

**CHARTER TOWNSHIP OF VAN BUREN
LOCAL DEVELOPMENT FINANCE AUTHORITY
AGENDA**

Regular Meeting: September 13, 2016 – 2:00 p.m., Denton Room

CALL TO ORDER

ROLL CALL

Chairman Dotson _____
Jelani Karamoko _____
Leonard Armstrong _____
Chuck Covington _____
Chris Hayes _____
Supervisor Combs _____

Doug Peters _____
John Delaney _____
James Williams _____
Shareen Barker _____
Danylo Dobriansky _____

Recording Secretary Grishaber _____

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

1. Regular Meeting: July 12, 2016.

CORRESPONDENCE:

PUBLIC COMMENT:

UNFINISHED BUSINESS:

1. Proposed Revisions to the By-Laws of the LDFA
2. Ecorse Road Property RFP
3. Marketing/Community Outreach Update

NEW BUSINESS:

1. 2017 Budget

NON-AGENDA ITEMS:

ADJOURNMENT:

CLOSED SESSION:

ADJOURNMENT:

If you are unable to attend this meeting, please notify Secretary Grishaber at 734.699.8913

**CHARTER TOWNSHIP OF VAN BUREN
LOCAL DEVELOPMENT FINANCE AUTHORITY
DRAFT MEETING MINUTES
July 12, 2016 - 2:00pm., Denton Room**

CALL TO ORDER: Chairman Dotson called the meeting to order at 2:03pm.

ROLL CALL:

Present: Dotson, Armstrong, Karomoko, Delaney, Barker, Williams, Dobriansky

Staff: Director Akers, Secretary Grishaber

Absent Excused: Covington, Hayes, Combs, Peters

Audience Members: Seven (8) people in audience.

APPROVAL OF AGENDA: Motion Delaney, Barker seconded to approve July 12, 2016 Agenda.
Motion Carried

APPROVAL OF MINUTES: Motion Barker, Delaney seconded to approve May 10, 2016 Minutes.
Motion Carried

CORRESPONDENCE: Director Akers gave a brief overview of the 2015 LDFA Audit. Chairman Dotson indicated that he would follow up with the Deputy Treasurer to answer specific questions. Director Akers gave an overview of the Asset Familiarization Tour summary letter. Committee member Delaney has concerns that the LDFA was not invited to the event. Chairman Dotson agreed the LDFA Board should be kept updated on what is going on in the community.

PUBLIC COMMENT: None

UNFINISHED BUSINESS:

1. Proposed Revisions to the By-Laws of the LDFA:

Director Akers presented the comments of the Township Board regarding the proposed revisions of the bylaws to the LDFA. The LDFA asked to consider additional rules for the number of times members can attend via teleconferencing. Director Akers indicated he would review the request and bring a proposal to the next meeting.

2. Ecorse Road Property Update:

Director Akers updated the LDFA regarding the status of the rezoning request for LDFA owned property on Ecorse Road between Hannan Road and I-275. The LDFA directed Akers to bring the RFP for the sale of the property forward at the next LDFA meeting.

3. Marketing/Community Outreach Update:

Director Akers, Chuck Covington, John Delaney and Chairman Dotson volunteered to serve on a separate subcommittee to discuss marketing strategies and Grace Lake Corporate Center signage which will meet on June 27, 2016.

NEW BUSINESS: None

NON AGENDA ITEMS: None

There was a general conversation about the Grace Lake Corporate Center and how better to market it. The committee discussed signage, trail maintenance, and new tenants at Grace Lake Corporate Center.

Delaney asked about the status of a proposed Closed Session meeting between the LDFA & the Township Board. Director Akers informed the committee about a discussion at the June 6 Work Study to set up a special meeting with the Board of Trustee and the LDFA to discuss the current lawsuit. Director Akers will follow up with Supervisor Combs to determine what the status is and give the LDFA committee an update.

ADJOURNMENT: Motion Delaney, Armstrong seconded to close the meeting at 3:07pm
Motion Carried.

Respectfully Submitted,

**Tina Grishaber
Recording Secretary**



Memo

TO: Local Development Finance Authority

FROM: Ron Akers, AICP
Director of Planning and Economic Development

RE: Proposed Revisions to the Bylaws of the LDFA

DATE: September 8, 2016

At the previous meeting the LDFA had requested that I investigate several items with regards to teleconferencing and the proposed bylaw revisions. In the process of this investigation I have reviewed bylaws for several different organizations and agencies which include the following:

Fitzgerald Public Schools (Warren, MI)
Grand Rapids Public Schools
River Raisin Watershed Council
Tahquamenon Scenic Byway
Michigan CON (Certificate of Need) Commission

The following are the items identified by the LDFA at the prior meeting which I was instructed to look into a bit further. The following are my findings/recommendations regarding these items:

Are any disclosures required regarding the recording of phone call of the person teleconferencing in?

I discussed this issue with the Township Attorney and he did not believe we needed to address this in the bylaws.

Best Practice Review of Teleconferencing.

In reviewing the different bylaw provisions which address this issue, it is clear many of the organization have widely different levels of rules and standards for teleconferencing. Some will not allow the member appearing via teleconference to be counted as quorum or vote while others allow for both. The state agency did not allow an individual attending via

teleconference to vote, but the school districts did. While the bylaws did not address minimum time frames for notification a member will be attending for teleconference, some required that the chairperson of the board approve a member attending via teleconference. Another bylaw provision specifically indicated that teleconferencing was limited to situations where the member was unable to attend due to circumstances beyond their control. After this review there are two main questions that arise. They are:

1. Should the member attending via teleconference require the chairpersons permission to do so?
2. Should attendance via teleconferencing be limited to only extenuating circumstances?

My recommendation is to have the chairperson approve whether or not a member can attend via teleconference. This can be done in advance and at the discretion of the chairperson or acting chairperson. Limiting teleconferencing to only extenuating circumstances may limit members who do not regularly reside within the area. Giving the chairperson discretion over this item will allow an appointed member of the Board to provide judgement over whether the situation or circumstance is appropriate and it will give that person the ability to limit it if it becomes unnecessary or detrimental to the meeting.

