

CITY OF MUSKEGON

CITY COMMISSION MEETING

JUNE 9, 2020 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440
REMOTE MEETING**

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **ROLL CALL:**
- ☐ **HONORS AND AWARDS:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes** City Clerk
 - B. Establish a Grants Program Coordinator Position** Community and Neighborhood Services
 - C. Seaway Railroad Bridge Painting** Public Works
 - D. Lease Agreement** Public Works
 - E. Contract Agreement** Public Works
 - F. Conflict of Interest Disclosure** Community and Neighborhood Services
- ☐ **PUBLIC HEARINGS:**
 - A. Public Hearing on Harbor West LLC Brownfield Plan, 1000-1060 West Western Avenue** Economic Development
 - B. Transmittal of 2020-21 Proposed Budget** City Manager
- ☐ **UNFINISHED BUSINESS:**
- ☐ **NEW BUSINESS:**
- ☐ **ANY OTHER BUSINESS:**
- ☐ **PUBLIC COMMENT:**
 - ▶ **Reminder: Individuals who would like to address the City Commission shall do the following:**
 - ▶ Fill out a request to speak form attached to the agenda or located in the back of the room.
 - ▶ Submit the form to the City Clerk.
 - ▶ Be recognized by the Chair.

- ▶ Step forward to the microphone.
- ▶ State name and address.
- ▶ Limit of 3 minutes to address the Commission.
- ▶ (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

☐ **CLOSED SESSION:**

☐ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY-FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE MEISCH, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1-22 TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: June 9, 2020	Title: Approval of Minutes
Submitted By: Ann Marie Meisch, MMC	Department: City Clerk
Brief Summary: To approve the minutes of the May 26, 2020 Regular City Commission meeting.	
Detailed Summary: N/A	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: To approve the minutes.	
For City Clerk Use Only: Commission Action:	

CITY OF MUSKEGON

CITY COMMISSION MEETING

MAY 26, 2020 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440
REMOTE MEETING**

MINUTES

The Regular Commission Meeting of the City of Muskegon was held electronically with the Mayor, Vice Mayor and Commissioners participating via Zoom – a remote conferencing service, Clerk staff present at 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, May 26, 2020.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen J. Gawron, Vice Mayor Eric Hood, Commissioners Ken Johnson, Dan Rinsema-Sybenga, Willie German, Jr., Teresa Emory, and Michael Ramsey, City Manager Frank Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

2020-30 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve the minutes of the May 11, 2020 Worksession and May 12, 2020 Regular City Commission meeting.

STAFF RECOMMENDATION: To approve the minutes.

B. Polling Place Change City Clerk

SUMMARY OF REQUEST: Staff is requesting City Commission approval to move the polling location for Precinct 10 from the Lakeshore Fitness Center, 900 W. Western, to the Muskegon Farmer's Market, 242 W. Western.

The Lakeshore Fitness Center has closed and the building is no longer available to be used as a polling place. All affected voters will be sent a letter to notify them of the change as well as a new Voter ID Card. Signs will be placed at the Lakeshore Fitness Center to redirect voters to the new polling place for the next several elections.

STAFF RECOMMENDATION: To approve the resolution to change the polling location for Precinct 10 from the Lakeshore Fitness Center to Muskegon Farmer's

Market.

C. 2020-2021 MML Membership Dues City Clerk

SUMMARY OF REQUEST: Approval to pay the 2020-2021 MML dues in the amount of \$10,399.00. This is an increase of \$193.

FINANCIAL IMPACT: MML Dues: \$9,454.00
Legal Defense Fund: \$945.00
Total: \$10,399.00

STAFF RECOMMENDATION: To approve the payment of dues to the Michigan Municipal League in the amount of \$10,399.00.

F. Ordinance Amendment – Marina and Launch Ramp Parking Public Safety

SUMMARY OF REQUEST: Request for commission to consider Ordinance amendments in regards to marina and launch ramp parking restrictions – 92.74 (1, 2, & 3).

Five (5) violations will be updates with appropriate verbiage to reflect the current violations (2) and fines that will help ensure permit and parking compliance at our ramps.

STAFF RECOMMENDATION: Approve the proposed changes to Ordinance 92-74 (1, 2, & 3).

G. Setting Harbor West LLC Brownfield Public Hearing Economic Development

SUMMARY OF REQUEST: The Brownfield Redevelopment Authority on May 12 recommended approval of Brownfield Plan Amendment for Harbor West LLC (Hartshorn Village) at 1000 West Western Avenue and not the City Commission needs to schedule a public hearing on that plan for June 9, 2020.

Harbor West LLC has submitted a brownfield plan for the first phase of a residential development along Lakeshore Trail and adjacent to Hartshorn Marina. The City Commission needs to set a public hearing on the plan for June 9, 2020. The resolution of approval by the Brownfield Redevelopment Authority and a resolution setting the June 9 public hearing are attached.

STAFF RECOMMENDATION: To approve the resolution setting a public hearing for June 9, 2020 on the Harbor West Brownfield Plan Amendment and notify the appropriate taxing units.

Motion by Commissioner Johnson, second by Vice Mayor Hood, to approve the consent agenda as presented, except item D and E.

ROLL VOTE: Ayes: Emory, Johnson, Gawron, Hood, Ramsey, German, and Rinsema-Sybenga

Nays: None

MOTION PASSES

2020-31 CONSENT AGENDA:

D. LGBTQIA Pride Month Resolution City Clerk

SUMMARY OF REQUEST: To adopt a resolution declaring June as LGBTQIA Pride Month in the City of Muskegon.

STAFF RECOMMENDATION: To adopt the resolution.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to adopt the resolution.

ROLL VOTE: Ayes: Johnson, Gawron, Ramsey, Rinsema-Sybenga, and Emory

Nays: Hood and German

MOTION PASSES

E. Parking Enforcement Ordinance – 2nd Reading Public Safety

SUMMARY OF REQUEST: Amending current parking ordinances 92-71 and 73; Chapter 92, Article V of the Code of Ordinances of the City of Muskegon to include parking restrictions and enforcements for public beach parking.

In addition, abandoned vehicle language (L05) was added to restrict vehicles parked longer than 48 hours on city streets.

STAFF RECOMMENDATION: Approval to amend Parking Ordinance 92-71 and 92-73.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to approve the Parking Ordinance Amendment for 92-71 and 92-73.

ROLL VOTE: Ayes: Gawron, Hood, Ramsey, Rinsema-Sybenga, Emory, and Johnson

Nays: German

MOTION PASSES

2020-32 NEW BUSINESS:

A. Lease – 292 W. Western City Manager

REMOVED PER STAFF REQUEST

B. Expanded Use of Public Property During COVID-19 Emergency City Clerk

SUMMARY OF REQUEST: Due to the COVID-19 pandemic and limited occupancy business are facing, staff is requesting approval to administratively review and approve requests for City businesses to expand seating and retail areas onto portions of public property.

The COVID-19 pandemic has affected businesses across the City in unprecedented ways. It is anticipated that businesses will be allowed to re-open in our region soon. Current guidance and executive orders are indicating that when businesses re-open they will be faced with reduced occupancy limits. Many businesses, especially restaurants and bars, operate on slim profit margins and depend on their normal occupancy levels to remain profitable.

Communities across the country are pursuing various ways to allow businesses to gain additional occupancy by expanding outdoors. While businesses would still be required to maintain proper social distancing standards outdoors, this can allow customers to be in an open-air setting which is believed to carry less risk while also allowing the business to make up some of their lost indoor seating or retail space.

Many businesses across the City are contiguous to public property and the City has a unique opportunity to allow businesses to expand their footprint onto public property, including sidewalks, parking spaces, and streets.

The Michigan Liquor Control Commission (MLCC) has changed their rules to allow for a "Limited Permanent Outdoor Service Area". Recently, 18th Amendment has approached the City and asked for approval to use public property to expand their seating area, including the use of the street. The MLCC's application requires local governmental authorization to use the public property as part of the application review. These applications are only approved through the fall season and expire October 31, 2020.

It is anticipated that other liquor license holders will also wish to use public property to expand. It is also anticipated that additional restaurants or retail businesses will also wish to do the same.

Staff is recommending that we allow interested businesses to request approval to expand onto public property in order to help them get closer to or reach their normal occupancy level. This could include city streets in some areas. Due to every day being critical to business success this summer and fall, staff is requesting your approval for staff review and approval of these requests.

Each business owner would be required to list the City as an additional insured and submit a site plan showing their requested use of public space. The site plan would need to include how pedestrian traffic and ADA accessibility will be maintained. Those requesting approval of public space for liquor purposes will be required to follow all MLCC rules related to securing the approved area with barriers, monitoring exits, and intoxicated persons.

The Directors of Public Safety, Development Services, Public Works, and City Manager will review each request for approval.

Attached is a proposed plan to use public space along Western Ave between 2

and 3rd as well as 4th and 5th. Other areas of the Downtown and City are also open to review. Staff recognizes that not all businesses may be able to be accommodated or expand onto public property but staff's goal is to be as flexible as possible to support as many businesses that wish to make a request.

STAFF RECOMMENDATION: To authorize City staff to approve reasonable use of public property to allow business owners to expand their seating or retail footprint during the COVID-19 virus protection period in the summer and fall of 2020, provided the Directors of Public Safety, Municipal Services, Public Works, and City Manager concur on the approval, and the approvals expire October 31, 2020.

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga, to authorize City staff to approve reasonable use of public property to allow business owners to expand their seating or retail footprint during COVID-19 virus protection period in the summer and fall of 2020, provided the Directors of Public Safety, Municipal Services, Public Works, and City Manager concur on the approval, and the approvals expire October 31, 2020.

ROLL VOTE: Ayes: Hood, Ramsey, German, Rinsema-Sybenga, Emory, Johnson, and Gawron

Nays: None

MOTION PASSES

C. Purchase Agreement – 188 4th Street City Manager

SUMMARY OF REQUEST: City Staff is seeking authorization to enter into a purchase agreement for 1188 4th Street.

1188 4th Street was a regular area of concern among neighbors. In an attempt to help mitigate the concerns, the City purchased the property and completed a renovation. The property was listed on the MLS for \$229,900; an offer was accepted for \$225,000. Staff is seeking permission to approve the purchase agreement and complete the sale. Note that this property is part of the scattered site brownfield project. Any difference in sales price and renovation will be recovered via tax capture.

STAFF RECOMMENDATION: Authorize the City Manager to sign the purchase agreement and complete the sale.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to authorize the City Manager to sign the purchase agreement and complete the sale.

ROLL VOTE: Ayes: Ramsey, German, Rinsema-Sybenga, Emory, Johnson, Gawron, and Hood

Nays: None

MOTION PASSES

PUBLIC COMMENT: Public comments were received.

ADJOURNMENT: The City Commission meeting adjourned at 6:44 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC – City Clerk

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: June 9, 2020	Title: Establish a Grants Program Coordinator Position
Submitted By: Oneata Bailey	Department: Community and Neighborhood Services
Brief Summary: Seeking approval to establish a Grants Program Coordinator position for the Community and Neighborhood Services Department.	
Detailed Summary: The purpose of this position is to manage various federal, state, and locally funded grants and programs administered by the city and will assist the Development Services Division with other grant opportunities. The coordinator will be responsible for development, implementation and revision of policies, procedures, and technical systems, will assist with office and program oversight and act as a staff liaison to various boards and commissions associated with the CNS Department. The job description was approved by the Civil Service Commission at its May 21, 2020 meeting. The cost of the position will be completely covered by administrative costs received through the various grant programs, and the general fund will not be impacted.	
Amount Requested: \$80,000 (salary + fringe)	Amount Budgeted: \$80,000
Fund(s) or Account(s): CNS Administration	Fund(s) or Account(s): CNS Administration
Recommended Motion: Approve the establishment of the Grants Program Coordinator position in the Community and Neighborhood Services Department.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

**CITY OF MUSKEGON
JOB DESCRIPTION**

GRANTS PROGRAM COORDINATOR

Supervised By: Director, Community & Neighborhood Services
Supervises: N/A

Position Summary:

Under the general supervision of the Director, Community & Neighborhood Services (CNS), manage various federal, state, and locally funded grants and programs administered by the city. Responsible for development, implementation and revision of policies, procedures, and technical systems for the department. Assist with office and staff oversight and act as a staff liaison to various boards and commissions.

Essential Job Functions:

An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Assist the Director to establish priorities and plan activities to achieve the goals of all federal, state, and local programs administered by the city through the Community & Neighborhood Services Department. Assist the Director to plan and monitor budgets for each program.
2. Develop, recommend, implement, and update related policies and procedures, internal controls, and goals and objectives in accordance with city needs and directives, contractual obligations, and legal requirements.
3. Serve as community liaison to oversee housing programs within the city including rehabilitation, homeownership, and new construction. Ensure programs are designed to provide affordable and market rate housing to redevelop and conserve neighborhoods and businesses.
4. Implement the annual Community Development Block Grant (CDBG) planning and budgeting processes. Prepare and monitor program budgets, generate program reports, assist with public forums, and review performance. Educate Citizens District Council members on program parameters and guide them through plan and budget development.
5. Research and identify other grants and alternative funding sources; assist with grant applications. Administer grant funded programs and projects within the Development Division and complete related reports.
6. Prepare bid proposals and contracts. Develop specifications and estimate costs. Oversee the work of contractors and monitor costs and performance.

