

**Downtown Development Authority
Informational and Regular Meeting Minutes
Monday, December 12, 2022 – 12:00 PM**

Board Members Present: Jerry Fennell
Tim Mulcahy
Mark Lehman
Linda Huckleberry
Wendy Gladding
Nicole Falatic
Charley Kemp

Board Members Absent: Melanie Hansen

Others Present: George Bosanic, City Manager
Heather Feazel, Assistant City Manager
Norice Rasmussen, Clerk-Finance Director
Cory Smith, Daily News
Paul Sischo, Chamber of Commerce

The informational meeting held in-person and virtually via Zoom was called to order by Chair Mulcahy at 12:00 p.m.

Assistant City Manager Feazel provided a review on the Downtown Development Authority's activities for the year in accordance with Act 57 of 2018. The chair requested comment from the public. No comments were received.

Board member Gladding made a motion to adjourn the informational meeting; supported by board member Fennell. Motion carried. Board adjourned at 12:12 p.m.

The regular meeting held in-person and virtually via Zoom was called to order by Chair Mulcahy at 12:13 p.m.

The Board reviewed the regular minutes from November 8, 2022. **Board member Huckleberry made a motion** to accept the minutes as presented. Board member Lehman seconded the motion. Motion carried.

The Board received a presentation on the Financial Report for October 31, 2022, from Clerk-Finance Director Rasmussen. **Board member Lehman made a motion** to accept the Financial Report. Board member Gladding seconded the motion. Motion carried.

No report on Downtown Trees at this time.

Assistant City Manager Feazel provided a report on an estimate for sign replacement for the Downtown District. **Board member Gladding made a motion** to solicit for bids for the replacement of signs in the Downtown District. Board member Huckleberry seconded the motion. Motion carried with a vote of (7) Ayes: Fennell, Mulcahy, Lehman, Huckleberry, Falatic, Kemp and Gladding; (0) Nays; and (1) Absent: Hansen

The Board considered the approval of Resolution No. 22-29. **Board member Huckleberry resolved** to approve Resolution 22-29, a resolution requesting the City of Greenville issue Downtown Development Bonds, pledging Tax Increment Revenues as security and approving estimates of projected Tax Increment Revenue as presented.

WHEREAS, the City of Greenville (the “City”) has established and created a Downtown Development Authority (the “DDA”) pursuant to Act 197, Public Acts of Michigan, 1975, as amended, which has been recodified as part of Act 57, Public Acts of Michigan, 2018, as amended (“Act 57”); and

WHEREAS, the DDA has identified in its Tax Increment Financing and Development Plan, as amended (the “Plan”), Security Enhancements Project that provides for the acquisition and installation of video camera systems designed to provide security that is necessary within the Development Area established by the Plan (the “Development Area”), including the design, acquisition and installation of network based security cameras and centralized storage and such other components of the project as provided in the Plan; the Communication/Technology Enhancements Project that provides for systems with the latest technology providing communication equipment for events and activities for the public spaces in the Development Area including design, cabling infrastructure, network infrastructure, public Wi-Fi improvements, public address/distributed communication improvements and such other components of the project as provided in the Plan; the Existing Public Parking Lot Renovations Project, that provides for the renovation of existing public parking lots in the Development Area, including design, paving, repaving, patching, repairing and sealing parking lots, signage and such other components of the project as provided in the Plan; and elements of such other Projects contained in the Plan that the DDA may decide to undertake (the “Projects”); and

WHEREAS, the DDA intends to design, acquire and construct the elements of the Projects identified above (the “Public Improvements”); and

WHEREAS, the City intends to issue one or more series of its limited tax, general obligation bonds pursuant to Act 57, in an amount of not to exceed \$1,500,000 (the “Bonds”) secured by future Tax Increment Revenues, for the purpose of financing the construction of the Public Improvements; and

WHEREAS, during the term of the bonds the City Treasurer shall transmit to the DDA that portion of the tax levy of certain taxing bodies paid each year on the

captured assessed value of real and personal property in the Development Area designated in the Plan (the “Tax Increment Revenues”); and

WHEREAS, the DDA intends to pledge the Tax Increment Revenues to the payment by the City of the Bonds issued for the purpose of constructing the Public Improvements; and

WHEREAS, the amount and repayment schedule of the Bonds to be issued by the City must conform to the Tax Increment Revenues to be received by the DDA, and

WHEREAS, the DDA has caused an estimate of estimated Tax Increment Revenue to be prepared.