Prior Notice Regarding Attendance via Teleconference.

I did not come across any items which discuss this when I performed my search of this topic. My recommendation is that the chairperson be notified by the end of the day the Friday before the meeting to ensure that we have quorum for the meeting. This would be a Monday at 2 p.m. deadline. The chairperson should then let staff know so we can ensure we have a physical quorum.

I will prepare additional language to add in the bylaws. As I will not be at this meeting, please feel free to contact me prior to it with any additional questions.

LOCAL DEVELOPMENT FINANCING AUTHORITY
OF THE
CHARTER TOWNSHIP OF VAN BUREN

BY LAWS

ARTICLE I

Purpose and powers. The purpose or purposes for which the Authority is organized are as follows: To encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing.

ARTICLE II

Section 1. The business and property of the Authority shall be managed and directed by the board of directors, whom will each take and subscribe to the constitutional oath. The members shall serve four (4) year terms of office from the date of their respective appointment, except as provided for in the ordinance creating the Authority, and shall be non-compensated but reimbursed for actual sanctioned expenses.

Section 2. The board shall include seven (7) members appointed by the Township Supervisor, subject to the approval of the Township Board.

Section 23. The board shall include one (1) member appointed by the county board of commissioners of the county in which the Authority is located. The board shall include one (1) member representing a community or junior college in whose district the Authority is located appointed by the chief executive officer of that community or junior college. The board shall also include two (2) members appointed by the chief executive officer of each local government unit, other than the Township which levied twenty percent (20%) or more of the ad valorem property taxes levied against all property located in the Authority district.

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Section 43. The Authority board of directors shall annually at its first regular meeting of the calendar year designate one of its members as chairperson, one of its members as vice chairperson, and one of its members as corresponding secretary. The officers so elected shall serve a term of one (1) year or any part thereof as may be determined, and until his/her successor is designated. No term of office created under this section shall extend beyond the term of the member designated. All officers shall take their respective office at the next regular or special meeting.

ARTICLE III

Section 1. All regular meetings shall be held in the Township of Van Buren, County of Wayne, Michigan.

Section 2. One A regular meeting of the Authority board of directors meeting will be held at 2:00 PM on the second Tuesday of every other month.

Section 3. Special meetings shall be held whenever called by the direction of the chairperson, director, Supervisor of the Township of Van Buren, or any six (6) members of the board of directors Authority on eighteen (18) hours written notice of the time and place of the meeting.

Section 4. Any six (6) members of the Authority board of directors shall constitute a quorum, and the affirmative or negative vote of six (6) members shall be necessary for the transaction of any and all business or passage or denial of any resolution. Three unexcused absences, by any member, will result in automatic resignation from the LDFA.

Section 5. At meetings of the Authority board of directors, business shall be conducted in accordance with Roberts Rules of Order.

Section 6. Public Comment. Public Comment contains the following imposed regulations:

- The speaker is limited to five (5) minutes;
- ~~The speaker is encouraged to give his/her name and subject to the Developmental Services Planning and Economic Development Department forty-eight (48) hours prior to the public Authority meeting;~~
- ~~Individuals who have not submitted a request prior to the meeting will submit in writing their name and desire to address the Authority during the meeting;~~
- There shall be no debate: and
- The speaker is encouraged to provide written copies of his/her comments.

Section 7. Teleconferencing. Any member of the board of directors may attend and participate at a regular or special meeting via teleconferencing. Teleconferencing shall be subject to the following regulations:

- A quorum of the board of directors shall be physically present at the meeting.
- A speaker phone or similar device which allows the public the opportunity to listen and to participate in the meeting shall be provided at the location of the meeting where the members are physically present.
- The telecommuter shall ensure the location they select to telecommute from is quiet and any background noise is limited.
- Meeting minutes shall indicate those physically present and those present through teleconference.
- Requests to participate in a meeting via teleconference shall be made to the Chairperson/designee at least two (2) business days prior to the meeting. The Chairperson/designee shall have discretion to allow or not allow that member to attend via teleconference. The decision of the Chairperson/designee shall be final.
- The member of the board of directors telecommuting and compliant with these regulations shall be authorized to vote on any items presented to the board of directors. When any members are teleconferencing all votes of the board of directors shall be made via roll call vote to ensure the accuracy of the vote.

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ARTICLE IV

Section 1. The chairperson shall preside at meetings of the ~~Authority~~ board of directors and shall do and perform such other duties as may from time to time be assigned to him/her by the ~~Authority~~ board of directors. The vice chairperson shall perform the duties of the chairperson in the chairperson's absence and such other duties as shall from time to time be assigned to him by the ~~Authority~~ board of directors.

Section 2. Director. The ~~L DFA~~ Authority board of directors may recommend the employment and compensation of a director, subject to the approval of the Township Board. A member of the ~~Authority~~ board of directors is not eligible to hold the position of director. Before entering upon the duties of his/her office, the director shall take and subscribe to the constitutional oath, and furnish a bond through the Township's existing insurance program by posting a bond in the penal sum determined in the ordinance establishing the ~~Authority~~ Authority, - payable to the ~~Authority~~ board of directors, approved by the Township Board, and filed with the Van Buren Township Treasurer. The premium of the bond shall be deemed an operating expense of the ~~Authority~~ Authority, payable from funds available to the ~~board of directors~~ Authority for expenses of operation. The director shall be the executive director of the ~~Authority~~ Authority. Subject to the approval of the LDFA, the director shall supervise, and be responsible for the preparation of plans and performance of the functions of the ~~Authority~~ Authority in the manner authorized by Act 281. The director shall attend meetings of the ~~board of directors~~ Authority, and shall render to the ~~board of directors~~ Authority and to the Township Board of Trustees a regular report covering the activities and financial condition of the Authority. If the director is absent or disabled, the ~~board of directors~~ Authority may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of his/her office, the acting director shall take and subscribe to the oath, and furnish a bond, as required of the director. The acting director shall furnish the ~~board of directors~~ Authority with information or reports governing the operation of the Authority as the ~~board of directors~~ Authority requires.

