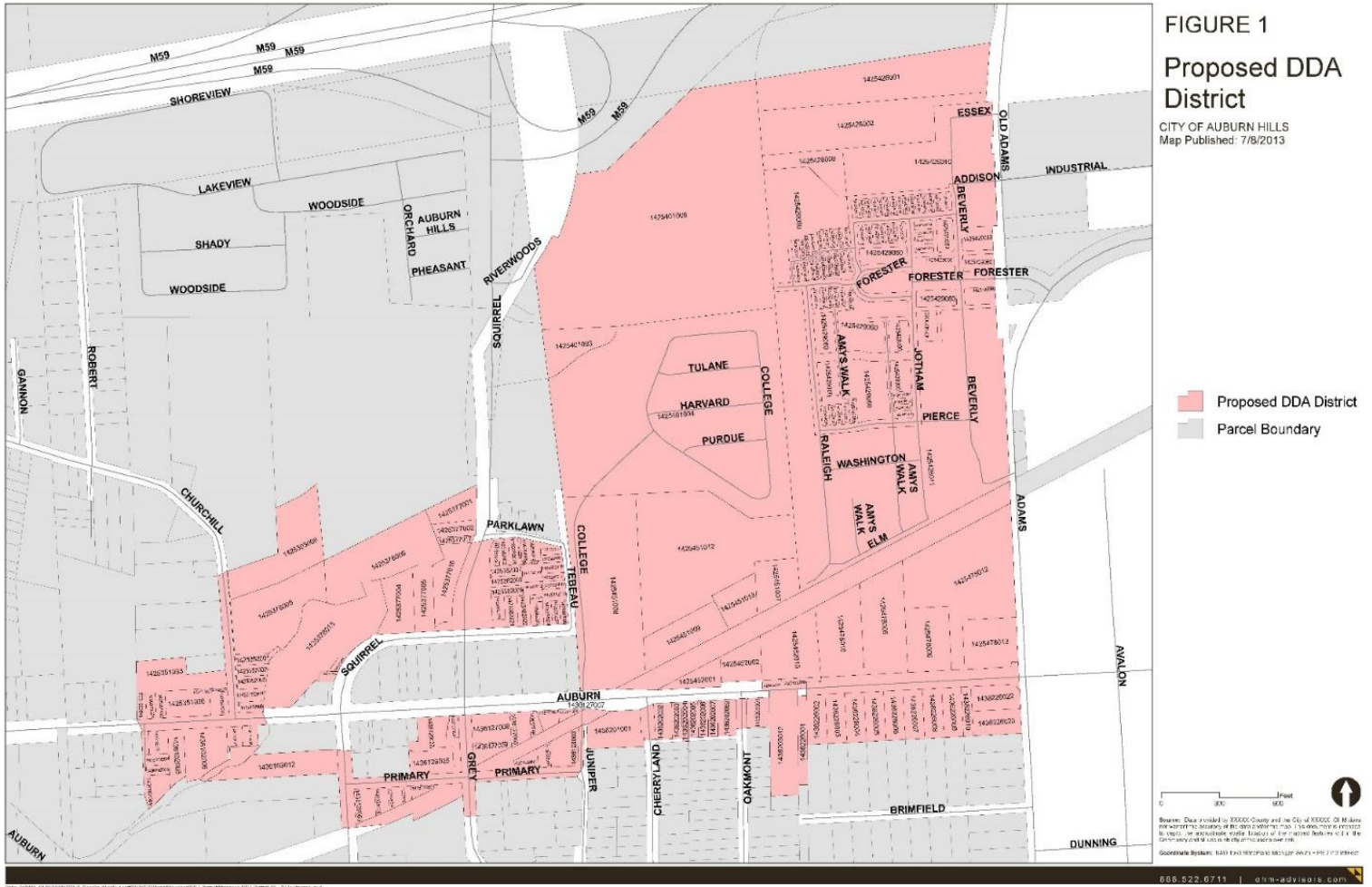
– Millage rate increase in 2014-2017 to 16.872

COUNTY									
County Operating - 4.19		OCPR - 0.2415		Community College - 1.5844		OCPTA** - .59,		Total	
Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative
\$ 1,049.97	\$ 1,049.97	\$ 60.52	\$ 60.52	\$ 397.04	\$ 397.04	\$ 398.44	\$ 398.44	\$ 1,905.97	\$ 1,905.97
\$ 10,293.17	\$ 11,343.15	\$ 593.27	\$ 653.79	\$ 3,892.24	\$ 4,289.28	\$ 3,906.00	\$ 4,304.44	\$ 18,684.69	\$ 20,590.66
\$ 49,507.21	\$ 60,850.36	\$ 2,853.46	\$ 3,507.25	\$ 18,720.58	\$ 23,009.86	\$ 18,786.75	\$ 23,091.19	\$ 89,867.99	\$ 110,458.65
\$ 29,326.38	\$ 90,176.74	\$ 1,690.29	\$ 5,197.54	\$ 11,089.43	\$ 34,099.29	\$ 4,129.49	\$ 27,220.68	\$ 46,235.60	\$ 156,694.25
\$ 3,214.22	\$ 93,390.96	\$ 185.26	\$ 5,382.80	\$ 1,215.42	\$ 35,314.71	\$ 452.60	\$ 27,673.28	\$ 5,067.49	\$ 161,761.74