7. Process loan and grant applications under the department's various programs. Analyze financial questionnaires of applicants, prepare and process correspondence to financial institutions, and work with the city attorney's office to prepare legal documents. Review and recommend homeowner grant and loan applications. Counsel homeowners about requirements for loans and grants.
8. Assist with the preparation and submission of all reports and maintain all necessary records in accordance with administrative rules, contract language, and legal requirements including state and federal grants and local policies. Work cooperatively with Finance Department to provide information for timely accounting and financial reporting purposes.
9. Interview clients to obtain information necessary to make eligibility determinations. Conduct intake interviews. Determine priority of needs and funding availability. Maintain accurate documentation of case records.
10. Assist with work assignments to other staff and recommend training and professional development. Ensure staff is informed of new or revised procedures.
11. Serve as liaison to committees, boards, and commissions as assigned. Represent the department to other city departments and outside organizations. Attend meetings as necessary and coordinate activities with other departments and outside organizations including sub-recipients and construction contractors.
12. Conduct research, compile information, and prepare reports. Attend meetings, advise city officials on departmental activities, and make presentations as requested by supervisor. Maintain detailed record keeping system according to established requirements.
13. Establish and maintain effective relationships with citizens, community groups, city officials, other employees, and other interests. Respond to public inquiries, investigate complaints, and assist the public as needed. Follow up on corrective actions and ensure that replies are provided.
14. Consult with other city staff, and seek input from specialists and experts as needed. Participate in internal work groups.
15. Attend meetings, perform research, submit reports, and recommend policies and programs as requested.
16. Keep abreast of legislative and regulatory developments, new administrative techniques, and current issues through continued education and professional growth. Attend conferences, workshops, and seminars as appropriate.
17. Perform other related work as required.

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- Bachelor's degree in social work, public administration, urban studies, or a related field.
- Two or more years of progressively more responsible experience in grant writing, federal and state programs, community development, program administration or related field.
- State of Michigan Vehicle Operator's License, a satisfactory driving records, and the ability to maintain one throughout employment.
- Substantial knowledge of the laws, regulations and professional practices associated with administering community and neighborhood development programs and related record-keeping.
- Thorough knowledge of the principles, practices, and procedures of economic and community development.
- Knowledge of grant writing and administration, budget development, and financial accounting of various programs and initiatives.
- Skill in compiling and evaluating complex information and formulating effective policy and service recommendations.
- Skill in implementing and providing diverse programs and services to ensure compliance with state and federal requirements.
- Skill in the use of office equipment and technology, including computers and related software, and the ability to master new technologies.
- Ability to maintain accurate records and prepare comprehensive reports.
- Ability to exercise a high degree of diplomacy and work effectively under stress and in emergency and confrontational situations.
- Ability to communicate effectively and present ideas and concepts orally and in writing, and make public presentations.
- Ability to establish effective working relationships and use good judgment, initiative and resourcefulness when dealing with employees, city officials, professional contacts, community leaders, the media, and the public.
- Ability to critically assess situations, problem-solve, and work well under stress, within deadlines and changes in work priorities.
- Ability to attend meetings and travel to other locations.

Physical Demands and Work Environment:

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential duties of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee regularly works in an office setting with a controlled climate where they sit and work on a computer, communicate by telephone, email or in person, and move around the office to travel to other locations. The employee must occasionally work outside the office and may need to lift and/or move items of light weight. The noise level in the work environment is usually quiet.

While performing the duties of this job, the employee is occasionally required to travel to various locations within the city and work outside the office at field sites to inspect rental properties and other works in progress. This may include visiting construction sites requiring the employee to traverse uneven ground, and may involve fumes, dust, chemicals or other hazardous materials, loud machinery and equipment, and other dangers associated with engineering projects and construction sites. The employee is occasionally exposed to adverse weather conditions, loud noises, moving mechanical parts, dust or airborne particles, and fumes. The noise level in the work environment is usually quiet, and may be loud in field situations.

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: May 26, 2020	Title: Seaway Railroad Bridge Painting
Submitted By: Leo Evans	Department: Public Works
Brief Summary: Staff is requesting authorization to issue a notice to proceed for the work to clean and paint the railroad bridge over Seaway Drive between Laketon Avenue and Hackley Avenue.	
Detailed Summary: Bids for the project were previously approved at the February 25th, 2020 Commission Meeting with the low bid from Seaway Painting being approved in the amount of \$68,385.00. Staff has prepared the contract documents with Seaway Painting but has not issued the notice to proceed at this time pending review of the private fundraising campaign for the project. Fundraising is still ongoing. A Patronicity crowdfunding campaign is expected to begin in June. A number of commitments have been made, but in order to receive the matching dollars from Patronicity, those donations cannot be finalized until the campaign commences. It is anticipated that the City's contribution will be \$10,000-\$15,000 in cash towards the Seaway Painting contract from the Public Improvement Fund. In addition to the cash contribution the City will provide in-kind services in the form of traffic control for the work, which is estimated to cost \$6,497.36. (Attachment) In parallel to the cleaning and coating work the Muskegon City Public Art Initiative has begun the search for an artist to complete murals on the bridges and will be ready to proceed with the mural work upon completion of the cleaning and coating project. The mural work is not expected to require any additional cash contribution on behalf of the city but would again require an in-kind donation in the form of traffic control services for the project, estimated at approximately the same amount as for the initial cleaning and coating. MDOT has been engaged on the project and has agreed to participate in the form of reimbursement for a portion of the traffic control costs from the city's state trunk line budget. The exact amount is yet to be determined. If approved the intention is for the cleaning and coating with Seaway Painting to occur in August 2020, with the mural work to follow in September 2020.	
Amount Requested: \$10,000-\$15,000	Amount Budgeted: \$10,000-\$15,000
Fund(s) or Account(s): 202/404-91914	Fund(s) or Account(s): 202/404-91914

Recommended Motion:

Authorize staff to issue the notice to proceed to Seaway Painting for the work to clean and coat the railroad bridge over Seaway Drive between Laketon Avenue and Hackley Avenue and authorize staff to provide in-kind services for the project in the form of traffic control.

Check if the following Departments need to approve the item first:

Police Dept. ☐

Fire Dept. ☐

IT Dept. ☐

For City Clerk Use Only:

Commission Action:

Traffic Department
1350 E. Keating Ave
Muskegon, MI 49442
Phone: (231)724-6981

INVOICE

INVOICE #00001

DATE: 3/3/2020

TO:

City of Muskegon
City Hall
933 Terrace St
Muskegon, MI 49440

FOR:

Traffic Control for Bridge Painting Project

DESCRIPTION	HOURS	RATE	AMOUNT
Labor + Fringe (x2) - For Setup, Reset, Teardown, and Maintaining	56	39.33	\$4,404.96
Equipment A (Arrow Boards) - 2 Rentals from Give 'Em A Brake	1 Month	1200	\$1200
Equipment B (Trucks) - 40148	56	9.70	\$543.20
- 30571	36	9.70	\$349.20
TOTAL			\$6,497.36

TWO X TWO - FOUR X FOUR
REQUEST FOR PROPOSAL for RAILROAD BRIDGE MURALS

DESCRIPTION OF THE PUBLIC ART COMMISSION

The MuskegonCity Public Art Initiative [MCPAI] is seeking to commission an artist or artist team to create original, contemporary, inclusive, celebratory, and engaging murals to be painted directly on the railroad bridge over Seaway Drive [US Business 31] between Laketon Avenue and Hackley Avenue within the City of Muskegon, referred hereafter as the City Bridge and on a second bridge located between Sherman Avenue and Broadway, also on Seaway Drive [US Business 31] and within the governmental entities of Norton Shores and Muskegon Heights, referred hereafter as the NS/HTS bridge.

There are four sides to the two bridges; therefore we are ultimately looking for four artists or artist teams for this work. The first bridge to be commissioned for murals is the City Bridge, and it is expected that this work will be done in September 2020. At this time, it has not yet been determined if the NS/HTS Bridge will be commissioned now or for the spring of 2021, but likely the spring of 2021.

We invite concepts and themes that celebrate our community, its diversity and resiliency, our natural resources and our beautiful surroundings. Designs may be abstract, conceptual, and/or representational. We will not accept designs that reflect political issues, sex, violence, alcohol, drugs, or religious themes.. In addition, per MDOT requirements, artwork cannot promote commercial products, messages or services of any kind; contain religious, political, private or special interest symbols, trade names, slogans or websites; include illumination that impairs or distracts driver vision; display blinking, intermittent or moving lights, including digital displays or LED displays; or include moving elements, including kinetic art or other devices.

The City Bridge is approximately 9.5 ft high x 210 ft long abutment to abutment. It is not necessary that a design for the mural go from end to end, but that it is required that it is scaled appropriately for the space. The design can be done all as one or can be done in sections but read as one. We are planning for an early September time frame for the murals to be completed directly on the City Bridge. The NS/HTS Bridge is approximately 8 ft 2 in high by 108 ft long. The timing for the commissions for this bridge are to be determined. However, the method and time frames for completion are the same.

The selected artists will have two weeks to complete the mural. The roadway will be closed in two stages, which is illustrated in one of the attachments to this RFP and described as follows:

- Week One: we close the outside lanes of both bounds of Seaway Drive and the artist paints from the center line of each road out to the abutments on both sides of the bridge.
- Week Two: we close the inside lanes of both bounds and the artist paints the length of the bridge between the center lines of northbound and southbound Seaway Drive.

Attached to this brief are photos and drawings of both bridges, as well as a photo to illustrate the road closure, and a photo of the type of equipment that the artist would use to reach the overpass.

DESCRIPTION OF LOCATION

The City Bridge is located between Laketon and Hackley Avenues on Seaway Drive, US Business 31, in the City of Muskegon. This is the first bridge that we plan to commission.

The NS/HTS Bridge is located between Sherman Avenue and Broadway on Seaway Drive, US Business 31. Norton Shores and Muskegon Heights share responsibility for this bridge.

COMMISSION BUDGET

Two commissions, \$8,000 per mural for the City Bridge, will be awarded to the chosen artists later this summer. Two commission, \$7,000 per mural for the NS/HTS Bridge, will be awarded to the chosen artists in the early spring of 2021. This commission is inclusive of all costs related to proposal research, development, community and agency meeting costs, design, paint, materials, and supplies, photography, insurance, and artist travel to Muskegon to paint the murals.

The bridge surfaces will be cleaned, primed, and painted with a coat of a urethane-based paint by the City prior to the painting of the murals. The governmental units, in partnership with the MCPAI, is responsible for the expense of the road closures and for the cost of equipment rental to be used to access the bridge surfaces. The current plan for equipment is to secure a Stevenson-Crane-Service-JLG-450AJ-Articulating-boom-lift for the artist to use. [Picture is attached to this RFP.] In addition, the MC-PAI will supply the artists with the sealant to be used to coat the murals. If lodging is necessary to house an artist for the duration of the project, the MC-PAI will arrange and cover the costs.

SUBMISSION OF PROPOSALS

The proposal for this commission *must* include:

1. **Well-developed scale drawings or digital renderings of the artist's proposed design which are proportionate to the dimensions of the bridge, include the scale employed, and include the following:**
 - **Indication of which bridge the submitted proposal addresses;**
 - **Type of paint to be used as well as application method, ie. paint and brush/roller, spray paint, etc; [If spray paint is the method, also detail protective strategies to be used to manage overspray.];**
 - **Dimensions of the final work of art;**
 - **The scale employed in the drawing/rendering;**
 - **An illustration of how the work would look on the bridge;**
2. **The artist's resume/vita;**
3. **Identification and resume/vitas of additional team members , if applicable, that the artist may bring to execute the mural;**
4. **Images and locations of a minimum of 2 examples of artist's previous outdoor monumental mural work and public art commissions;**
5. **Three professional references with contact information including email and phone numbers.**

All proposal documents, to be submitted by email to judyhayner@gmail.com as a PDF, and including all drawings, sketches, and renderings, will become property of the MuskegonCity Public Art Initiative and may be used for educational and/or promotional purposes of the program. Please also include illustrations of your design in the PDF without your name on them so that we can implement a "blind" judging of the submissions.

PLEASE NOTE: It is a requirement that submissions to this RFP represent an original and new work of art created specifically in response to this commission brief. Submissions of previously completed works of art or an "edition" of a work of art that has already been created for another purpose will not be accepted.

SELECTION PROCESS

The Muskegon Downtown Arts Committee (the Committee) is instrumental in the deliberations as to the choice of artists to commission and includes representatives from the Community Foundation for Muskegon County, City of Muskegon, Muskegon Museum of Art, Lakeshore Museum Center, Muskegon County Convention and Visitors Bureau, Grand Valley State University Art Center, artists, community leaders, and philanthropists. Additional representatives from the cities of Muskegon, Muskegon Heights, and Norton Shores will be a part of this review and selection process.

EVALUATION CRITERIA

The proposal will be evaluated by the following criteria:

1. Artistic excellence and originality as evidenced by representations of past work images and other supporting materials;
2. Successful completion of all aspects requested as part of this RFP;
3. Appropriateness of artist's medium and style as it relates to project goals and setting;
4. Prior experience with projects of a similar scale and scope; and
5. Availability to participate in the design and implementation of the project as required.

Previous experience in developing large scale public works of art and murals is a prerequisite for being considered for this project. In addition, the Committee may also take into consideration when selecting artists whether or not an artist is already represented in Muskegon's collection of public art.

TIMELINE & PROJECT SCHEDULE

Proposals must be received by June 26, 2020. You may email proposals to: judyhayner@gmail.com. Please submit all materials as PDFs. Questions may be emailed to Hayner, who will answer and distribute answers to the entire list of invited artists.

The Review Committee will narrow the applicants to a pool of finalists who *may* be invited to be interviewed for this project. In the event that the Committee wishes to interview the finalists, artists will be given a travel stipend for travel to Muskegon for this purpose.

It is anticipated that a contract for the City Bridge commission will be executed by August of 2020; a specific time frame for the painting of the mural is to be determined, but for the City Bridge, our goal is September. The Committee plans to choose from the submitted proposals the artists for the NS/HTS Bridge at the same time although the NS/HTS Bridge may be a spring of 2021 project.

NOTIFICATIONS AND PROPOSALS

The Project Director and the Committee reserves the all rights to choose the artists for this project. Once a decision on the commission has been reached and the final budget is known, the **MuskegonCity Public Art Initiative** will immediately initiate the campaign to raise funds for the project. Once at least 50% of the funds are secured, the MC-PAI will enter into a commission contract. **Notification of the intent of the MC-PAI to commission artist(s) for the City Bridge project will be issued in July 2020.** It is expected that a contract will be issued shortly thereafter. As previously stated, the decision and timelines for the NS/HTS Bridge are to be determined.