Section 3. All purchasing shall be in compliance with its adopted policy.

Section 4. The LDFA may authorize the director or an agent or agents of the ~~board of directors~~ Authority to enter into any contract or execute and deliver any instrument on behalf of the Authority within the limits authorized by Act 281. The authorization may be general or confined to specific instances.

Section 5. The LDFA may employ such manual, technical, financial and professional assistance as in its judgment may be necessary and is incidental to carry out the purpose of the Authority when funds are available.

Section 6. The fiscal year shall begin with the first day of January and end on the 31st day of December in each year.

Section 7. The LDFA shall have an annual audit of its business and the result thereof shall be submitted to the governing body of the Township. The audit may be completed as part of the regular audit of the Township. This shall be deemed an operating expense of the LDFA.

ARTICLE V

Section 1. The ~~board of directors~~Authority shall have power to make, alter or amend the bylaws in whole or in part.

Section 2. These bylaws shall become effective upon approval of the Board of Trustees of the Charter Township of Van Buren. Until such approval, the bylaws shall be temporary bylaws for the Authority.

Bylaws Adopted
Feb 11, 2014
Revising Bylaws
adopted Feb. 14, 2012

RECOMMENDED AGENDA

Order of Business

The Board uses the consent Agenda format. This allows for certain items to be designated and identified as part of the Consent Agenda, and therefore, acted on in a single motion. Items may be removed from the Consent Agenda by any member of the Board at the time of the meeting and placed on the regular agenda.

1. Call to order
2. Pledge of allegiance
3. Adoption of agenda
4. Audience
5. Action on consent agenda
6. Minutes
7. Business affairs
8. Correspondence
9. Superintendent's recommendations
10. Reports and presentations
11. Unfinished business
12. New business
13. Board items or requests for information
14. Closed session items
15. Adjournment

ADDRESSING THE BOARD - PUBLIC

Persons wishing to address the Board of Education must identify themselves by name and address and indicate their desire to be heard at the outset of the Board meeting or when otherwise requested to do so by the President of the Board of Education. Each person wishing to address the Board will be permitted a reasonable time, not to exceed three (3) minutes except in unusual circumstances, in which to be heard; the amount of time allotted to be within the discretion of the President of the Board of Education.

Adoption Date: June 23, 1977

Amended: 03/17/83, 10/17/85, 03/05/87, 04/21/94, 05/05/05 and 10/15/09.

Participation in a Meeting from a Remote Location

The Fitzgerald Board of Education recognizes that there are instances when individual board members may need to participate in a meeting via electronic means from a remote location. The following parameters are to be used for such participation:

1. A quorum of the Board shall be physically present at the meeting location. (Quorum is defined as a majority of the members elected to, appointed, and serving on the Board.)

2. Participation in a meeting via electronic means such as telephone conference calls, computer web cam, or a teleconference arrangement will be limited to situations when a member is unable to attend a meeting due to circumstances beyond the control of the member.
3. Requests to participate from a remote location shall be made to the Board President/designee and the decision of the Board President/designee shall be final.
4. A meeting that involves a member participating from a remote location must be conducted by using, at a minimum, a two-way audio connection so that the person(s) participating remotely can be heard at the meeting site and can hear the discussion at the meeting site.
5. All votes shall be taken by roll call when any member is participating from a remote location via electronic means.

Adopted: 4/15/2010

BOARD REFERENCE LIBRARY

A Reference and Historical Board Library will be established to provide pertinent reference materials and information on School Board matters. Although primarily for loan to the Board members, the library will be available on a non-loan basis to the administration and staff.

Where located: Superintendent's Office

Who can borrow: Board members only. However, administration and staff will have access to the materials for reading and study.

Borrowing procedure: Board members will fill out a sign-out sheet if item is taken home.

Who keeps records: A secretary will maintain a catalog of all items added and deleted from the library.

Procedure for adding: Policy Committee will decide on additions and deletions.

Material to be included: Books and other media on education, reference books, pamphlets, Board minutes, Board policies and By-Laws, employee contracts, budget audit copies, state rules/laws/regulations, photographs, historical information, etc.

Department, which must notify the Commission chairperson or vice-chairperson.

3. The Commission chairperson determines whether good cause exists for the absence of a member from a regular or special meeting of the Commission. When the attendance of the chairperson is under question, the responsibility for determining good cause falls to the Commission vice-chairperson.
4. Pursuant to the Code, the Governor may remove a Commission member from office for failure to attend 3 consecutive meetings in a 1-year period. The Commission chairperson must promptly inform the Governor's office (a) if a member fails to attend the statutory minimum number of consecutive meetings in a 1-year period, and (b) indicate whether good cause existed for such absences.

F. Teleconferencing

Commission members may participate in meetings by teleconferencing consistent with the Open Meetings Act (1976 PA 267, as amended, MCL 15.261. et seq). Upon approval of the Chairperson, Commission members may appear at a meeting via electronic device, including speaker phone or interactive television, provided that a quorum is present at the meeting site and all individuals attending the meeting can hear, and can be heard by, the Commissioner(s) attending via electronic device. Commission members participating in meetings by teleconference cannot use teleconferencing to vote but may speak on matters being considered.

G. Agenda and Background Materials

1. In consultation with the Department and other Commission members, the chairperson must set a tentative agenda for each meeting.
2. No later than 7 days before each meeting, the Department must place the tentative agenda on the appropriate section of the Department's Web site.
3. No later than 5 days before each meeting, the Department must deliver the text for any CON review standards for proposed or final actions and relevant background to each Commissioner (using overnight delivery or Email, as necessary) and post it on the appropriate section of the Department's Web site. At the start of a meeting, the Commission, by unanimous approval, may add CON review standards, that meet statutory requirements for proposed or final action, to the agenda.