\$ 93,390.96	\$ 256,811.18	\$ 5,382.80	\$ 14,801.89	\$ 35,314.71	\$ 97,110.18	\$ 27,673.28	\$ 82,688.02	\$ 161,761.74	\$ 451,411.26
\$ 20,051.36	\$ 113,442.32	\$ 1,155.70	\$ 6,538.50	\$ 7,582.19	\$ 42,896.90	\$ 2,823.46	\$ 30,496.74	\$ 31,612.71	\$ 193,374.45
\$ 5,343.84	\$ 118,786.16	\$ 308.00	\$ 6,846.51	\$ 2,020.71	\$ 44,917.61	\$ 752.47	\$ 31,249.21	\$ 8,425.03	\$ 201,799.48
\$ 3,900.84	\$ 122,687.00	\$ 224.83	\$ 7,071.34	\$ 1,475.06	\$ 46,392.67	\$ 549.28	\$ 31,798.49	\$ 6,150.02	\$ 207,949.50
\$ 3,994.46	\$ 126,681.46	\$ 230.23	\$ 7,301.57	\$ 1,510.46	\$ 47,903.13	\$ 562.47	\$ 32,360.96	\$ 6,297.62	\$ 214,247.12
\$ 4,090.33	\$ 130,771.79	\$ 235.76	\$ 7,537.32	\$ 1,546.71	\$ 49,449.84	\$ 575.97	\$ 32,936.92	\$ 6,448.76	\$ 220,695.88
\$ 37,380.83	\$ 612,368.72	\$ 2,154.53	\$ 35,295.24	\$ 14,135.13	\$ 231,560.14	\$ 5,263.65	\$ 158,842.32	\$ 58,934.14	\$ 1,038,066.43
\$ 4,712.25	\$ 135,484.04	\$ 271.60	\$ 7,808.92	\$ 1,781.88	\$ 51,231.72	\$ 663.54	\$ 33,600.46	\$ 7,429.27	\$ 228,125.15