NOW THEREFORE, BE IT HEREBY RESOLVED THAT:

1. The DDA hereby recommends that the City issue the Bonds in an amount not-to-exceed \$1,500,000, pursuant to Act 57, for the purpose of financing the construction of the Public Improvements.
2. That the estimate of Tax Increment Revenues for each year, as shown on Exhibit A attached hereto, is hereby adopted as, and is deemed to be, a true and accurate estimate of the Tax Increment Revenues to be captured by the DDA, and is hereby submitted to the City Council.
3. The DDA hereby pledges and agrees to pay the City the amount necessary to pay principal of and interest on the Bonds or any bonds issued to refund the Bonds in the future, as they come due, from Tax Increment Revenues received by the DDA or from other funds available to the DDA for this purpose. In the event the funds of the DDA are insufficient to pay the principal of and interest on any Bonds as they become due, and the City pays such sums from its own funds, the DDA agrees to reimburse the City in whole for such payments plus interest at a rate established by the City Treasurer from funds of the DDA as the same are available.
4. The DDA hereby acknowledges that the City will incur expenses and issue the Bonds in reliance upon the agreement and promise of the DDA to pay to the City from Tax Increment Revenues, or from other funds available to the DDA, the amounts necessary to pay the principal of and interest of the Bonds. The DDA hereby covenants to take all actions necessary to receive all Tax Increment Revenues or revenues available to the DDA in lieu of or in replacement of Tax Increment Revenues on a timely basis sufficient to pay to the City the amounts agreed herein. The provisions of this Resolution shall constitute a contract between the DDA and the City, and no change, variation or alteration of the provisions of this Resolution may be made without the consent of the City. The provisions of this Resolution shall be enforceable by appropriate proceedings taken by the City, either at law or in equity.

5. Either the Chairperson, Vice-Chairperson, Treasurer, or Secretary of the DDA is hereby authorized to provide a revised estimate of the anticipated revenues to the City Council if such revised schedule of revenues should become available in the process of preparing for issuance and sale of the Bonds.
6. The Chairperson, the Vice Chairperson, or the Secretary or Treasurer of the DDA, or any one or more of them, are authorized and directed to take all actions necessary or desirable for the issuance of the Bonds and to execute any documents or certificates necessary to complete the issuance of the Bonds, including, but not limited to, any applications including the Michigan Department of Treasury, Application for State Treasurer's Approval to Issue Long-Term Securities, any waivers, certificates, receipts, orders, agreements, instruments, and any certificates relating to federal or state securities laws, rules, or regulations and to participate in the preparation of a preliminary official statement and a final official statement for the Bonds and to sign such documents on behalf of the DDA and give any approvals necessary therefor.
7. The DDA hereby covenants to take all action necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings and the expenditure and investment of proceeds of the Bonds and moneys deemed to be proceeds thereof.
8. All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded to the extent of such conflict.

Board member Lehman seconded the motion. Adopted with a vote of (7) Ayes: Fennell, Mulcahy, Lehman, Huckleberry, Falatic, Kemp, and Gladding; (0) Nays and (1) Absent: Hansen.

The Board discussed approving \$1,500 for music for the Downtown District. **Board member Fennell made a motion** to approve the expense for \$1,500 for music in connection with the Chamber of Commerce in the Downtown District. Board member Lehman seconded the motion. Motion carried.

Board member Gladding made a motion to adjourn; supported by board member Huckleberry. Motion carried. Board adjourned at 1:00 p.m.

Respectfully submitted,
George Bosanic