5. REMOVAL: Any Member Government Representative, except for County member representative or alternate, on the Executive Committee may be removed from the Executive Committee by a majority vote of the Board of Directors.
6. ATTENDANCE: Any Member Government Representative except for County member representative or alternate, of the Executive Committee is automatically removed with three unexcused absences as determined by the Chairperson.
7. PARTICIPATION IN MEETINGS BY REMOTE COMMUNICATIONS EQUIPMENT: A member of the Executive Committee may participate in a meeting by conference telephone or similar communications equipment by means of which all people participating in the meeting can hear one another. Participation in a meeting and in this manner constitutes presence in person at the meeting thereby contributing to a quorum.

B. POWERS OF THE EXECUTIVE COMMITTEE

1. The Executive Committee shall supervise all the facets of the operation of the RRWC and shall assess the performance of any Executive/Program Director hired by the RRWC.
2. The Executive Committee shall review and approve, for recommendation to the Member Government Representatives, the budget, policies, work plan, strategic plan and long range goals.
3. The Executive Committee shall be responsible for the procurement of monies to fulfill responsibilities pursuant to the protection and restoration of the River Raisin Watershed.
4. The Executive Committee shall review and consider all recommendations made by the Member Government Representatives.
5. The Executive Committee shall perform any other functions designated by the Member Government Representatives.

C. OFFICERS OF THE EXECUTIVE COMMITTEE

1. Designation of Officers: Officers of the Executive Committee shall be elected by the Board of Directors at the first general membership meeting of the year. Officers shall be Chairperson, Vice-Chairperson, Secretary and Treasurer, and shall be qualified Member Government Representatives of the RRWC.
2. Terms of Office: Officers shall serve a period of one (1) year but shall continue in office after that time, if necessary, until their successors are qualified and elected, providing they remain qualified to serve. In addition, officers are not allowed to run for more than six (6) consecutive terms in the same office.
3. Chairperson: The Chairperson shall be the President of the RRWC. He/she shall preside over all meetings. He/she shall see that all orders and resolutions are carried out. The Chairperson shall be entitled to a vote on all matters.
4. Vice-Chairperson: The Vice-Chairperson shall perform the duties and exercise the powers of the Chairperson as needed. The Vice-Chairperson shall perform such duties as may be assigned.
5. Secretary: The Secretary shall keep, edit, produce and distribute minutes. The Secretary may be assigned other duties as deemed appropriate.

Section 1000: Board Bylaws

1330 Rules of Order

1330-1

The Board and its meetings shall be governed by the following rules of procedure:

a. Presiding Officer

The President (or Vice-President in the absence of the President) shall preside at all meetings. In the absence of both the President and Vice-President, the members present shall elect a President pro-tempore who will serve only for that meeting or for that part of the meeting in which the President and Vice-President are absent.

The Presiding Officer shall introduce and present each agenda item for discussion, or will introduce and then designate the Superintendent or other staff member who will present the agenda item. Following its presentation, an agenda item may be opened for discussion by the Presiding Officer. Except where permission is otherwise granted by the Presiding Officer, discussion of opened agenda items shall be limited to Members of the Board.

The Presiding Officer shall be responsible for enforcing these rules of procedure and conducting meetings in a manner which preserves order and decorum. Members of the Board and others in attendance shall comply with the direction of the Presiding Officer.

b. Quorum

A majority of the members elected to, appointed, and serving on the Board shall constitute a quorum. Members may participate in meetings via remote means such as telephone conference calls, computer web cam, or a teleconference arrangement. Members participating in this manner will be counted as "present" for purposes of establishing a quorum.

c. Speaking

When a Board member desires to speak on any matter or issue before the Board, he or she shall first seek recognition to speak from the Presiding Officer. Board members shall address all comments to the Board.

d. Motions and Resolutions

The Board will take all formal actions by verbal motion unless a formal resolution is required by law or otherwise desired. Generally, resolutions are

Tahquamenon Scenic Byway

General Members: Members designated as general members do not have voting privileges with official Committee business, but may still participate in the deliberations of the Committee. General members are not expected to attend quarterly meetings. General members will be kept on a distribution list and will receive meeting packets and general information regarding the Byway.

Membership Roster: An official membership roster will be kept signifying voting and general membership. Any of the organizations or entities previously listed may be kept on the membership roster, as well as individuals who wish to be members. Those involved in specific projects or grants that may not be members of the Committee will be kept in a separate list.

Section 2: Alternates

Any/all entities and organizations listed in Article III, Section 1 may designate alternates for members in the member's absence. Written notice of the appointments shall be provided to the Committee Chair in advance of their participation.

ARTICLE V: Meetings

Section 1: TSBAC Meetings

Meetings of the TSBAC shall be held at a minimum of quarterly or at the call of the Chairperson. In addition, a special meeting of the TSBAC shall be called when the Chair receives a petition from three or more Committee members calling for said meeting. The public is encouraged to attend and participate in all meetings and may have issues of particular interest placed on the agenda with notification in writing to and with the approval of the Chair. **If the capability is available, members may attend the meeting via teleconferencing or videoconferencing.**

Section 2: Notice of Meetings

The Committee will publicly post a list stating the dates, times and places of all its regular meetings within 10 days of the first meeting in the calendar year. When a meeting is called by the Chairperson, a minimum of five, (5), days' notice shall be given, and will include a copy of the proposed agenda sent to last known physical or electronic address of the committee members.

Section 3: Quorum

For business transactions to take place, 51% of the voting members of the TSBAC shall be present to constitute a quorum. If a vote is called, it shall only pass when a "simple majority" of those present votes in the affirmative. A roll call vote may be ordered by the chair or by the motion and second of two Committee members.

Section 4: Annual Meeting

Unless the TSBAC votes otherwise, the first meeting of the Committee in January of each year shall be considered the annual meeting. Election of officers shall occur at the annual meeting held in odd numbered years. The term of all officers shall be two years.