\$ 4,301.59	\$ 139,785.63	\$ 247.93	\$ 8,056.86	\$ 1,626.60	\$ 52,858.32	\$ 605.71	\$ 34,206.18	\$ 6,781.83	\$ 234,906.98
\$ 25,354.83	\$ 165,140.46	\$ 1,461.38	\$ 9,518.24	\$ 9,587.64	\$ 62,445.95	\$ 3,570.25	\$ 37,776.43	\$ 39,974.10	\$ 274,881.08
\$ 14,964.60	\$ 180,105.06	\$ 862.52	\$ 10,380.76	\$ 5,658.69	\$ 68,104.64	\$ 2,107.19	\$ 39,883.61	\$ 23,592.99	\$ 298,474.07
\$ 12,705.00	\$ 192,810.05	\$ 732.28	\$ 11,113.04	\$ 4,804.25	\$ 72,908.89	\$ 1,789.01	\$ 41,672.62	\$ 20,030.53	\$ 318,504.60
\$ 1,682,505.14		\$ 96,974.94		\$ 636,219.84		\$ 428,669.65		\$ 2,844,369.57	

CITY							
General - 2.11		Fire -1.7604		Police - 5.9857		Total	
Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative
\$ 528.75	\$ 528.75	\$ 441.14	\$ 441.14	\$ 1,499.96	\$ 1,499.96	\$ 2,469.85	\$ 2,469.85
\$ 5,183.44	\$ 5,712.18	\$ 4,324.61	\$ 4,765.75	\$ 14,704.50	\$ 16,204.46	\$ 24,212.54	\$ 26,682.39