NOTICE

The MuskegonCity Public Art Initiative reserves the right to modify the project timeline, if necessary.. MC-PAI also reserves the right to reject any or all applications or proposals, to reject any finalist, and to terminate the selection process for this project without prior notice.

ATTACHMENTS

1. RFP-Muskegon Railroad Bridge Mural Project
2. RR Bridge Mural Proj-Artists' Invitational List
3. RR Bridge Mural Proj-Maps-Seaway Drive
4. Seaway Dr Photos-RR Bridges
5. RR Bridge Mural Proj-Road Closure
6. Articulating Boom Lift

MUSKEGONCITY

PUBLIC ART INITIATIVE

Railroad Overpass Project (2 murals) A Partnership with the City of Muskegon

PROPOSED BUDGET

REVENUE	CASH	INKIND	TOTAL
MuskegonCity Public Art Initiative	\$25,000		\$25,000
City of Muskegon		\$ 6,500	\$6,500
OTHER PRIVATE SUPPORT-TBD	\$0		\$0
TOTAL REVENUE	\$25,000	\$ 6,500	\$ 31,500

EXPENSE			
ARTISTS [assumes we contract for both sides at same time]	\$16,000		\$ 16,000
Design			
Paint and supplies			
Artists' commission			
Equipment Rental	\$4,000		\$ 4,000
Articulating boom lift: 2 lifts/2 weeks			
Sealant supplies-TBD	\$2,000		\$ 2,000
Road closure		\$ 6,500	\$ 6,500
CFFMC Fund Mgt Fee (2%)	\$500		
Contingency,	\$2,000		\$ 2,000
TOTAL EXPENSE	\$24,500	\$ 6,500	\$ 31,000

All figures in italics are estimated amounts.

Actual revenue needs and expenses to be confirmed after artist proposals are accepted.

Railroad Overpass Project (4 murals)**A Partnership with Muskegon, Norton Shores, and Muskegon Heights****PROPOSED BUDGET**

REVENUE	CASH	INKIND	TOTAL
MuskegonCity Public Art Initiative	\$30,000		\$30,000
City government		\$ 13,000	\$13,000
OTHER PRIVATE SUPPORT-TBD	\$14,000		\$14,000
TOTAL REVENUE	\$44,000	\$ 13,000	\$ 57,000

EXPENSE			
ARTISTS [4 artists; \$8K-CITY Bridge; \$7K NS/HTS Bridge] Design Paint and supplies Artists' commissions	\$30,000		\$ 30,000
Equipment Rental (boom lift, one per side) Articulating boom lift: 4 lifts/ 2 weeks ea	\$8,000		\$ 8,000
Sealant supplies-TBD	\$3,000		\$ 3,000
Road closure		\$ 13,000	\$ 13,000
CFFMC Fund Mgt Fee (2%)	\$880		
Contingency	\$2,000		\$ 2,000
TOTAL EXPENSE	\$43,880	\$ 13,000	\$ 56,880

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: June 9, 2020	Title: Lease Agreement
Submitted By: Doug Sayles	Department: Public Works
Brief Summary: Staff is asking permission to enter into a contractual agreement for/with "MACkite Kiteboarding School" at Pere Marquette Park.	
Detailed Summary: Staff is asking permission to enter into a contractual Lease Agreement for 2020, 2021, and 2022 with Steve Negen of MACkite for Operating a Kiteboarding school at Pere Marquette Park. MACkite has been operating a kiteboarding school out of the brown brick building at the south end of Pere Marquette beach since 2008. Lease revenue is \$2500.00 per year. Lessee also provides a portable Handicapped Restroom and pays the electrical bills for the property as part of the agreement.	
Amount Requested:	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: Authorize staff to enter into a contractual Lease Agreement with Steve Negen to operate a Kiteboarding School at the brown brick building, at the south end of PM Park (1955 Beach Street).	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

Proposal

To: City of Muskegon Department of Public Works.

For: 1955 Beech St, Muskegon, MI 49441

What: MACkite Kiteboarding School

MACkite is exciting about staying in Muskegon with our kiteboarding lesson center. In 2016 we brought in over 200 students from around the Midwest to play and enjoy the fabulous beach at Pere Marquette Park. MACkite is one of the largest kiteboarding retailers in the USA and is proud to offer one of the best beaches and kiteboarding schools in the country. We would love to continue this tradition begun in 2008.

Location – 1955 Beech St – small brick building on the beach

Lease - \$2,500

Portable Toilets – May 1st through October 31st

Electricity - Paid once a year to City of Muskegon from their invoice.

Time Frame – 2020-2022

Steve Negen

President – MACkite.

106 Washington, Grand Haven, MI 49417

616-990-5938

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: June 9, 2020	Title: Contract Agreement
Submitted By: Doug Sayles	Department: Public Works
Brief Summary: Staff is asking permission to enter into a contractual agreement for/with "J-Boards" for Stand Up Paddleboard lessons and rentals at Pere Marquette Park.	
Detailed Summary: Staff is asking permission to enter into a contractual Lease Agreement for 2020, 2021, and 2022 with Jason Gorski for Operating Stand Up Paddleboard lessons and rentals at Pere Marquette Park. Jason Gorski has been operating Stand Up Paddleboard lessons/rentals at Pere Marquette beach since 2013. Commission revenue has been between \$150 and \$500 per year with revenue being 10% of gross receipts per year.	
Amount Requested:	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: Authorize staff to enter into a Contractual Agreement with Jason Gorski to operate Stand Up Paddleboard lessons/school at PM Park.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

Business Proposal
for
Stand Up Paddleboard Rentals and Lessons
at
Pere Marquette Beach in Muskegon, Michigan

I, Jason Gorski, would like to conduct a business of Stand Up Paddleboard hourly rentals and lessons at Pere Marquette Beach during the summer months. This business activity would start June 1, 2020 and continue thru September 20, 2020

Proposal location A

Primarily the shallow water area between the Coast Guard Pier and the South Break wall. But not just limited to this area. If needed, south of the break wall to the dog beach as well. The activity will primarily take place in the water, but the use of the beach to transport paddleboards from the parking lot to the water will be necessary.

Proposal location B

Harbor Towne Beach area, the shallow water south of the channel entrance to the sand docks.



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: June 9, 2020	Title: Conflict of Interest Disclosure
Submitted By: Oneata Bailey	Department: Community and Neighborhood Services
Brief Summary: Seeking approval to submit a request to the Department of Housing and Urban Development for an Exception for a Conflict of Interest for the City of Muskegon Community and Neighborhood Services (CNS) Department home sale.	
Detailed Summary: Legal counsel has provided their opinion of a Conflict of Interest sale of a HOME funded rehabilitated home offered by CNS Department. This includes the disclosure of a Conflict of Interest and support the request of an Exception from our Housing and Urban Development –Community Planning Development Office. The letter is attached.	
Amount Requested: NA	Amount Budgeted: NA
Fund(s) or Account(s): NA	Fund(s) or Account(s): NA
Recommended Motion: To approve the request of Conflict of Interest Exception from the department of Housing and Urban Development (HUD) for the sale of a HUD funded home through the Community and Neighborhood Services Department.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	



June 3, 2020

Ms. Oneata Bailey
CNS Director
City of Muskegon
933 Terrace Street
Muskegon, MI 49442

Re: Madison Pulos-Spinks

Dear Ms. Bailey:

You have requested our opinion concerning a possible conflict of interest. The facts presented are as follows:

1. Samantha Pulos-Porter is employed with the City of Muskegon as Customer Service Representative in the Community and Neighborhood Services Department ("CNS"). As a member of CNS, Ms. Pulos-Porter also attends the City of Muskegon Citizens District Council as a staff member, not a voting member.
2. One of the functions of CNS is to administer HOME funds received by the City of Muskegon on an annual basis, which funds are used to rehabilitate certain properties within the City of Muskegon.
3. CNS recently rehabilitated a house using HOME funds allocated to CNS for such purposes.
4. Ms. Pulos-Porter had knowledge of and personally assisted with the rehabilitation projects and the Property.
5. Ms. Pulos-Porter's daughter, Madison Pulos-Spinks, has requested to purchase the Property.
6. As a City of Muskegon employee, Ms. Pulos-Porter does not participate in allocating federal grants to programs and is not in a position to increase or decrease the amount. Further, Ms. Pulos-Porter will not participate in any decision affecting her daughter's application for the Property.

However, prior to approving Ms. Pulos-Spinks' request to purchase the Property, the following federal, state, and local legal considerations should be taken into consideration:

FEDERAL CONFLICT OF INTEREST CONCERNS

The federal regulations relevant to this potential conflict of interest are contained in 24 CFR § 92.356, which provides as follows:

No persons described in paragraph (c) of this section (any person who is an employee, agent, consultant, officer, or elected official or appointed official of the participating jurisdiction, State recipient, or subrecipient which are receiving HOME funds) who exercise or have exercised any functions or responsibilities with respect to activities assisted with HOME funds or who are in a position to participate in a decision-making process or gain inside information with regard to these activities may obtain a financial interest or financial benefit from a HOME-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to the HOME-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild, and in-laws of a covered person. [emphases added].

While Ms. Pulos-Porter is not in a position to directly affect how monies are spent in the HOME program, she has exercised functions and responsibilities and has gained inside information with regard to HOME funds and activities for the Property through her employment with the City of Muskegon. She has also been responsible for selecting certain features for the Property, such as lights, carpeting, paint, cabinets, etc. More importantly, Ms. Pulos-Spinks is an immediate family member of Ms. Pulos-Porter, and Ms. Pulos-Spinks will have a financial interest in the contract. Accordingly, the appropriate course is to acknowledge the possibility of a conflict under the federal regulations and request HUD to determine that there is no conflict or provide a waiver.

The federal regulations provide for a waiver process. Upon the written request of the participating jurisdiction, HUD may grant an exception to the conflict on a case-by-case basis when it determines that the exception will serve to further the purposes of the HOME Investment Partnerships Program and the effective and efficient administration of the participating jurisdiction's program or project. An exception may be considered only after the participating jurisdiction has provided the following:

1. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and,
2. An opinion of the participating jurisdiction's attorney that the interest for which the exception is sought would not violate State or local law.

STATE CONFLICT OF INTEREST CONCERNS

Michigan has adopted the Contracts of Public Servants with Public Entities Act (Act 317 of 1968) (the "Act"), which generally regulates contracts between governmental entities and public servants and officials. However, the Act is not applicable under these facts, as Ms. Pulos-Porter

will not directly benefit from the contract. Further, unlike the federal regulation listed above, the Act does not include immediate family members of a public servant or official.

CITY OF MUSKEGON CONFLICT OF INTEREST CONCERNS

The City of Muskegon Charter ("Charter") regulates, and generally prohibits, contracts between the City and employees and officers of the City. Here, the contract is not between the City and an employee of the City. Further, like the Act, the Charter does not have a conflict of interest provision prohibiting immediate family members from entering contracts with the City. Accordingly, the Charter is not applicable in this case.

If you have any questions or concerns, please feel free to contact me.

Sincerely,



John C. Schrier
Partner



Direct P: (231) 722-5401
Direct F: (231) 722-5501
Email: john@parmenterlaw.com

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: 6-9-2020	Title: Public Hearing on Harbor West LLC Brownfield Plan, 1000-1060 West Western Avenue
Submitted By: Dave Alexander	Department: Economic Development
Brief Summary: To hold a public hearing on the request for a Brownfield Plan Amendment for Harbor West LLC (Hartshorn Village) and to consider the attached resolution.	
Detailed Summary: Harbor West LLC proposes a Brownfield Amendment for 1000, 1010 and 1060 West Western Avenue for its first phase of the Hartshorn Village residential site condominiums. The \$5 million+ initial investment is for the first 10 of an expected approximately 50 units. The former Shaw-Walker Co. parking lot was sold by the city to Harbor West in 2018. The initial \$5.597 million brownfield plan is a local-only property tax capture. State eligible environmental costs are \$250,000, \$19,500 for demolition, \$626,000 for site preparation and \$3.946 million for infrastructure improvements. The majority of the infrastructure costs (\$3.502 million) are to upgrade the city's adjacent Hartshorn Marina and for a joint-use pool and clubhouse for the condo owners and marina slip holders. The sales and development agreement between the city and Harbor West calls for the city to provide the buyer up to \$600,000 for brownfield eligible costs. The city would receive the first \$600,000 of property tax capture, then Harbor West for its remaining eligible costs and finally with the marina upgrade being covered last. There is a 15 percent contingency in the plan, no request for interest borrowing and it is a 30-year plan. The plan allows for a continued five-year capture of tax increments for a local Brownfield Revolving Loan Fund if there is time left in the 30 years after all eligible costs are covered. There is an annual \$10,000 administrative fee paid to the Brownfield Redevelopment Authority. The BRA approved the Harbor West Brownfield Amendment at its May 12, 2020 meeting.	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: To close the public hearing and approve the Brownfield Plan Amendment for West Harbor LLC (Hartshorn Village) at 1000-1060 West Western Avenue with the attached resolution, authorizing the Mayor and City Clerk to sign.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐	

For City Clerk Use Only:

Commission Action:

**CITY OF MUSKEGON
BROWNFIELD REDEVELOPMENT
AUTHORITY**

***BROWNFIELD PLAN AMENDMENT
FOR THE HARBOR WEST, LLC
DEVELOPMENT PROJECT***

May 7, 2020

Original Plan Approved by the Board of the City of Muskegon Brownfield Redevelopment Authority on **February 23, 1998,** with subsequent amendments approved as outlined below. This amendment approved on _____.

Original Plan Approved by the City Commission of the City of Muskegon on **April 14, 1998,** with subsequent amendments approved as outlined below. This amendment approved on _____.