Memo

TO: Local Development Finance Authority

**FROM: Ron Akers, AICP
Director of Planning and Economic Development**

RE: Ecorse Road Property RFP

DATE: September 9, 2016

The LDFA board of directors at their March 2016 meeting had requested that Township Staff make efforts to have the Ecorse Road property owned by the LDFA rezoned from AG to C and after that was completed staff was directed bring back the proposed RFP to sell the property to the board of directors for review and issuance. The rezoning is effective as of September 2, 2016 and thus staff is bringing the RFP for the sale of the property back for the board of directors review and issuance.

The LDFA requested at their March meeting that staff create a quantitative rating scale to evaluate different proposals on. In response to this staff has created a scaled approach to reviewing these applications. We have proposed weighting the six (6) evaluation criteria using percentages and evaluating each on a scale from one (1) to ten (10) with ten (10) being the highest. The following is the percentages staff are proposing to use for the evaluation criteria:

1. The property acquisition price. (30% Weight)
2. The proposals promotion of economic growth in the community. (15% Weight)
3. The proposals compatibility with properties in the vicinity of the property. (10% Weight)
4. The proposals consistency with Township ordinances. (30% Weight)
5. The proposals consistency with the Township's Master Plan and Future Land Use Map. (10% Weight)
6. Other appropriate facts/considerations relevant to the proposed use of the property. (5% Weight)

The percentages have been assigned based on conversations with the LDFA board, but they can be modified if the Board wishes. The next steps require that the LDFA formally approve the RFP and staff will ensure the proper notices are posted and published accordingly. Please feel free to contact me before the meeting if you have any further questions.



**Charter Township of Van Buren Local
Development Finance Authority**



**Request for Proposals for the Acquisition of Vacant
Property Located on Ecorse Road**

Parcel ID # 125-83-045-99-0004-702

September 9, 2016

Charter Township of Van Buren Local Development Finance Authority

**Request for Proposals for the Acquisition of Vacant Property Located on
Ecorse Road Parcel ID # 125-83-045-99-0004-702**

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ATTACHMENTS

Attachment A: Property Map

SECTION I: GENERAL INFORMATION

The Local Development Finance Authority (LDFA) of the Charter Township of Van Buren is inviting responsible and interested parties to submit proposals for the acquisition of the LDFA owned vacant parcel located on the south side of Ecorse Road between Hannan Road and I-275. The intent of this request for proposals is to transfer the property to a party which can use the property for an economically viable purpose that is consistent with the Charter Township of Van Buren's development plans and regulations which are discussed further in Section II.

Questions concerning this RFP must be made via e-mail per the schedule outlined below.

Issue date: Friday, September 16, 2016
Questions due: Friday, October 7, 2016
Answers provided: Friday, October 14, 2016
Proposals due: Monday, October 24, 2016 at 11:00 a.m. to Deputy Clerk

Inquiries to: Anna Halstead, Account Clerk
ahalstead@vanburen-mi.org

Submission to: Joanne Montgomery, Deputy Clerk

SECTION II: PROPERTY OVERVIEW



46425 Tyler Road, Van Buren Twp., MI 48111-5217 Website: vanburen-mi.org
Telephone 734-699-8900 Fax 734-699-5213

Property Description

This property has been owned by the Local Development Finance Authority since it was originally split in 2004. The land area is approximately 45,300 square feet or 1.04 acres. The property is on the south side of Ecorse Road and is located between Hannan Road and I-275. This property is near the Grace Lake Corporate Center which is a 282 acre class A office campus which is located in a private, wooded setting with nature trails and walking paths along the lake. Additionally the property is minutes from Detroit Metro Airport, Willow Run Airport, major interstates, and many other commercial and industrial businesses along the Haggerty Road and Belleville Road corridors.

Zoning/Master Plan

The current zoning of the property is C (Local Business District) which is designed primarily to permit retail business and service uses which are need to serve nearby residential areas. Other uses which may be allowed conditionally include child care centers and greenhouses & nurseries. Adjacent properties are zoned AG (Agricultural) to the north, west, and south of the subject property while the property located immediately to the east is zoned C (Local Business District).

In accordance with the Van Buren Township Future Land Use Map dated July 16, 2013, the recommended Future Land Use for this site is mixed use. The Township's Southside Master Plan describes the mixed use district as incorporating both residential and nonresidential uses. Appropriate land uses may include residential, public, institutional, office, general office, business and personal service uses, and retail commercial land uses. Such uses may be located in mixed-use buildings, or in separate, single-use buildings located on the same site but designed as an integrated development.

SECTION III: SUBMITTAL REQUIREMENTS

Proposals must include the following information in the submittal and in the following format:

- Section 1:** The full names, addresses, phone numbers, and e-mail address of all parties who will be the principal investors or owners of the property and who will become part of any contract or agreement made with the Local Development Finance Authority.
- Section 2:** The proposed purchase price and terms.
- Section 3:** A written description and/or graphic drawings of the proposed short and long term use of the property.
- Section 4:** A preliminary project schedule if development is proposed on the site, including an estimated project completion date.

Section 5: The bidders must provide a statement which indicates they shall comply with all Township development and ordinance requirements.

Should the proposal include the development of the site, the successful bidder must, prior to development submit and gain approval of a site plan and other necessary and appropriate development approvals that the project will require, that shall meet all Van Buren Township requirements, and follow all other normal procedures for acquiring permits for site development and construction.

SECTION IV: SUBMISSION DEADLINES

To be considered, all RFPs must be submitted to the Van Buren Township Clerk's Office, 46425 Tyler Road, Van Buren Township, MI 48111, Attn: Joanne Montgomery, Deputy Clerk by **Monday, October 24, 2016 at 11:00 a.m.** Any proposals received after 11:00 a.m. will be considered late and will not be eligible. Submissions lacking the required information without explanation may be considered incomplete.