\$ 24,930.84	\$ 30,643.02	\$ 20,800.12	\$ 25,565.86	\$ 70,724.42	\$ 86,928.88	\$ 116,455.37	\$ 143,137.76
\$ 14,768.18	\$ 45,411.20	\$ 12,321.28	\$ 37,887.14	\$ 41,894.73	\$ 128,823.61	\$ 68,984.19	\$ 212,121.95
\$ 1,618.61	\$ 47,029.81	\$ 1,350.43	\$ 39,237.58	\$ 4,591.73	\$ 133,415.34	\$ 7,560.77	\$ 219,682.73
\$ 47,029.81	\$ 129,324.96	\$ 39,237.58	\$ 107,897.47	\$ 133,415.34	\$ 366,872.24	\$ 219,682.73	\$ 604,094.68
\$ 10,097.46	\$ 57,127.28	\$ 8,424.44	\$ 47,662.02	\$ 28,644.73	\$ 162,060.06	\$ 47,166.63	\$ 266,849.36
\$ 2,691.05	\$ 59,818.33	\$ 2,245.18	\$ 49,907.20	\$ 7,634.04	\$ 169,694.10	\$ 12,570.27	\$ 279,419.63
\$ 1,964.39	\$ 61,782.71	\$ 1,638.91	\$ 51,546.11	\$ 5,572.62	\$ 175,266.72	\$ 9,175.92	\$ 288,595.54
\$ 2,011.53	\$ 63,794.24	\$ 1,678.25	\$ 53,224.35	\$ 5,706.36	\$ 180,973.08	\$ 9,396.14	\$ 297,991.68
\$ 2,059.81	\$ 65,854.05	\$ 1,718.52	\$ 54,942.88	\$ 5,843.31	\$ 186,816.40	\$ 9,621.65	\$ 307,613.33