CITY OF MUSKEGON
BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN

INDEX

- I. INTRODUCTION
- II. GENERAL PROVISIONS
 - A. Costs of the Brownfield Plan
 - B. Method for Financing Costs of Plan
 - C. Duration of the Brownfield Plan
 - D. Displacement/Relocation of Individuals on
Eligible Properties
 - E. Local Site Remediation Revolving Fund
- III. SITE SPECIFIC PROVISIONS
 - A. Kirksey/Anaconda Property (Approved 4/14/98)
 - B. Dilesco Corporation Property (Approved 8/11/98)
 - C. Beacon Recycling (Approved 7/11/00)
 - D. Verplank Dock Company (Approved 5/27/03)
 - E. Gillespie Development Property (Approved 8/12/03)
 - F. Loft Properties, LLC Property (Approved 8/12/03)
 - G. Parmenter O'Toole Property (Approved 8/12/03)
 - H. "The WaterMark" Project (Approved 5/25/04)
 - I. Northern Machine Tool (Approved 7/13/04)
 - J. Terrace Lots Office Building (Approved 7/13/04)
 - K. Art Works Apartments (Approved 7/27/04)
 - L. Former Muskegon Mall (Approved 10/12/04)
 - M. Vida Nova at Edison Landing (Approved 10/24/06)
 - N. Western Ave. Properties LLC and Port City Development Services, LLC
(Approved 10/24/06)
 - O. Viridian Place at Edison Landing (Approved 10/24/06)
 - P. Hot Rod Harley (Approved 3/27/07)
 - Q. Sidock Building Project (Approved 6/12/07)
 - R. Heritage Square Town Homes (Approved 1/8/08)
 - S. Betten Auto Dealerships (Approved 5/13/08)
 - T. Parkland Muskegon Mixed Use Project (Approved 6/24/08)
 - U. Terrace Point Landing Redevelopment Project (Approved 5/14/13)
 - V. P&G Holdings NY, LLC (Approved 1/10/17)
 - W. Sweetwater Development/The Leonard (Approved 3/12/19)
 - X. 1208 Eighth/Core Development (Approved 10/8/19)
 - Y. Damfino Development, LLC (12/10/19)
 - Z. Harbor West, LLC Development Project (____)

I. INTRODUCTION

In order to promote the revitalization of commercial, industrial, and residential properties within the boundaries of the City of Muskegon (the “City”), the City established the City of Muskegon Brownfield Redevelopment Authority (the “Authority”) pursuant to Act 381, Public Acts of Michigan, as amended (“Act 381”) and a resolution adopted by the Muskegon City Commission on February 10, 1998. Terms defined in Act 381 and applicable sections of the statute are noted in *italics* throughout this document.

This Brownfield Plan (“Plan”) was originally intended to address the redevelopment of *eligible properties* within the City that are impacted by the presence of hazardous substances in concentrations that exceed Michigan’s Part 201 Generic Cleanup Criteria (“*facilities*”) or that have been determined to be Functionally Obsolete or Blighted. By facilitating redevelopment of underutilized *eligible properties*, the Plan is intended to promote economic growth for the benefit of the residents of the City and all taxing units located within and benefited by the Authority.

This Plan is intended to be a living document, which can be amended as necessary to achieve the purposes of Act 381. It is specifically anticipated that properties will be continually added to the Plan as new projects are identified. The Plan contains general provisions applicable to the Plan, as well as property-specific information for each project. The applicable Sections of Act 381 are noted throughout the Plan for reference purposes.

This Brownfield Plan contains the information required by Section 13(2) of Act 381, as amended. Additional information is available from the Muskegon City Manager or the Director of Planning and Economic Development.

II. GENERAL PROVISIONS

A. Costs of the Brownfield Plan (Section 13(2)(a))

Any site-specific costs of implementing this Plan are described in the site-specific section of the Plan. Site-specific sources of funding may include tax increment financing revenue generated from new development on eligible brownfield properties, state and federal grant or loan funds, and/or private parties. Where private parties finance the costs of eligible activities under the Plan, tax increment revenues may be used to reimburse the private parties. The initial costs related to preparation of the Brownfield Plan were funded by the City’s general fund. Subsequent amendments to the Plan may be funded by the person requesting inclusion of a project in the Plan, and if eligible, may be reimbursed through tax increment financing.

The Authority intends to pay for administrative costs and all of the things necessary or convenient to achieve the objectives and purposes of the Authority with fees charged to applicants to be included in the Plan, and any eligible tax increment revenues collected pursuant to the Plan, in accordance with the provisions of Act 381, including, but not limited to:

- i) the cost of financial tracking and auditing the funds of the Authority,

- ii) costs for amending and/or updating the Plan, including legal fees, and
- iii) costs for Plan implementation

Tax increment revenues that may be generated and captured by this Plan are identified in the site-specific sections of this Plan.

B. Method for Financing Costs of Plan and Bonded Indebtedness (Section 13(2)(d) and (e))

The City or Authority may incur some debt on a site-specific basis. Please refer to the site-specific section of this Plan for details on any debt to be incurred by the City or Authority. When a property proposed for inclusion in the Plan is in an area where tax increment financing is a viable option, the Authority intends to enter into Development and Reimbursement Agreements with the property owners/developers of properties included in the Plan to reimburse them for the costs of eligible activities undertaken pursuant to the Plan. Financing arrangements will be specified in the Development and Reimbursement Agreement, and also identified in the Site Specific section of the Plan.

C. Duration of the Brownfield Plan (Section 13(2)(f))

The Plan, as it applies to a specific eligible property, shall be effective up to five (5) years after the year in which the total amount of any tax increment revenue captured is equal to the total costs of *eligible activities* attributable to the *specific property*, or thirty (30) years from the date of first tax capture under the Plan as it relates to an individual site, whichever is less. The total costs of *eligible activities* include the cost of principal and interest on any note or obligation issued by the Authority to pay for the costs of *eligible activities*, the reasonable costs of a Work Plan, the actual costs of the Michigan Environmental Great Lakes & Energy or Michigan Strategic Fund's review of the Work Plan and implementation of the *eligible activities*, as applicable.

D. Displacement/Relocation of Individuals on Eligible Properties (Section 13(2)(i),(j)(k)(l))

At this time, *eligible properties* identified in the Plan do not contain residences, nor are there any current plans or intentions by the City for identifying *eligible properties* that will require the relocation of the residences. Therefore the provisions of Section 13(2)(i-l) are not applicable at this time.

E. Local Site Remediation Revolving Fund (Section 8; Section 13(5)(b))

Whenever the Plan includes a property for which taxes will be captured through Tax Increment Financing (TIF) provided by Act 381, it is the Authority's intent to establish a Local Brownfield Revolving Fund ("Fund"). The Fund will consist of tax increment revenues that exceed the costs of eligible activities incurred on an eligible property, as specified in *Section 13(5) of Act 381*. Section 13(5) authorizes the capture of TIF from an eligible property for up to 5 years after the time that capture is required for the purposes of reimbursing the costs of eligible activities identified in the Plan. It is the intention of the Authority to continue to capture tax increment revenues for 5 years after eligible activities are funded from those properties identified for tax capture in the Plan,

provided that the time frame allowed by Act 381 for tax capture is sufficient to accommodate capture to capitalize a Fund. The amount of school operating taxes captured for the Fund will be limited to the amount of school operating taxes captured for eligible department specific activities under the Plan. It may also include funds appropriated or otherwise made available from public or private sources.

The Fund may be used to reimburse the Authority, the City, and private parties for the costs of eligible activities at *eligible properties* and other costs as permitted by Act 381. It may also be used for eligible activities on *an eligible property* for which there is no ability to capture tax increment revenues. The establishment of the Fund will provide additional flexibility to the Authority in facilitating redevelopment of brownfield properties by providing another source of financing for necessary eligible activities.

III. SITE SPECIFIC PROVISIONS

Z. Harbor West, LLC Development Project

Eligibility and Project Description (Sec. 13(2)(h))

Project Description

Harbor West, LLC (“Harbor West”) intends to develop approximately 3.01 acres of land located at 1000, 1010 and 1060 West Western Avenue in Muskegon, MI (the “Property”) into residential site condominiums (the “Project”). The Project will include the construction of an initial ten (10) new market-rate site condominiums, associated site improvements and marina improvements to the adjacent Hartshorn Marina located at 920 West Western Avenue (“Marina Property”). The Project will include department specific activities, demolition, site preparation and infrastructure improvement activities in order to prepare the Property and Marina Property for redevelopment. A proposed site plan is included in Attachment Z-2.

It is anticipated that the Plan will be amended at a later date to include additional costs for future phases of development. The estimated total capital investment to complete Phase I of the Project is estimated to be approximately \$5+ million.

The *eligible property* included in this Plan consists of four parcels of property totaling 15.41 acres in the City of Muskegon, Michigan (see Attachment Z-3).

This *eligible property* includes all existing real and all new taxable personal property.

Eligibility

The 1000 West Western property meets the definition of a “facility” as defined by Part 201 of Natural Resources and Environmental Protection Act (Act 451 of 1994) due to the presence of select metals found in shallow soil intervals that are consistent with area-wide contaminated historical fill. Total mercury, copper, arsenic, selenium, and silver were detected in shallow soil throughout the area exceeding the groundwater surface water interface protection criteria, while arsenic concentrations also exceeding the residential drinking water and direct contact criterion. The 920, 1010 and 1060 West

Western parcels are adjacent and contiguous to the 1000 West Western property and development of these parcels is expected to increase its taxable value. Therefore, the parcels are considered “eligible property” under Act 381.

Eligible Activities, Financing, Cost of Plan (Sec. 13(2)(a), (b), (c), (g))

It is intended that the amended Plan shall provide for reimbursement of eligible activities conducted on the Property and Marina Property, including department specific activities (i.e. Phase I and II Environmental Site Assessment and Due Care), demolition, site preparation, infrastructure improvements, brownfield plan/work plan preparation and development, including all associated professional fees. TIF revenues generated from the Project will first be used to reimburse the cost of eligible activities undertaken by the developer and City of Muskegon, in accordance with a development and reimbursement agreement to be executed by the parties. Following full reimbursement of the eligible activities included in this Plan, TIF generated by the Property may be used for any other purpose allowable under Act 381 and the Plan.

The following are *eligible activities* that may be reimbursed through TIF revenues:

1. Department Specific Activities: Activities necessary for the developer to undertake its environmental due diligence, and any necessary costs related to Due Care obligations, including preparation of a Due Care Plan and implementation of Due Care Response Activities and Phase I, II and BEAs. Vapor barriers and mitigation systems, demarcation markers, contaminated soil excavation, transportation and disposal, environmental investigations and oversight. Costs are estimated at \$250,000.
2. Demolition: Demolition will include removal of existing pavement, curbs, gutters and site improvements. Demolition is necessary in order to prepare the project for the proposed development. Demolition activities costs are estimated at \$19,500.
3. Site Preparation: Site Preparation on the Property will include mobilization & demobilization, erosion control activities, dewatering, temporary traffic & construction signage, staking, clearing and grubbing, temporary facility, temporary site control, utility relocation, cut and fill, soil compaction and sub-base, mass grading/land balancing, unstable soil removal and backfill, geotechnical engineering, special foundations, and retaining walls. Site Preparation activities costs are estimated at \$626,000.
4. Infrastructure Improvements: Infrastructure Improvements will include new water main, sanitary and storm sewer systems, walkways, bike paths, roadways, curb and gutter, gas and electric lines, public marina improvements, including a pool and a clubhouse. Infrastructure Improvement activities costs are estimated at \$3,946,000.
5. Contingency: A 15% contingency is included to cover unexpected cost overruns encountered during construction totaling \$726,225.

6. Brownfield/Work Plan Preparation and Development: Costs incurred to prepare and develop this brownfield plan is estimated at \$30,000.

An estimate of the captured taxable value and tax increment revenues, which includes the impact on the taxing jurisdictions, is attached as Attachment Z-5.