Paper copies of the RFP may be obtained from the Van Buren Township Planning & Economic Development Department, 46425 Tyler Road, Van Buren Township, MI 48111 beginning **September 16, 2016 between 7:30 a.m. and 4:00 a.m.**, excluding holidays.

SECTION V: REVIEW & SELECTION PROCESS

Township staff will review each proposal based upon the following criteria:

1. The property acquisition price. (30% Weight)
2. The proposals promotion of economic growth in the community. (15% Weight)
3. The proposals compatibility with properties in the vicinity of the property. (10% Weight)
4. The proposals consistency with Township ordinances. (30% Weight)
5. The proposals consistency with the Township's Master Plan and Future Land Use Map. (10% Weight)
6. Other appropriate facts/considerations relevant to the proposed use of the property. (5% Weight)

Each proposal will be assigned a score from one (1) to ten (10) for each selection criteria mentioned above. In this scale ten (10) represents the highest overall score in each category and one (1) is the lowest. Each score will be multiplied by the weighted percentage and the total of the six (6) scores will be added together to determine the total weighted score. Proposals will be ranked based on their total weighted score. The following is an example of this measurement:

Example Evaluation

<u>Factor</u>	<u>Weight</u>	<u>Score</u>	<u>Weighted Score</u>
1. Price	30%	10	(10 X 0.3) = 3.0
2. Economic Growth	15%	6	(6 X 0.15) = 0.9
3. Compatibility	10%	8	(8 X 0.1) = 0.8

4. Ordinance Consistency	30%	10	(10 X 0.3) =	3.0
5. Master Plan Consistency	10%	7	(7 X 0.1) =	0.7
6. Other	5%	2	(2 X 0.05) =	0.1

Total Score = 8.5

After this review is completed Township staff will then prepare a recommendation for the Local Development Finance Authority and provide all submitted proposals to the board of directors at their November 9, 2016 regular meeting where the board of directors may choose to decide which proposal is selected.

SECTION VI: RESERVATION OF RIGHTS & NOTICES

The Local Development Finance Authority of the Charter Township of Van Buren (L DFA) reserves the right to reject any and all proposals and to select the proposal it deems is in the best interest of the Local Development Finance Authority, even if it is not the highest purchase price. The L DFA does not necessarily intend to award a contract solely on the basis of any response made to this request or otherwise pay for any information solicited or obtained during the RFP process.

The Local Development Finance Authority of the Charter Township of Van Buren reserves and may exercise the right to request one or more of the parties submitting a proposal to provide additional materials, clarification, confirmation or modification of any information in the submission, and can supplement, amend, substitute, cancel, or otherwise modify this Request for Proposal any time prior to the selection of one or more proposals.

Please note the property will be sold “AS IS”

Prospective candidates are hereby notified that the Local Development Finance Authority of the Charter Township of Van Buren makes no warranty or representation of any kind concerning the condition of the property, including the environmental condition. Various Federal, State, or other Township agencies may have information regarding the condition of the site. Each party submitting a proposal is encouraged to conduct its own due diligence regarding the condition of the property.

SECTION VII: REQUEST FOR PROPOSALS TIMETABLE

Activities:	Date:
RFPs Available for Distribution	September 16, 2016
Questions on RFP By	October 7, 2016
Answers Provided By	October 14, 2016
Deadline for Receipt of RFP	October 24, 2016
Oral Interviews (if necessary)	October 31, 2016 – November 4, 2016
Final Recommendation	November 9, 2016

Notice of Advertisement

Notice of Public Sale. The Charter Township of Van Buren Local Development Finance Authority, Wayne County, MI is requesting proposals for the acquisition of vacant property located on **Ecorse Road (Parcel Number V125-83-045-99-0004-702)**. The Request for Proposals (RFP) document is available at the Van Buren Township Planning & Economic Development Department, 46425 Tyler Road, Van Buren Township, MI 48111, from 7:30 a.m. - 4:00 p.m., Monday – Friday or on the Township website at www.vanburen-mi.org. Proposals shall be submitted to the Clerk’s Office by **11:00 a.m. on Monday, October 24, 2016** and will be publicly available immediately following the submittal deadline. The Local Development Finance Authority of the Charter Township of Van Buren (LDFA) reserves the right to reject any and all proposals and to select the proposal it deems is in the best interest of the Local Development Finance Authority, even if it is not the highest purchase price. The LDFA does not necessarily intend to award a contract solely on the basis of any response made to this request or otherwise pay for any information solicited or obtained during the RFP process.

Posted and Published: September 22, 2016



Memo

TO: Local Development Finance Authority

**FROM: Ron Akers, AICP
Director of Planning and Economic Development**

RE: Proposed 2017 LDFA Budget

DATE: September 8, 2016

The Local Development Financing Act has specific guidelines with the preparation and submittal of the budget for the operation of the authority. It states as follows:

125.2169 Preparation and submission of budget; manner; approval; cost of handling and auditing funds.

Sec. 19. (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. 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.

(2) The governing body 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 for designated purposes, which cost shall be paid annually by the board pursuant to an appropriate item in its budget.

Based on this provision a budget has been prepared and is going to be submitted to the Township Board for approval during its normal budget cycle. The statute requires that the budget be approved by the "governing body" (Township Board) before it is adopted by the LDFA board of directors, but I want to ensure that the LDFA is able to review and discuss the budget prior to the submission to the Township Board. After the budget is approved by the Township Board it will be brought back to the LDFA board of directors for final approval.

I will not be at the meeting on 9/8/16, but I have made arrangements to have Deputy Director Best and Deputy Treasurer Bellingham at the LDFA meeting. Please feel free to contact me prior to the meeting with any questions you may have.