\$ 18,824.24	\$ 308,376.61	\$ 15,705.30	\$ 257,282.55	\$ 53,401.06	\$ 874,810.37	\$ 87,930.60	\$ 1,440,469.54
\$ 2,372.99	\$ 68,227.05	\$ 1,979.82	\$ 56,922.70	\$ 6,731.77	\$ 193,548.16	\$ 11,084.58	\$ 318,697.91
\$ 2,166.20	\$ 70,393.24	\$ 1,807.28	\$ 58,729.98	\$ 6,145.12	\$ 199,693.28	\$ 10,118.60	\$ 328,816.50
\$ 12,768.18	\$ 83,161.42	\$ 10,652.66	\$ 69,382.64	\$ 36,221.10	\$ 235,914.38	\$ 59,641.94	\$ 388,458.45
\$ 7,535.87	\$ 90,697.30	\$ 6,287.27	\$ 75,669.91	\$ 21,377.94	\$ 257,292.32	\$ 35,201.09	\$ 423,659.53
\$ 6,397.98	\$ 97,095.28	\$ 5,337.92	\$ 81,007.83	\$ 18,149.95	\$ 275,442.27	\$ 29,885.85	\$ 453,545.38
\$ 847,275.86		\$ 706,893.09		\$ 2,403,573.04		\$ 3,957,741.98	

VI. Maps

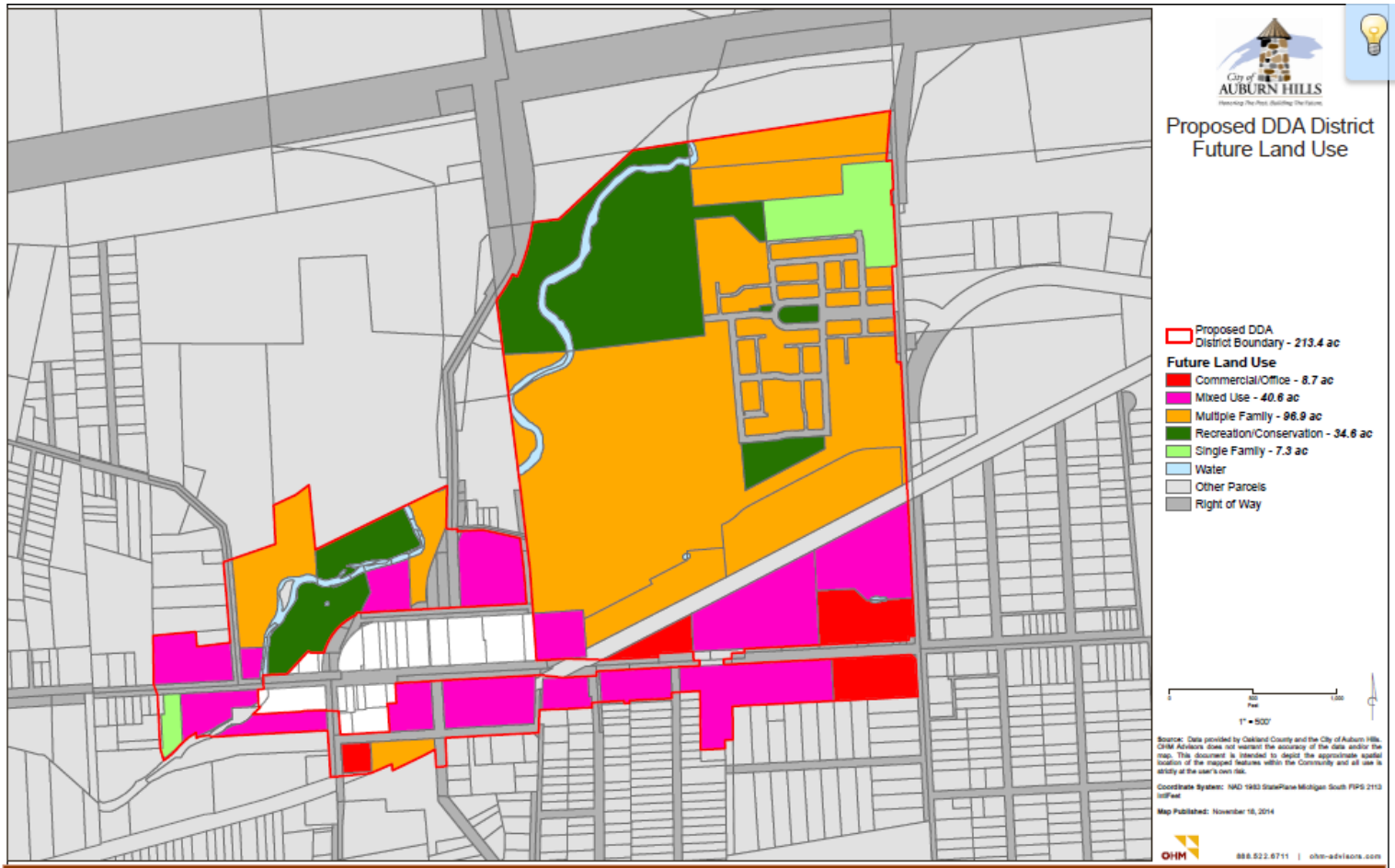
A. DDA Map



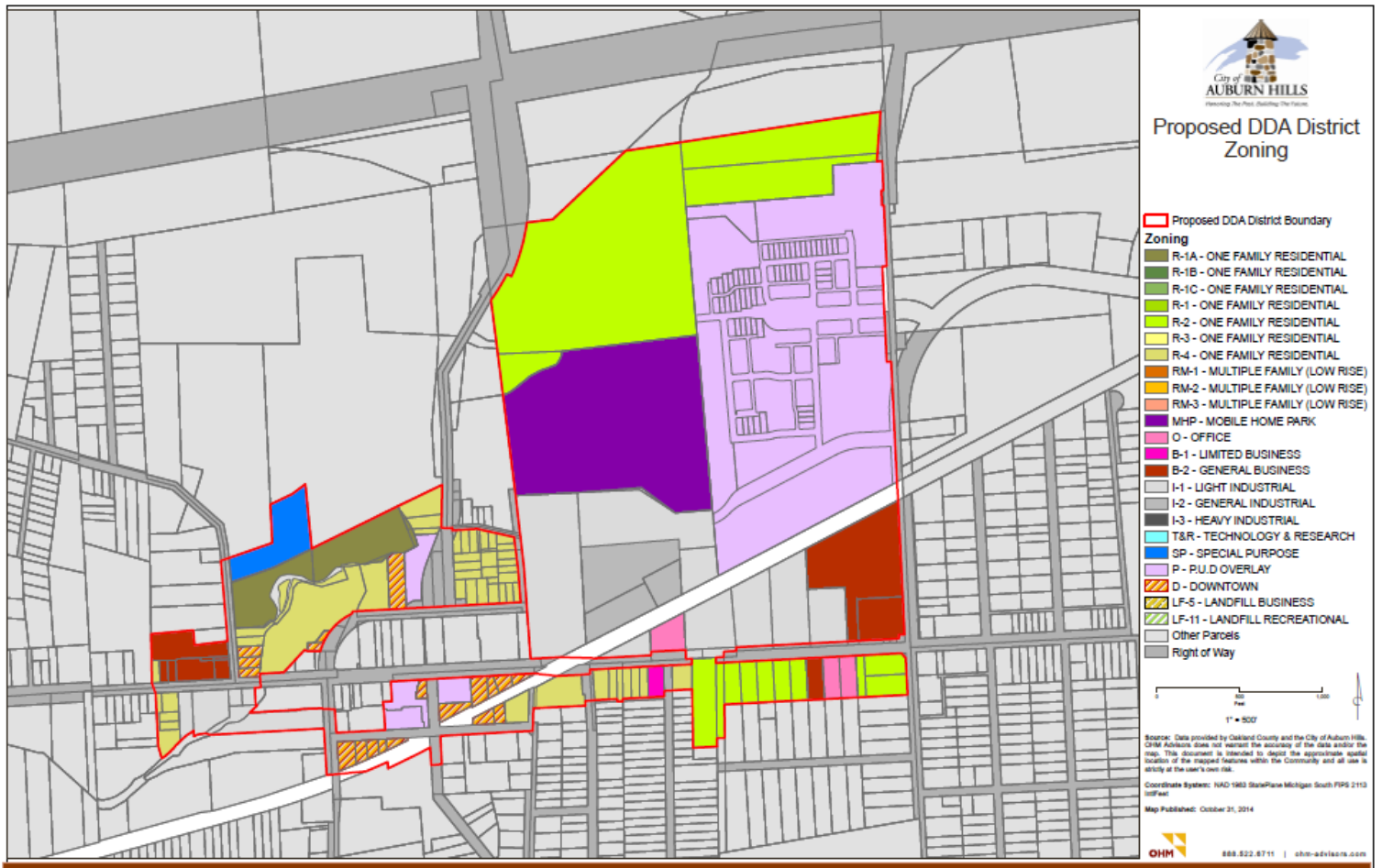
B. Existing Land Use



C. Future Land Use



D. Zoning Map



E. Street Map