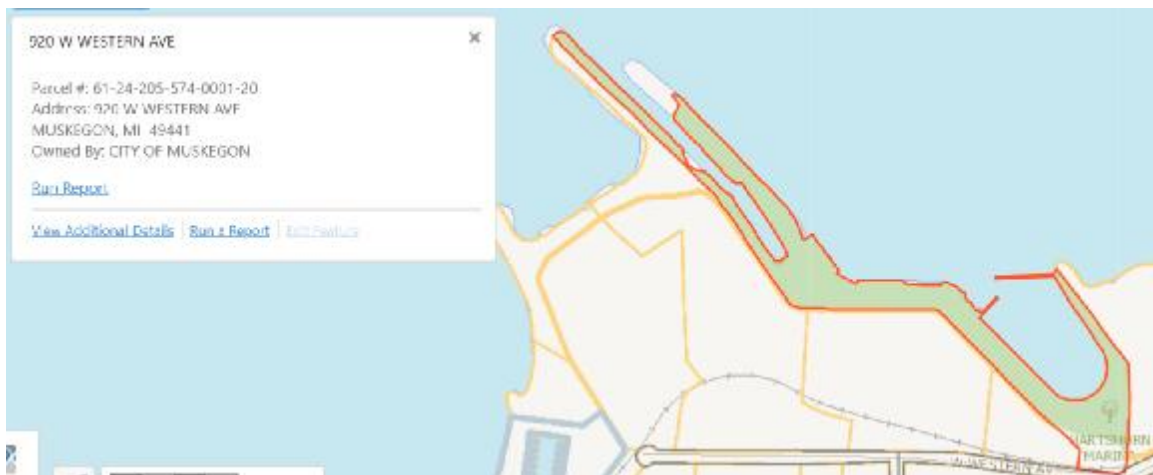
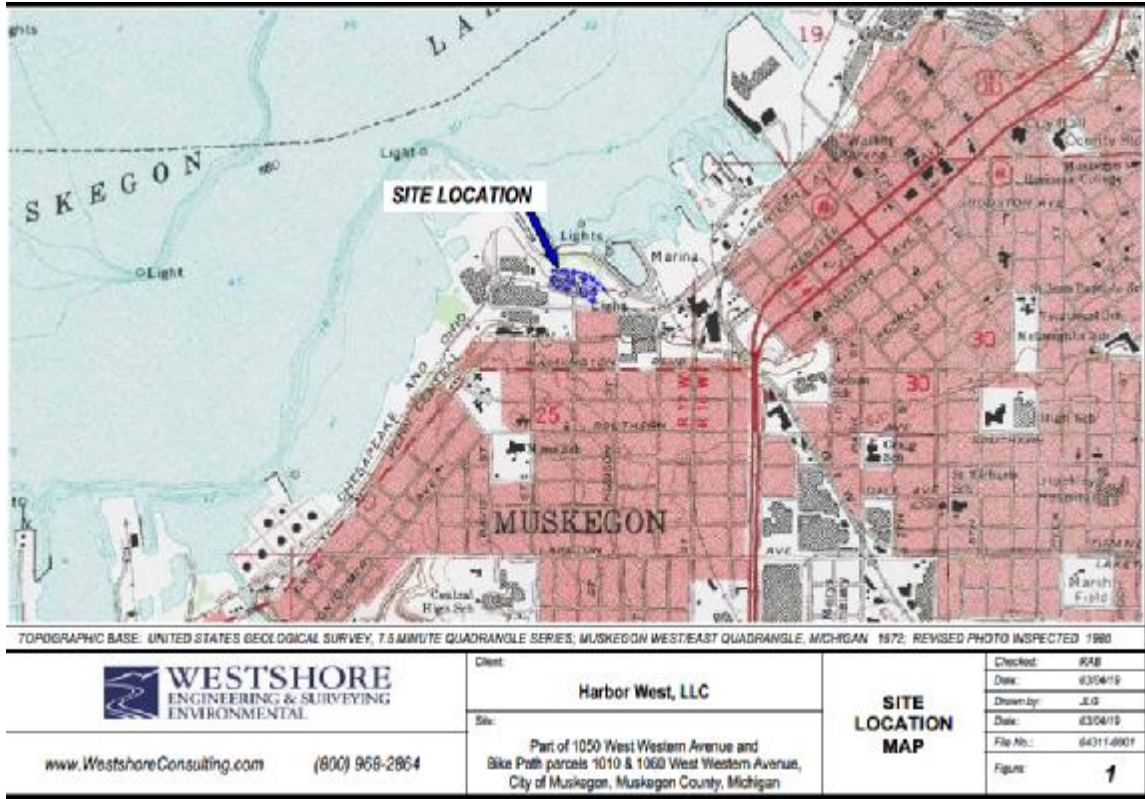
Effective Date of Inclusion in Brownfield Plan

The Harbor West LLC Development Project was added to this Plan on _____. It is intended the duration of the Plan capture is the lesser of the full reimbursement of eligible activities or 30 years with capture beginning in 2021.

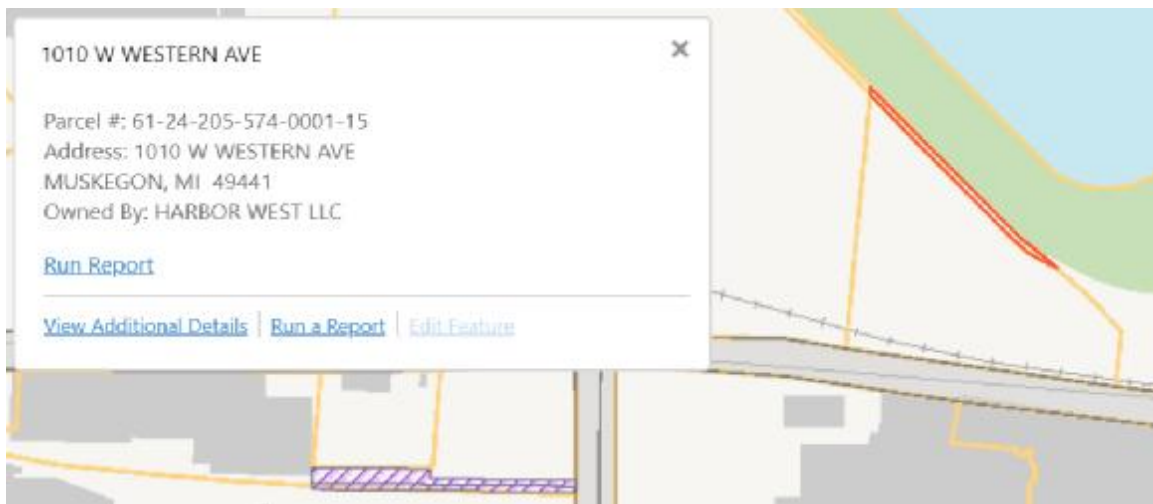
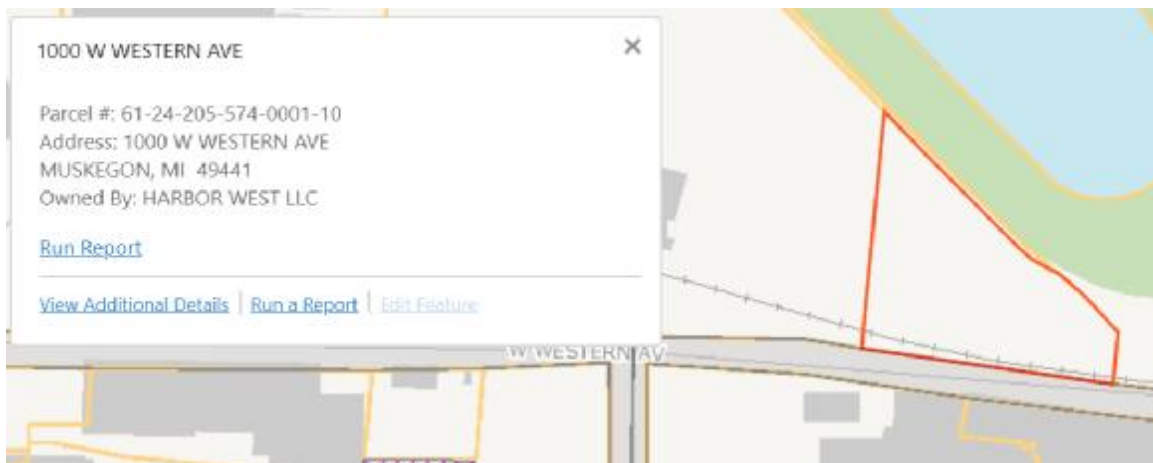
17011359

ATTACHMENT Z-1

SITE MAP HARBOR WEST, LLC REDEVELOPMENT PROJECT



City of Muskegon Brownfield Plan Amendment
Harbor West, LLC Development Project



ATTACHMENT Z-3

LEGAL DESCRIPTION

Parcel 4:

THOSE PARTS OF BLOCKS 574 AND 575, REVISED PLAT (OF 1903) OF THE CITY OF MUSKEGON, MUSKEGON COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEASTERLY CORNER OF BLOCK 574 OF SAID REVISED PLAT (OF 1903) OF THE CITY OF MUSKEGON; THENCE NORTH 88°43' WEST 270.42 FEET (M=NORTH 84°41'53" WEST 270.27 FEET) TO A POINT ON THE NORTHERLY LINE OF WEST WESTERN AVENUE FOR A POINT OF BEGINNING; THENCE WESTERLY ALONG THE NORTHERLY LINE OF WEST WESTERN AVENUE 457.28 FEET (M=NORTH 80°29'18" WEST 457.02 FEET); THENCE NORTH 2°04' WEST 492.92 FEET; THENCE SOUTH 47°05' EAST 236.7 FEET; THENCE CONTINUING SOUTH 47°04' EAST TO A POINT 100 FEET NORTH OF AND NORTH 1°40' WEST OF THE POINT OF BEGINNING. TOGETHER WITH THE C & O RAILWAY COMPANY RIGHT OF WAY RUNNING THROUGH THE ABOVE DESCRIBED PARCEL, EXCEPT THAT PART WHICH WAS DEEDED TO THE CITY OF MUSKEGON AS RECORDED IN LIBER 2138, PAGES 751 AND 752.

Property Address: 1000 W. Western Avenue, Muskegon, Michigan

Tax Parcel No.: 61-24-205-574-0001-10

BIKE PATH WEST DESCRIPTION:

THAT PART OF BLOCK 574 OF THE REVISED PLAT OF 1903 OF THE CITY OF MUSKEGON, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 574; THENCE NORTH 88°13'54" WEST 270.33 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WESTERN AVENUE; THENCE NORTH 83°55'00" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 456.97 FEET; THENCE NORTH 01°31'44" WEST 470.34 FEET TO THE POINT OF BEGINNING; THENCE NORTH 46°32'44" WEST 257.11 FEET; THENCE SOUTH 88°27'16" WEST 684.39 FEET; THENCE NORTH 01°31'44" WEST 16.00 FEET; THENCE NORTH 88°27'26" EAST 691.04 FEET; THENCE SOUTH 46°32'44" EAST 247.70 FEET; THENCE SOUTH 01°31'44" EAST 22.62 FEET TO THE POINT OF BEGINNING.

BIKE PATH EAST DESCRIPTION (PARCEL 5):

THAT PART OF BLOCK 574 OF THE REVISED PLAT OF 1903 OF THE CITY OF MUSKEGON, MUSKEGON COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 574; THENCE NORTH 88°13'54" WEST 270.33 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WESTERN AVENUE; THENCE NORTH 01°09'31" WEST 100.00 FEET; THENCE NORTH 46°31'44" WEST 118.61 FEET TO THE POINT OF BEGINNING; THENCE NORTH 61°45'12" WEST 60.93 FEET; THENCE NORTH 46°31'44" WEST 227.22 FEET; THENCE NORTH 46°32'44" WEST 220.80 FEET; THENCE NORTH 01°31'44" WEST 22.62 FEET; THENCE SOUTH 46°32'44" EAST 236.79 FEET; THENCE SOUTH 46°31'44" EAST 286.01 FEET TO THE POINT OF BEGINNING.

Property Address: 1010 W. Western Avenue, Muskegon, Michigan

Tax Parcel No.: 61-24-205-574-0001-15

BIKE PATH WEST DESCRIPTION:

THAT PART OF BLOCK 574 OF THE REVISED PLAT OF 1903 OF THE CITY OF MUSKEGON, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 574; THENCE NORTH 88°13'54" WEST 270.33 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WESTERN AVENUE; THENCE NORTH 83°55'00" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 456.97 FEET; THENCE NORTH 01°31'44" WEST 470.34 FEET TO THE POINT OF BEGINNING; THENCE NORTH 46°32'44" WEST 257.11 FEET; THENCE SOUTH 88°27'16" WEST 684.39 FEET; THENCE NORTH 01°31'44" WEST 16.00 FEET; THENCE NORTH 88°27'26" EAST 691.04 FEET; THENCE SOUTH 46°32'44" EAST 247.70 FEET; THENCE SOUTH 01°31'44" EAST 22.62 FEET TO THE POINT OF BEGINNING.

BIKE PATH EAST DESCRIPTION (PARCEL 5):

THAT PART OF BLOCK 574 OF THE REVISED PLAT OF 1903 OF THE CITY OF MUSKEGON, MUSKEGON COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 574; THENCE NORTH 88°13'54" WEST 270.33 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WESTERN AVENUE; THENCE NORTH 01°09'31" WEST 100.00 FEET; THENCE NORTH 46°31'44" WEST 118.61 FEET TO THE POINT OF BEGINNING; THENCE NORTH 61°45'12" WEST 60.93 FEET; THENCE NORTH 46°31'44" WEST 227.22 FEET; THENCE NORTH 46°32'44" WEST 220.80 FEET; THENCE NORTH 01°31'44" WEST 22.62 FEET; THENCE SOUTH 46°32'44" EAST 236.79 FEET; THENCE SOUTH 46°31'44" EAST 286.01 FEET TO THE POINT OF BEGINNING.

Property Address: 1060 W. Western Avenue, Muskegon, Michigan

Parcel: #61-24-205-574-0001-05

Parcel 1:

All that part of Block 574 and 575 of the Revised Plat (of 1903) of the City of Muskegon, lying Northerly and Easterly of the following described boundary lines: (EXCEPT the right of way of the Chesapeake and Ohio Railway Co.)

Commence at an iron bolt (original) located at the Southeast corner of Block 574 of the Revised Plat of the City of Muskegon, Muskegon County, Michigan; thence North 88°43' West 270.42 feet for a place of beginning; thence North 1°40' West 345.42 feet; thence North 84°6' West 290.81 feet; thence North 47°5' West 236.7 feet; thence North 2°4' West 175.2 feet; thence South 87°55' West 866.7 feet to an iron stake; thence North 37° West 730 feet; thence North 48° West to the thread of the stream in Muskegon Lake, for the place of ending of said lines.

EXCEPT FROM PARCEL 1:

BIKE PATH WEST DESCRIPTION:

THAT PART OF BLOCK 574 OF THE REVISED PLAT OF 1903 OF THE CITY OF MUSKEGON, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 574; THENCE NORTH

88°13'54" WEST 270.33 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WESTERN AVENUE; THENCE NORTH 83°55'00" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 456.97 FEET; THENCE NORTH 01°31'44" WEST 470.34 FEET TO THE POINT OF BEGINNING; THENCE NORTH 46°32'44" WEST 257.11 FEET; THENCE SOUTH 88°27'16" WEST 684.39 FEET; THENCE NORTH 01°31'44" WEST 16.00 FEET; THENCE NORTH 88°27'26" EAST 691.04 FEET; THENCE SOUTH 46°32'44" EAST 247.70 FEET; THENCE SOUTH 01°31'44" EAST 22.62 FEET TO THE POINT OF BEGINNING.