Charter Township of Van Buren
LDFA Fund

		2014 Actual	2015 Actual	2016 Budget	2016 Amended	2017 Proposed	2018 Projected	2019 Projected
Revenue:								
251-000-403-000	Property Tax Capture	500,717	520,812	550,000	526,111	502,043	534,922	527,335
251-000-573-000	Local Comm Stabilization Approp.	-	15,731	-	75,561	99,659	111,593	116,684
251-000-664-000	Interest Income	42,248	29,269	5,000	700	500	500	500
251-000-698-000	Bond Sales Proceeds	-	12,190,000	-	-	-	-	-
251-000-699-000	Bond Premium	-	820,737	-	-	-	-	-
	Total Revenue	<u>542,965</u>	<u>13,576,549</u>	<u>555,000</u>	<u>602,372</u>	<u>602,202</u>	<u>647,015</u>	<u>644,519</u>
Expenditures:								
251-000-702-000	Director Salary	2,000	2,000	2,000	2,000	2,000	2,000	2,000
251-000-703-000	Secretary	2,000	2,000	2,000	2,000	2,000	2,000	2,000
251-000-705-000	Employee Wages - Administrative	3,000	3,000	3,000	3,000	3,000	3,000	3,000
251-000-719-000	Allocated Fringes	1,000	1,000	1,000	1,000	1,000	1,000	1,000
251-000-727-000	Office Supplies	-	-	-	-	-	-	-
251-000-728-000	Postage	-	-	-	-	-	-	-
251-000-801-000	Auditing/Accounting	3,800	6,465	5,000	5,000	5,000	5,000	5,000
251-000-802-000	Attorney Fees	46,765	80,191	100,000	120,000	100,000	100,000	100,000
251-000-803-000	Consultant	-	750	1,000	6,500	1,000	1,000	1,000
251-000-956-000	Other	1,000	2,044	2,000	2,000	2,000	2,000	2,000
251-000-972-000	Ecorse/Hannan Rd. Improve	-	-	-	-	-	-	-
251-000-992-000	Bond Issuance Costs	-	174,056	-	-	-	-	-
251-000-994-000	Bond Principal	135,000	575,000	-	-	-	-	1,575,000
251-000-994-001	Deposit with Bond Escrow Agent	-	17,352,681	-	-	-	-	-
251-000-995-000	Interest Expense	823,021	420,701	552,925	552,925	521,081	521,081	498,206
251-000-996-000	Handling Fees	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>
	Total Expenditures	<u>1,017,886</u>	<u>18,620,189</u>	<u>669,225</u>	<u>694,725</u>	<u>637,381</u>	<u>637,381</u>	<u>2,189,506</u>
	Net Income (Expense)	<u>(474,921)</u>	<u>(5,043,640)</u>	<u>(114,225)</u>	<u>(92,353)</u>	<u>(35,179)</u>	<u>9,634</u>	<u>(1,544,987)</u>
Beginning Fund Balance								
		6,263,943	5,789,022	694,521	745,383	653,030	617,850	627,484
Excess of revenues over expenses								
		<u>(474,921)</u>	<u>(5,043,640)</u>	<u>(114,225)</u>	<u>(92,353)</u>	<u>(35,179)</u>	<u>9,634</u>	<u>(1,544,987)</u>
Fund Balance (Deficit)								
		<u>5,789,022</u>	<u>745,383</u>	<u>580,296</u>	<u>653,030</u>	<u>617,850</u>	<u>627,484</u>	<u>(917,503)</u>
**Fund goes into a deficit with the April 2019 debt payment.								

Table -- Cash Flow

LOCAL DEVELOPMENT FINANCE AUTHORITY OF THE TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan

Schedule of Projected Tax Increment Revenues, Debt Service Requirements and Coverage

Levy/ Value/ Year	Taxable Value Growth Projection		PROJECTED TAX INCREMENT & REIMBURSEMENT REVENUE											
	Real Prop.	Personal Prop.	Ad valorem Real Prop. (net of base)	Ad valorem Personal Prop.	IFT Real Prop.	IFT Personal Prop.	Total "Equivalent" Captured Value	Summer Capture		Winter Capture		Total Estimated Captured Revenue	100% Pers Prop Tax Exemption Reimburtm	Total Estimated Revenue
								Millage	Revenue	Millage	Revenue			
2014			\$13,963,397	\$6,244,900	\$16,433,200	\$1,687,200	\$29,268,497	5.6483	\$165,317	11.2435	\$329,080	\$494,398	\$8,708	\$503,106
2015			21,152,607	5,845,100	9,208,500	1,602,900	32,403,407	5.6483	183,024	11.2435	364,328	547,352	15,731	563,083
2016	0.02%	-56.60%	21,156,793	2,536,800	9,208,500	689,900	28,642,793	5.6483	161,783	11.2435	322,045	483,828	75,561	559,389
2017	0.50%	-55.00% a	30,487,589	1,278,643	29,531	173,372	31,867,683	5.6483	179,998	11.2435	358,304	538,303	99,659	637,962
2018	0.50%	-55.00%	30,640,027	575,389	29,678	78,018	31,269,264	5.6483	176,618	11.2435	351,576	528,194	111,593	639,787
2019	0.50%	-55.00% b	30,823,054	294,033	-	-	31,117,087	5.6483	175,759	11.2435	349,865	525,624	116,684	642,308
2020	0.50%	-55.00%	30,977,169	132,315	-	-	31,109,484	5.6483	175,716	11.2435	349,779	525,495	119,254	644,749
2021	0.50%	-55.00%	31,132,055	59,542	-	-	31,191,596	5.6483	176,179	11.2435	350,703	526,882	120,411	647,293
2022	0.50%	-55.00%	31,287,715	26,794	-	-	31,314,509	5.6483	176,874	11.2435	352,085	528,958	120,931	649,890
2023	0.50%	-100.00%	31,444,154	-	-	-	31,444,154	5.6483	177,606	11.2435	353,542	531,148	121,357	652,505
2024	0.50%	0.00%	31,601,374	-	-	-	31,601,374	5.6483	178,494	11.2435	355,310	533,804	121,357	655,161
2025	0.50%	0.00%	31,759,381	-	-	-	31,759,381	5.6483	179,387	11.2435	357,087	536,473	121,357	657,830
2026	0.50%	0.00%	31,918,178	-	-	-	31,918,178	5.6483	180,283	11.2435	358,872	539,155	121,357	660,512
2027	0.50%	0.00%	32,077,769	-	-	-	32,077,769	5.6483	181,185	11.2435	360,666	541,851	121,357	663,208
2028	0.50%	0.00%	32,238,158	-	-	-	32,238,158	5.6483	182,091	11.2435	362,470	544,561	121,357	665,917
2029	0.50%	0.00%	32,399,349	-	-	-	32,399,349	5.6483	183,001	11.2435	364,282	547,283	121,357	668,640
2030	0.50%	0.00%	32,561,345	-	-	-	32,561,345	5.6483	183,916	11.2435	366,103	550,020	121,357	671,377
2031	0.50%	0.00%	32,724,152	-	-	-	32,724,152	5.6483	184,836	11.2435	367,934	552,770	121,357	674,127
2032	0.50%	0.00%	32,887,773	-	-	-	32,887,773	0.0000	-	0.0000	0	-	-	-
2033	0.50%	0.00%	33,052,212	-	-	-	33,052,212	0.0000	-	0.0000	0	-	-	-
								<u>\$3,202,067</u>			<u>\$6,374,032</u>	<u>\$9,576,100</u>	<u>\$1,880,745</u>	<u>\$11,456,845</u>