BIKE PATH EAST DESCRIPTION:

THAT PART OF BLOCK 574 OF THE REVISED PLAT OF 1903 OF THE CITY OF MUSKEGON, MUSKEGON COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 574; THENCE NORTH 88°13'54" WEST 270.33 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WESTERN AVENUE; THENCE NORTH 01°09'31" WEST 100.00 FEET; THENCE NORTH 46°31'44" WEST 118.61 FEET TO THE POINT OF BEGINNING; THENCE NORTH 61°45'12" WEST 60.93 FEET; THENCE NORTH 46°31'44" WEST 227.22 FEET; THENCE NORTH 46°32'44" WEST 220.80 FEET; THENCE NORTH 01°31'44" WEST 22.62 FEET; THENCE SOUTH 46°32'44" EAST 236.79 FEET; THENCE SOUTH 46°31'44" EAST 286.01 FEET TO THE POINT OF BEGINNING.

Parcel 2:

Part of Blocks 574 and 575, as follows:

Commence at the Southeast corner of Block 574 of the Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan; thence North 88°43' West 270.42 feet to the North line of West Western Avenue; thence Westerly along the North line of West Western Avenue 457.28 feet; thence North 2°04' West 492.92 feet to the place of beginning; thence North 2°04' West 175.2 feet; thence South 87°55' West 175.2 feet; thence South 47°05' East 247.75 feet to the place of beginning.

ALSO: Commence at the Southeast corner of Block 574 of the Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan; thence North 88°43' West 270.42 feet to the North line of West Western Avenue; thence North 1°40' West 100 feet for a place of beginning; thence North 1°40' West 245.42 feet; thence North 84°6' West 290.81 feet; thence Southeasterly to the place of beginning.

Parcel 3:

Part of Block 573 of the Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan, described as: Commencing at the Southwest corner of said Block 573 for the point of beginning; thence North 1°40' West along the West line of said Block, 347.0 feet; thence North 21°40' West along the Westerly line of said Block, 241.0 feet; thence North 29°28' West along the Westerly line of said Block, 187.50 feet; thence South 35°37' East 258.20 feet; thence South 09°53' East 504.80 feet to the Northerly line of West Western Avenue; thence South 59°34' West along said Northerly line, 53.0 feet to the point of beginning.

Property Address: 920 W. Western Avenue, Muskegon, Michigan

Tax Parcel No.: 61-24-205-574-0001-20

ATTACHMENT Z-4

SUMMARY OF ELIGIBLE ACTIVITIES HARBOR WEST

<u>Eligible Activities Costs</u>	
Department Specific Activities	
- Due Care	\$234,500
- Phase I, II & BEA	\$15,500
<i>EGLE Eligible Activities Total Cost</i>	<i>\$250,000</i>
Demolition	<i>\$19,500</i>
Site Preparation	
- Mobilization & Demobilization	\$15,000
- Silt Fence, Inlet Silt Sacks and other Erosion Control Activities	\$7,000
- Dewatering	\$60,000
- Temporary Traffic & Construction Signage	\$6,000
- Staking	\$5,000
- Clearing and Grubbing	\$8,000
- Temporary Facility	\$3,000
- Utility Relocation	\$17,000
- Cut & Fill	\$35,000
- Land Balancing and Mass Grading	\$20,000
- Soil Compaction and Sub-base	\$130,000
- Geotechnical Engineering	\$30,000
- Special Foundations	\$250,000
- Unstable Fill Removal and Backfill	\$15,000
- Retaining Walls	\$25,000
<i>Site Preparation Sub-Total</i>	<i>\$626,000</i>
Infrastructure Improvements	
- Water mains	\$118,000
- Sanitary System	\$56,000
- Storm Sewer	\$62,000
- Walkways/Bike Paths	\$8,000
- Roadways	\$105,000
- Curb and Gutter	\$5,000
- Gas and Electric Lines	\$90,000
- Public Boat Launch Relocation – City	\$800,000

City of Muskegon Brownfield Plan Amendment
Harbor West, LLC Development Project

- Marina Dock Systems - City	\$1,302,000
- Pool and Clubhouse - City	\$1,400,000
<i>Infrastructure Improvements Sub-Total</i>	<i>\$3,946,000</i>
<i>Total Eligible Activities Total Cost</i>	<i>\$4,841,500</i>
Contingency (15%)	\$726,225
Brownfield Plan Preparation and Development	\$30,000
TOTAL ELIGIBLE ACTIVITIES	\$5,597,725

ATTACHMENT Z-5

TAX CAPTURE ESTIMATES HARBOR WEST

Tax Increment Revenue Capture Estimates Harbor West Muskegon, Michigan May 7, 2020																				
Estimated Taxable Value (TV) Increase Rate:			1.50%																	
Plan Year		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
Calendar Year		2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	
Base Taxable Value		\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700
Estimated New TV		\$ 127,700	\$ 150,000	\$ 1,125,000	\$ 2,475,000	\$ 2,512,125	\$ 2,549,807	\$ 2,588,054	\$ 2,626,875	\$ 2,666,278	\$ 2,706,272	\$ 2,746,866	\$ 2,788,069	\$ 2,829,890	\$ 2,872,339	\$ 2,915,424	\$ 2,959,155	\$ 3,003,542	\$ 3,048,595	
Incremental Difference (New TV - Base TV)		\$ -	\$ 22,300	\$ 997,300	\$ 2,347,300	\$ 2,384,425	\$ 2,422,107	\$ 2,460,354	\$ 2,499,175	\$ 2,538,578	\$ 2,578,572	\$ 2,619,166	\$ 2,660,369	\$ 2,702,190	\$ 2,744,639	\$ 2,787,724	\$ 2,831,455	\$ 2,875,842	\$ 2,920,895	
School Capture		Millage Rate																		
State Education Tax (SET)		6.0000	\$ -	\$ 134	\$ 5,984	\$ 14,084	\$ 14,307	\$ 14,533	\$ 14,762	\$ 14,995	\$ 15,231	\$ 15,471	\$ 15,715	\$ 15,962	\$ 16,213	\$ 16,468	\$ 16,726	\$ 16,989	\$ 17,255	\$ 17,525
School Total		6.0000	\$ -	\$ 134	\$ 5,984	\$ 14,084	\$ 14,307	\$ 14,533	\$ 14,762	\$ 14,995	\$ 15,231	\$ 15,471	\$ 15,715	\$ 15,962	\$ 16,213	\$ 16,468	\$ 16,726	\$ 16,989	\$ 17,255	\$ 17,525
Local Capture		Millage Rate																		
City Operating		10.0865	\$ -	\$ 225	\$ 10,059	\$ 23,676	\$ 24,051	\$ 24,431	\$ 24,816	\$ 25,208	\$ 25,605	\$ 26,009	\$ 26,418	\$ 26,834	\$ 27,256	\$ 27,684	\$ 28,118	\$ 28,559	\$ 29,007	\$ 29,462
County Operating		5.6984	\$ -	\$ 127	\$ 5,683	\$ 13,376	\$ 13,587	\$ 13,802	\$ 14,020	\$ 14,241	\$ 14,466	\$ 14,694	\$ 14,925	\$ 15,160	\$ 15,398	\$ 15,640	\$ 15,886	\$ 16,135	\$ 16,388	\$ 16,644
City Sanitation		3.0000	\$ -	\$ 67	\$ 2,992	\$ 7,042	\$ 7,153	\$ 7,266	\$ 7,381	\$ 7,498	\$ 7,616	\$ 7,736	\$ 7,857	\$ 7,981	\$ 8,107	\$ 8,234	\$ 8,363	\$ 8,494	\$ 8,628	\$ 8,763
County Museum		0.3221	\$ -	\$ 7	\$ 321	\$ 756	\$ 768	\$ 780	\$ 792	\$ 805	\$ 818	\$ 831	\$ 844	\$ 857	\$ 870	\$ 884	\$ 898	\$ 912	\$ 926	\$ 941
Senior Services		0.5000	\$ -	\$ 11	\$ 499	\$ 1,174	\$ 1,192	\$ 1,211	\$ 1,230	\$ 1,250	\$ 1,269	\$ 1,289	\$ 1,310	\$ 1,330	\$ 1,351	\$ 1,372	\$ 1,394	\$ 1,416	\$ 1,438	\$ 1,460
County Veterans		0.0752	\$ -	\$ 2	\$ 75	\$ 177	\$ 179	\$ 182	\$ 185	\$ 188	\$ 191	\$ 194	\$ 197	\$ 200	\$ 203	\$ 206	\$ 210	\$ 213	\$ 216	\$ 220
Central Dispatch		0.3000	\$ -	\$ 7	\$ 299	\$ 704	\$ 715	\$ 727	\$ 738	\$ 750	\$ 762	\$ 774	\$ 786	\$ 798	\$ 811	\$ 823	\$ 836	\$ 849	\$ 863	\$ 876
Comm College		2.2037	\$ -	\$ 49	\$ 2,198	\$ 5,173	\$ 5,255	\$ 5,338	\$ 5,422	\$ 5,507	\$ 5,594	\$ 5,682	\$ 5,772	\$ 5,863	\$ 5,955	\$ 6,048	\$ 6,143	\$ 6,240	\$ 6,337	\$ 6,437
MAISD		4.7580	\$ -	\$ 106	\$ 4,745	\$ 11,168	\$ 11,345	\$ 11,524	\$ 11,706	\$ 11,891	\$ 12,079	\$ 12,269	\$ 12,462	\$ 12,658	\$ 12,857	\$ 13,059	\$ 13,264	\$ 13,472	\$ 13,683	\$ 13,898
Hackley Library		2.4000	\$ -	\$ 54	\$ 2,394	\$ 5,634	\$ 5,723	\$ 5,813	\$ 5,905	\$ 5,998	\$ 6,093	\$ 6,189	\$ 6,286	\$ 6,385	\$ 6,485	\$ 6,587	\$ 6,691	\$ 6,795	\$ 6,902	\$ 7,010
Local Total		29.3439	\$ -	\$ 654	\$ 29,265	\$ 68,879	\$ 69,968	\$ 71,074	\$ 72,196	\$ 73,336	\$ 74,492	\$ 75,665	\$ 76,857	\$ 78,066	\$ 79,293	\$ 80,538	\$ 81,803	\$ 83,086	\$ 84,388	\$ 85,710
Non-Capturable Millages		Millage Rate																		
Comm College Debt		0.3400	\$ -	\$ 8	\$ 339	\$ 798	\$ 811	\$ 824	\$ 837	\$ 850	\$ 863	\$ 877	\$ 891	\$ 905	\$ 919	\$ 933	\$ 948	\$ 963	\$ 978	\$ 993
Hackley Debt		0.4522	\$ -	\$ 10	\$ 451	\$ 1,061	\$ 1,078	\$ 1,095	\$ 1,113	\$ 1,130	\$ 1,148	\$ 1,166	\$ 1,184	\$ 1,203	\$ 1,222	\$ 1,241	\$ 1,261	\$ 1,280	\$ 1,300	\$ 1,321
MPS Debt - 1995		3.9600	\$ -	\$ 88	\$ 3,949	\$ 9,295	\$ 9,442	\$ 9,592	\$ 9,743	\$ 9,897	\$ 10,053	\$ 10,211	\$ 10,372	\$ 10,535	\$ 10,701	\$ 10,869	\$ 11,039	\$ 11,213	\$ 11,388	\$ 11,567
MPS Debt - 2009		3.4000	\$ -	\$ 76	\$ 3,391	\$ 7,981	\$ 8,107	\$ 8,235	\$ 8,365	\$ 8,497	\$ 8,631	\$ 8,767	\$ 8,905	\$ 9,045	\$ 9,187	\$ 9,332	\$ 9,478	\$ 9,627	\$ 9,778	\$ 9,931
School Sinking Fund		1.0000	\$ -	\$ 22	\$ 997	\$ 2,347	\$ 2,384	\$ 2,422	\$ 2,460	\$ 2,499	\$ 2,539	\$ 2,579	\$ 2,619	\$ 2,660	\$ 2,702	\$ 2,745	\$ 2,788	\$ 2,831	\$ 2,876	\$ 2,921
Total Non-Capturable Taxes		9.1522	\$ -	\$ 204	\$ 9,127	\$ 21,483	\$ 21,823	\$ 22,168	\$ 22,518	\$ 22,873	\$ 23,234	\$ 23,600	\$ 23,971	\$ 24,348	\$ 24,731	\$ 25,119	\$ 25,514	\$ 25,914	\$ 26,320	\$ 26,733
Total Tax Increment Revenue (TIR) Available for Capture		\$ -	\$ 788	\$ 35,248	\$ 82,963	\$ 84,275	\$ 85,607	\$ 86,959	\$ 88,331	\$ 89,723	\$ 91,137	\$ 92,572	\$ 94,028	\$ 95,506	\$ 97,006	\$ 98,529	\$ 100,075	\$ 101,643	\$ 103,236	
Footnotes: Assumes Millage Rates remain unchanged TV increases assumed based on lot sales and new construction of homes Annual inflation of 1.5% assumed following construction completion																				

Tax Increment Revenue Capture Estimates
Harbor West
Muskegon, Michigan
May 7, 2020

Estimated Taxable Value (TV) Increase Rate:

	Plan Year	19	20	21	22	23	24	25	26	27	28	29	30	31	TOTAL
	Calendar Year	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	
Base Taxable Value	\$	127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700	\$ 127,700
Estimated New TV	\$	3,094,324	\$ 3,140,739	\$ 3,187,850	\$ 3,235,668	\$ 3,284,203	\$ 3,333,466	\$ 3,383,468	\$ 3,434,220	\$ 3,485,733	\$ 3,538,019	\$ 3,591,090	\$ 3,644,956	\$ 3,699,630	\$ 3,699,630
Incremental Difference (New TV - Base TV)	\$	2,966,624	\$ 3,013,039	\$ 3,060,150	\$ 3,107,968	\$ 3,156,503	\$ 3,205,766	\$ 3,255,768	\$ 3,306,520	\$ 3,358,033	\$ 3,410,319	\$ 3,463,390	\$ 3,517,256	\$ 3,571,930	\$ 3,571,930
School Capture	Millage Rate														
State Education Tax (SET)	6.0000	\$ 17,800	\$ 18,078	\$ 18,361	\$ 18,648	\$ 18,939	\$ 19,235	\$ 19,535	\$ 19,839	\$ 20,148	\$ 20,462	\$ 20,780	\$ 21,104	\$ 21,432	\$ 496,714
School Total	6.0000	\$ 17,800	\$ 18,078	\$ 18,361	\$ 18,648	\$ 18,939	\$ 19,235	\$ 19,535	\$ 19,839	\$ 20,148	\$ 20,462	\$ 20,780	\$ 21,104	\$ 21,432	\$ 496,714
Local Capture	Millage Rate														
City Operating	10.0865	\$ 29,923	\$ 30,391	\$ 30,866	\$ 31,349	\$ 31,838	\$ 32,335	\$ 32,839	\$ 33,351	\$ 33,871	\$ 34,398	\$ 34,933	\$ 35,477	\$ 36,028	\$ 835,018
County Operating	5.6984	\$ 16,905	\$ 17,170	\$ 17,438	\$ 17,710	\$ 17,987	\$ 18,268	\$ 18,553	\$ 18,842	\$ 19,135	\$ 19,433	\$ 19,736	\$ 20,043	\$ 20,354	\$ 471,746
City Sanitation	3.0000	\$ 8,900	\$ 9,039	\$ 9,180	\$ 9,324	\$ 9,470	\$ 9,617	\$ 9,767	\$ 9,920	\$ 10,074	\$ 10,231	\$ 10,390	\$ 10,552	\$ 10,716	\$ 248,357
County Museum	0.3221	\$ 956	\$ 970	\$ 986	\$ 1,001	\$ 1,017	\$ 1,033	\$ 1,049	\$ 1,065	\$ 1,082	\$ 1,098	\$ 1,116	\$ 1,133	\$ 1,151	\$ 26,665
Senior Services	0.5000	\$ 1,483	\$ 1,507	\$ 1,530	\$ 1,554	\$ 1,578	\$ 1,603	\$ 1,628	\$ 1,653	\$ 1,679	\$ 1,705	\$ 1,732	\$ 1,759	\$ 1,786	\$ 41,393
County Veterans	0.0752	\$ 223	\$ 227	\$ 230	\$ 234	\$ 237	\$ 241	\$ 245	\$ 249	\$ 253	\$ 256	\$ 260	\$ 264	\$ 269	\$ 6,225
Central Dispatch	0.3000	\$ 890	\$ 904	\$ 918	\$ 932	\$ 947	\$ 962	\$ 977	\$ 992	\$ 1,007	\$ 1,023	\$ 1,039	\$ 1,055	\$ 1,072	\$ 24,836
Comm College	2.2037	\$ 6,538	\$ 6,640	\$ 6,744	\$ 6,849	\$ 6,956	\$ 7,065	\$ 7,175	\$ 7,287	\$ 7,400	\$ 7,515	\$ 7,632	\$ 7,751	\$ 7,871	\$ 182,435
MAISD	4.7580	\$ 14,115	\$ 14,336	\$ 14,560	\$ 14,788	\$ 15,019	\$ 15,253	\$ 15,491	\$ 15,732	\$ 15,978	\$ 16,226	\$ 16,479	\$ 16,735	\$ 16,995	\$ 393,894
Hackley Library	2.4000	\$ 7,120	\$ 7,231	\$ 7,344	\$ 7,459	\$ 7,576	\$ 7,694	\$ 7,814	\$ 7,936	\$ 8,059	\$ 8,185	\$ 8,312	\$ 8,441	\$ 8,573	\$ 198,686
Local Total	29.3439	\$ 87,052	\$ 88,414	\$ 89,797	\$ 91,200	\$ 92,624	\$ 94,070	\$ 95,537	\$ 97,026	\$ 98,538	\$ 100,072	\$ 101,629	\$ 103,210	\$ 104,814	\$ 2,429,254
Non-Capturable Millages	Millage Rate														
Comm College Debt	0.3400	\$ 1,009	\$ 1,024	\$ 1,040	\$ 1,057	\$ 1,073	\$ 1,090	\$ 1,107	\$ 1,124	\$ 1,142	\$ 1,160	\$ 1,178	\$ 1,196	\$ 1,214	\$ 28,147
Hackley Debt	0.4522	\$ 1,342	\$ 1,362	\$ 1,384	\$ 1,405	\$ 1,427	\$ 1,450	\$ 1,472	\$ 1,495	\$ 1,519	\$ 1,542	\$ 1,566	\$ 1,591	\$ 1,615	\$ 37,436
MPS Debt - 1995	3.9600	\$ 11,748	\$ 11,932	\$ 12,118	\$ 12,308	\$ 12,500	\$ 12,695	\$ 12,893	\$ 13,094	\$ 13,298	\$ 13,505	\$ 13,715	\$ 13,928	\$ 14,145	\$ 327,831
MPS Debt - 2009	3.4000	\$ 10,087	\$ 10,244	\$ 10,405	\$ 10,567	\$ 10,732	\$ 10,900	\$ 11,070	\$ 11,242	\$ 11,417	\$ 11,595	\$ 11,776	\$ 11,959	\$ 12,145	\$ 281,471
School Sinking Fund	1.0000	\$ 2,967	\$ 3,013	\$ 3,060	\$ 3,108	\$ 3,157	\$ 3,206	\$ 3,256	\$ 3,307	\$ 3,358	\$ 3,410	\$ 3,463	\$ 3,517	\$ 3,572	\$ 82,786
Total Non-Capturable Taxes	9.1522	\$ 27,151	\$ 27,576	\$ 28,007	\$ 28,445	\$ 28,889	\$ 29,340	\$ 29,797	\$ 30,262	\$ 30,733	\$ 31,212	\$ 31,698	\$ 32,191	\$ 32,691	\$ 757,671
Total Tax Increment Revenue (TIR) Available for Capture	\$	104,852	\$ 106,493	\$ 108,158	\$ 109,848	\$ 111,563	\$ 113,304	\$ 115,072	\$ 116,865	\$ 118,686	\$ 120,534	\$ 122,410	\$ 124,314	\$ 126,246	\$ 2,925,968

Footnotes:
Assumes Millage Rates remain unchanged
TV increases assumed based on lot sales and new construction of homes
Annual inflation of 1.5% assumed following construction completion

Tax Increment Financing Reimbursement Table
Harbor West
Muskegon, Michigan
May 7, 2020

Developer Maximum Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	13.8%	\$ 2,454	\$ -	\$ 2,454
Local	86.2%	\$ 15,371	\$ 2,123,229	\$ 2,138,600
TOTAL		\$ 17,825	\$ 2,123,229	\$ 2,141,054
EGLE		\$ 17,825	\$ -	\$ 17,825
MSF		\$ -	\$ -	\$ -

Estimated Total Years of Plan:	31
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Estimated Capture
Administrative Fees
State Revolving Fund
LBRF

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Total State Incremental Revenue	\$ -	\$ 134	\$ 5,984	\$ 14,084	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Brownfield Revolving Fund (50% of SET)	\$ -	\$ (67)	\$ (2,992)	\$ (7,042)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State TIR Available for Reimbursement	\$ -	\$ 67	\$ 2,992	\$ 7,042	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
 Total Local Incremental Revenue	\$ -	\$ 654	\$ 29,265	\$ 68,879	\$ 69,968	\$ 71,074	\$ 72,196	\$ 73,336	\$ 74,492	\$ 75,665	\$ 76,857	\$ 78,066
BRA Administrative Fee	\$ -	\$ (654)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)
Local TIR Available for Reimbursement	\$ -	\$ -	\$ 19,265	\$ 58,879	\$ 59,968	\$ 61,074	\$ 62,196	\$ 63,336	\$ 64,492	\$ 65,665	\$ 66,857	\$ 68,066
 Total State & Local TIR Available	\$ -	\$ 67	\$ 22,257	\$ 65,921	\$ 59,968	\$ 61,074	\$ 62,196	\$ 63,336	\$ 64,492	\$ 65,665	\$ 66,857	\$ 68,066

DEVELOPER	Beginning Balance	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
DEVELOPER Reimbursement Balance	\$ 5,597,725	\$ 5,597,725	\$ 5,597,658	\$ 5,576,006	\$ 5,517,127	\$ 5,457,159	\$ 5,396,085	\$ 5,333,889	\$ 5,270,553	\$ 5,206,061	\$ 5,140,396	\$ 5,073,539	\$ 5,005,474

Non-Environmental Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Environmental Costs	\$ 17,825	\$ 17,825	\$ 17,825	\$ 17,758	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Reimbursement	\$ -	\$ 67	\$ 2,387	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ 15,371	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursement Balance	\$ 17,825	\$ 17,758	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Local Only Costs	\$ 5,579,900	\$ 5,579,900	\$ 5,579,900	\$ 5,579,900	\$ 5,576,006	\$ 5,517,127	\$ 5,457,159	\$ 5,396,085	\$ 5,333,889	\$ 5,270,553	\$ 5,206,061	\$ 5,140,396	\$ 5,073,539
Local Tax Reimbursement	\$ -	\$ -	\$ 3,894	\$ 58,879	\$ 59,968	\$ 61,074	\$ 62,196	\$ 63,336	\$ 64,492	\$ 65,665	\$ 66,857	\$ 68,066	\$ 68,066
Total Local Only Reimbursement Balance	\$ 5,579,900	\$ 5,579,900	\$ 5,576,006	\$ 5,517,127	\$ 5,457,159	\$ 5,396,085	\$ 5,333,889	\$ 5,270,553	\$ 5,206,061	\$ 5,140,396	\$ 5,073,539	\$ 5,005,474	\$ 5,005,474

Total Annual Developer Reimbursement	\$ -	\$ 67	\$ 21,652	\$ 58,879	\$ 59,968	\$ 61,074	\$ 62,196	\$ 63,336	\$ 64,492	\$ 65,665	\$ 66,857	\$ 68,066	\$ 68,066
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LOCAL BROWNFIELD REVOLVING FUN

LBRF Deposits *	\$ -	\$ -	\$ 605	\$ 1,849	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Capture	\$ -	\$ -	\$ 605	\$ 1,849	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Up to five years of capture for LBRF deposits after eligible activities are reimbursed. May be taken from EGLE & Local TIR only.

Footnotes:

(1) Assumes taxable value increases based on proposed build out, plus 1.5% annual increases for inflation thereafter.

(2) Assumes Millage Rates remain constant.

Tax Increment Financing Reimbursement Table
Harbor West
Muskegon, Michigan
May 7, 2020

\$ 2,449,456
\$ 290,654
\$ 10,101
\$ 2,454

	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045
Total State Incremental Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Brownfield Revolving Fund (50% of SET)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State TIR Available for Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local Incremental Revenue	\$ 79,293	\$ 80,538	\$ 81,803	\$ 83,086	\$ 84,388	\$ 85,710	\$ 87,052	\$ 88,414	\$ 89,797	\$ 91,200	\$ 92,624	\$ 94,070	\$ 95,537	\$ 97,026
BRA Administrative Fee	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)
Local TIR Available for Reimbursement	\$ 69,293	\$ 70,538	\$ 71,803	\$ 73,086	\$ 74,388	\$ 75,710	\$ 77,052	\$ 78,414	\$ 79,797	\$ 81,200	\$ 82,624	\$ 84,070	\$ 85,537	\$ 87,026
Total State & Local TIR Available	\$ 69,293	\$ 70,538	\$ 71,803	\$ 73,086	\$ 74,388	\$ 75,710	\$ 77,052	\$ 78,414	\$ 79,797	\$ 81,200	\$ 82,624	\$ 84,070	\$ 85,537	\$ 87,026

DEVELOPER

DEVELOPER Reimbursement Balance	\$ 4,936,181	\$ 4,865,643	\$ 4,793,840	\$ 4,720,754	\$ 4,646,365	\$ 4,570,655	\$ 4,493,603	\$ 4,415,188	\$ 4,335,392	\$ 4,254,192	\$ 4,171,568	\$ 4,087,498	\$ 4,001,961	\$ 3,914,935
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Non-Environmental Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Environmental Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Local Only Costs	\$ 5,005,474	\$ 4,936,181	\$ 4,865,643	\$ 4,793,840	\$ 4,720,754	\$ 4,646,365	\$ 4,570,655	\$ 4,493,603	\$ 4,415,188	\$ 4,335,392	\$ 4,254,192	\$ 4,171,568	\$ 4,087,498	\$ 4,001,961
Local Tax Reimbursement	\$ 69,293	\$ 70,538	\$ 71,803	\$ 73,086	\$ 74,388	\$ 75,710	\$ 77,052	\$ 78,414	\$ 79,797	\$ 81,200	\$ 82,624	\$ 84,070	\$ 85,537	\$ 87,026
Total Local Only Reimbursement Balance	\$ 4,936,181	\$ 4,865,643	\$ 4,793,840	\$ 4,720,754	\$ 4,646,365	\$ 4,570,655	\$ 4,493,603	\$ 4,415,188	\$ 4,335,392	\$ 4,254,192	\$ 4,171,568	\$ 4,087,498	\$ 4,001,961	\$ 3,914,935

Total Annual Developer Reimbursement	\$ 69,293	\$ 70,538	\$ 71,803	\$ 73,086	\$ 74,388	\$ 75,710	\$ 77,052	\$ 78,414	\$ 79,797	\$ 81,200	\$ 82,624	\$ 84,070	\$ 85,537	\$ 87,026
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LOCAL BROWNFIELD REVOLVING FUN

LBRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Up to five years of capture for LBRF deposit

Footnotes:

(1) Assumes taxable value increases base inflation thereafter.