Assumes 100% of captured revenue loss due to EMPP is reimbursed.

(a) Reflects expiration of IFT at approx. value of \$9,362,094 (\$9,225,012 Real Property & \$137,083 Personal Property)

(b) Reflects expiration of remaining IFT of approx. value of \$64,935 (\$29,827 Real Property & \$35,108 Personal Property)

Table -- Cash Flow (cont.)

LOCAL DEVELOPMENT FINANCE AUTHORITY OF THE TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan

Schedule of Projected Tax Increment Revenues, Debt Service Requirements and Coverage

TAX INCREMENT REVENUE, BOND PAYMENTS AND COVERAGE															
Levy/ Value Year	Summer Capture	Principal Investment Maturity	Less: Ref Funds on Hand Contribution	Pymnt Due 1-Oct	Less: 1-Oct Bond Payments	2-Oct Cumulative Balance	Pers Prop Tax Exemption Reimburmt	Winter Capture	Principal Investment Maturity	Pymnt Due 1-Apr	Less: 1-Apr Bond Payments	Interest on Balance @ 0.00%	Less: Non Debt LDFA Expenses	Annual Surplus (Shortfall)	2-Apr Cumulative Balance
															\$1,898,447
2014	\$165,317	\$0		2014	\$410,076	\$1,653,688	\$8,708	\$329,080	\$250,000	2015	\$560,076	\$42,405	\$64,775	(239,416)	1,659,031
2015	183,024	3,900,000	4,516,000	2015	435,625	790,430	15,731	364,328	-	2016	292,384	24,000	80,000	(836,926)	822,105
2016	161,783	-	-	2016	260,541	723,347	75,561	322,045	-	2017	260,541	-	-	38,308	860,413
2017	179,998	-	-	2017	260,541	779,870	99,659	358,304	-	2018	260,541	-	-	116,881	977,293
2018	176,618	-	-	2018	260,541	893,371	111,593	351,576	-	2019	1,175,541	-	-	(796,294)	180,999
2019	175,759	-	-	2019	897,666	(540,908)	116,684	349,865	-	2020	1,466,166	-	-	(1,721,523)	(1,540,524)
2020	175,716	-	-	2020	915,041	(2,279,849)	119,254	349,779	-	2021	1,492,428	-	-	(1,762,719)	(3,303,244)
2021	176,179	-	-	2021	924,678	(4,051,742)	120,411	350,703	-	2022	1,515,303	-	-	(1,792,688)	(5,095,932)
2022	176,874	-	-	2022	985,678	(5,904,736)	120,931	352,085	-	2023	1,495,928	-	-	(1,831,717)	(6,927,649)
2023	177,606	-	-	2023	580,928	(7,330,971)	121,357	353,542	-	2024	1,940,828	-	-	(1,869,251)	(8,796,900)
2024	178,494	-	-	2024	540,828	(9,159,234)	121,357	355,310	-	2025	2,023,703	-	-	(1,909,370)	(10,706,270)
2025	179,387	-	-	2025	493,703	(11,020,586)	121,357	357,087	-	2026	2,107,178	-	-	(1,943,051)	(12,649,321)
2026	180,283	-	-	2026	477,178	(12,946,216)	121,357	358,872	-	2027	2,190,272	-	-	(2,006,938)	(14,656,259)
2027	181,185	-	-	2027	350,272	(14,825,346)	121,357	360,666	-	2028	2,865,125	-	-	(2,552,189)	(17,208,447)
2028	182,091	-	-	2028	370,125	(17,396,481)	121,357	362,470	-	2029	2,913,938	-	-	(2,618,145)	(19,826,592)
2029	183,001	-	-	2029	388,938	(20,032,529)	121,357	364,282	-	2030	2,962,281	-	-	(2,682,578)	(22,509,171)
2030	183,916	-	-	2030	407,281	(22,732,536)	121,357	366,103	-	2031	3,010,156	-	-	(2,746,061)	(25,255,232)
2031	184,836	-	-	2031	1,095,156	(26,165,552)	121,357	367,934	-	2032	3,050,000	-	-	(3,471,029)	(28,726,261)
2032	-	-	-	2032	-	(28,726,261)	-	-	-	2033	-	-	-	-	(28,726,261)
2033	-	-	-	2033	-	(28,726,261)	-	-	-	2034	-	-	-	-	(28,726,261)
	<u>\$3,202,067</u>	<u>\$3,900,000</u>	<u>\$4,516,000</u>		<u>\$10,054,795</u>		<u>\$1,880,745</u>	<u>\$6,374,032</u>	<u>\$250,000</u>		<u>\$31,582,389</u>	<u>\$66,405</u>	<u>\$144,775</u>		