(2) Assumes Millage Rates remain constar

Tax Increment Financing Reimbursement Table
Harbor West
Muskegon, Michigan
May 7, 2020

	2046	2047	2048	2049	2050	TOTAL
Total State Incremental Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,201
State Brownfield Revolving Fund (50% of SET)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (10,101)
State TIR Available for Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,101
 Total Local Incremental Revenue	\$ 98,538	\$ 100,072	\$ 101,629	\$ 103,210	\$ 104,814	\$ 2,429,254
BRA Administrative Fee	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (290,654)
Local TIR Available for Reimbursement	\$ 88,538	\$ 90,072	\$ 91,629	\$ 93,210	\$ 94,814	\$ 2,138,600
 Total State & Local TIR Available	\$ 88,538	\$ 90,072	\$ 91,629	\$ 93,210	\$ 94,814	\$ 2,148,700
DEVELOPER						
DEVELOPER Reimbursement Balance	\$ 3,826,397	\$ 3,736,325	\$ 3,644,696	\$ 3,551,486	\$ 3,456,671	\$ 3,456,671
Non-Environmental Costs	\$ -	\$ -	\$ -	\$ -	\$ -	
State Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	
Environmental Costs	\$ -	\$ -	\$ -	\$ -	\$ -	
State Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,454
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,371
Total Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	
Local Only Costs	\$ 3,914,935	\$ 3,826,397	\$ 3,736,325	\$ 3,644,696	\$ 3,551,486	
Local Tax Reimbursement	\$ 88,538	\$ 90,072	\$ 91,629	\$ 93,210	\$ 94,814	\$ 2,123,229
Total Local Only Reimbursement Balance	\$ 3,826,397	\$ 3,736,325	\$ 3,644,696	\$ 3,551,486	\$ 3,456,671	
Total Annual Developer Reimbursement	\$ 88,538	\$ 90,072	\$ 91,629	\$ 93,210	\$ 94,814	\$ 2,141,054
LOCAL BROWNFIELD REVOLVING FUN						
LBRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,454
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,454
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total LBRF Capture						

* Up to five years of capture for LBRF deposit

Footnotes:

(1) Assumes taxable value increases base inflation thereafter.

(2) Assumes Millage Rates remain constar

ATTACHMENT Z-6

FACILITY CONFIRMATION



**BASELINE ENVIRONMENTAL ASSESSMENT
CONDUCTED PURSUANT TO SECTION 20126(1)(C) OF 1994 PA 451, PART 201,
AMENDED, AND THE RULES PROMULGATED THEREUNDER**

FOR

**VACANT PROPERTY
1000 W. WESTERN AVENUE
MUSKEGON, MICHIGAN 49441**

OCTOBER 31, 2018

Prepared for:

**Harbor West, LLC
108 South University Ave
Suite 6
Mt. Pleasant, Michigan 48858**

Prepared by:

**ENVIROLOGIC TECHNOLOGIES, INC.
2960 Interstate Parkway
Kalamazoo, Michigan 49048
(269) 342-1100**



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY – REMEDIATION AND
REDEVELOPMENT DIVISION, PO BOX 30426, LANSING, MICHIGAN 48909-7926,
Phone 517-373-9837, Fax 517-373-2637

FOR DEQ USE ONLY
BEA SUBMITTAL #

Baseline Environmental Assessment Submittal Form

This form is for submittal of a Baseline Environmental Assessment (BEA), as defined by Part 201, Environmental Remediation and Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for the purpose of establishing an exemption to liability pursuant to Section 20126(1)(c) and Section 21323a(1)(b) for a new owner or operator of property that is a facility as defined by Section 20101(1)(s) or Property as defined by Section 21303(d). The BEA report must be conducted either prior to or within 45 days after becoming the owner or operator, whichever is earliest. This form and the BEA report must be submitted prior to or within 6 months of becoming the owner or operator whichever is earliest. A separate BEA is required for each legal entity that is or will be a new owner or operator of the property. To maintain the exemption to liability, the owner and operator must also disclose the BEA to any subsequent purchaser or transferee before conveying interest in the property pursuant to Section 20126(1)(c) and Section 21323a(1)(b). An owner or operator of a facility or Property also has due care obligations under Section 20107a and Section 21304c with respect to any existing contamination to prevent unacceptable exposure; prevent exacerbation; take reasonable precautions; provide reasonable cooperation, assistance, and access to authorized persons taking response activities at the property; comply with land use restrictions associated with response activities; and not impede the effectiveness of response activities implemented at the property. Documentation of due care evaluations, all conducted response activities, and compliance with 7a or 4c need to be available to the MDEQ, but not submitted, within 8 months of becoming the owner or operator of a facility and/or Property.

Section A: Legal Entity Information

Name of legal entity that does or will own or operate the property: <u>Harbor West, LLC</u>	Contact for BEA questions if different from submitter: Name & Title: <u>David Stegink - Associate Vice President & Sr Environmental Scientist</u>
Address: <u>108 S. University Ave, Suite 6</u>	Company: <u>Envirologic Technologies, Inc.</u>
City: <u>Mount Pleasant</u> State: <u>MI</u> ZIP: <u>48858</u>	Address: <u>2960 Interstate Parkway</u>
Contact Person (Name & Title): <u>Mr. Sidney Smith - Member</u>	City: <u>Kalamazoo</u> State: <u>MI</u> ZIP: <u>49048</u>
Telephone: <u>(989) 615-4391</u>	Telephone: <u>269-342-1100</u>
Email: <u>wsidneysmith@smith-equities.com</u>	Email: <u>stegink@envirologic.com</u>

Section B: Property Information

Street Address of Property: <u>1000 West Western Avenue</u>	County: <u>Muskegon</u>
City: <u>Muskegon</u> State: <u>MI</u> Zip: <u>49441</u>	City/Village/Township: <u>City of Muskegon</u>
Property Tax ID (include all applicable IDs): <u>61-24-205-574-0001-10</u>	Town: <u>10 N</u> Range: <u>17 W</u> Section <u>25</u>
Address according to tax records, if different than above (include all applicable addresses):	Quarter: <u>SE 1/4</u> Quarter-Quarter: <u>SE 1/4 of SE 1/4</u>
City: _____ State: _____ Zip: _____	Decimal Degrees Latitude: <u>43.229411</u>
Status of submitter relative to the property (check all that apply):	Decimal Degrees Longitude: <u>-86.266330</u>
Owner ☐ Former ☐ Current ☒ Prospective ☐	Reference point for latitude and longitude: Center of site ☒ Main/front door ☐ Front gate/main entrance ☐ Other ☐
Operator ☐	Collection method: Survey ☐ GPS ☐ Interpolation ☒

Section C: Source of contamination at the property (check all that are known to apply):

Facility regulated pursuant to Part 201, other source, or source unknown	☒
Part 201 Site ID, if known: _____	
Property - Leaking Underground Storage Tank regulated pursuant to Part 213	☐
Part 211/213 Facility ID, if known: _____	
Oil or gas production and development regulated pursuant to Part 615 or 625	☐
Licensed landfill regulated pursuant to Part 115	☐
Licensed hazardous waste treatment, storage, or disposal facility regulated pursuant to Part 111	☐

Section D: Applicable Dates (provide date for all that are relevant):

MM/DD/YYYY

Date All Appropriate Inquiry (AAI) Report or Phase I Environmental Assessment Report completed:	06/22/2018
Date Baseline Environmental Assessment Report conducted:	10/31/2018
Date submitter first became the owner:	10/30/2018
Date submitter first became the operator:	
Date submitter first became the operator (if prior to ownership):	
Anticipated date of becoming the owner for prospective owners:	
Anticipated date of becoming the operator for prospective operators:	
If former owner or operator of this property, prior dates of being the owner or operator:	

Section E: Check the appropriate response to each of the following questions:

YES NO

- | | | |
|--|-------------------------------------|--------------------------|
| 1. Is the property at which the BEA was conducted a "facility" as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d)? | ☒ | ☐ |
| 2. Was the All Appropriate Inquiry (AAI) completed in accordance with Section 20101(1)(f) and or 21302(1)(b)? | ☒ | ☐ |
| 3. Was the BEA, including the sampling, conducted either prior to or within 45 days of the date of becoming the owner, operator, or of foreclosure, whichever is earliest? | ☒ | ☐ |
| 4. Is this BEA being submitted to the department within 6 months of the submitter first becoming the owner or operator, or foreclosing? | ☒ | ☐ |
| 5. Does the BEA provide sufficient rationale to demonstrate that the data is reliable and relevant to define conditions at the property at the time of purchase, occupancy, or foreclosure, even if the BEA relies on studies of data prepared by others or conducted for other purposes? | ☒ | ☐ |
| 6. Does this BEA contain the legal description of the property addressed by the BEA? | ☒ | ☐ |
| 7. Does this BEA contain the environmental analytical results, a scaled map showing the sample locations, and the basis for the determination that the property is a facility as defined by Section 20101(1)(s) or the basis for the determination that the property is a Property as defined by Section 21303(d)? | ☒ | ☐ |

Section F: Environmental Consultant Signature:

I certify to the best of my knowledge and belief, that this BEA and all related materials are true, accurate, and complete. I certify that the property is a facility as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d) and have provided the sampling and analyses that support that determination. I certify that any exceptions to, or deletions from, the All Appropriate Inquiry Rule, are described in Section 1 of the BEA report.

Signature: David A Stegink Date: 12/12/18Printed Name: David A SteginkCompany: Envirologic Technologies, Inc.Mailing Address: 2960 Interstate Parkway City: Kalamazoo State: MI Zip: 49048Telephone: (269) 342-1100 E-Mail: stegink@envirologic.com**Section G: Legal Entity Signature:**

With my signature below, I certify that to the best of my knowledge and belief, this BEA and all related materials are true, accurate, and complete.

Signature: [Signature] Date: 12/8/18

(Person legally authorized to bind the legal entity)

Printed Name: Sidney W SmithTitle and Relationship of signatory to submitter: Harbor West, LLC - MemberAddress: 108 S. University Ave, Suite 6 City: Mount Pleasant State: MI Zip: 48858Telephone: _____ E-Mail: wsidneymsmith@smith-equities.com

Submit the BEA report and this form to the MDEQ District Office for the county in which the property is located. [An office map](#) is located at www.michigan.gov/deqrrd.

TABLE OF CONTENTS

1. INTRODUCTION AND DISCUSSION.....	1
A. OWNER/OPERATOR INFORMATION.....	1
B. INTENDED USE OF PROPERTY	1
C. PHASE I ESA SUMMARY—RECOGNIZED ENVIRONMENTAL CONDITIONS	1
D. EXCEPTIONS/DELETIONS FROM ASTM 1527-05.....	1
E. PHASE I ESA DATA GAPS DISCUSSION.....	1
F. SAMPLING DISCUSSION—PURPOSE/METHODS	2
G. KNOWN CONTAMINATION—LOCATIONS AND ENVIRONMENTAL MEDIA	2
H. “FACILITY” DEMONSTRATION	3
2. PROPERTY INFORMATION.....	4
A. PROPERTY LEGAL DESCRIPTION.....	4
B. & C. SURVEY MAP, PROPERTY TAX IDENTIFICATION NUMBER(S)	4
D. LOCATION MAP	6
E. PROPERTY LOCATION	8
F. SPATIAL DATA.....	8
3. FACILITY STATUS	9
A. ANALYTICAL TABLE	9
B. LABORATORY ANALYTICAL DATA SHEETS AND CHAIN OF CUSTODY.....	9
4. IDENTIFICATION OF THE AUTHOR OF THE BEA.....	10
5. ASTM 1527-13 PHASE I ENVIRONMENTAL SITE ASSESSMENT	11
6. REFERENCES	12

FIGURES

FIGURE 1: <i>Location Map</i>	7
FIGURE 2: <i>Site Plan with Analytical Data</i>	5

TABLES

TABLE 1: <i>Spatial Data</i>	8
TABLE 2: <i>Summary of “Facility” Contaminants</i>	9

APPENDICES

APPENDIX A: <i>Phase II Environmental Site Assessment (Envirologic, November 7, 2017)</i>

1. INTRODUCTION AND DISCUSSION

A. Owner/Operator Information

Current Owner: Harbor West LLC

B. Intended Use of Property

Harbor West LLC purchased the property on October 30, 2018, and intends to develop the subject property with multiple condominiums.

The subject property location map and site plan are included in Figures 1 and 2, respectively.

C. Phase I ESA Summary—Recognized Environmental Conditions

Recognized environmental conditions (RECs) were identified in the June 22, 2018, Phase I Environmental Site Assessment (ESA) report conducted by Envirologic. These RECs include the following:

- Previous environmental studies have demonstrated the presence of contaminants at “facility concentrations” at the site as a result of historic filling activities at the property and surrounding area.
- The former Shaw-Walker/Lakeview Industrial Center property located across W. Western Avenue to the south represents a vapor encroachment threat based on the former detections of both chlorinated and petroleum-related contaminants in soil and groundwater.

D. Exceptions/Deletions from ASTM 1527-05

No exceptions to or deletions from the ASTM 1527-13 Phase I ESA standard have been identified in the June 22, 2018, Phase I ESA.

E. Phase I ESA Data Gaps Discussion

A data gap is the inability to obtain information within the scope of the Phase I ESA. No data gaps were encountered for the Phase I ESA.

A data failure is the absence of information typically used to complete a Phase I ESA. No data failures were encountered for the Phase I ESA.



F. Sampling Discussion—Purpose/Methods

On October 24–25, 2017, Envirologic initiated and completed field activities at the subject property in order to characterize soil and groundwater conditions. These activities included the installation of nine soil borings located at various locations across the subject property based on a proposed preliminary site plan layout. The boring locations were selected based on the locations of various features shown in the preliminary site plan, such as residences (GP-1 through GP-7), a playground (GP-9), and a swimming pool (GP-8). Activities also included the collection of shallow soil samples (6 inches below the ground surface) in order to characterize soils for direct contact exposures. Deeper soil samples (approximately 2–6 feet below the ground surface) were collected to better characterize the historically contaminated fill-type soils at the subject property and in the surrounding Muskegon Lake area. Because of previous environmental investigations that identified the presence of trichloroethene and vinyl chloride in groundwater, groundwater samples were collected from temporary monitoring wells that were installed in each of the soil borings. All the soil samples were submitted for analysis of select metals and polynuclear aromatic hydrocarbons (PNAs, method 8270), and all of the groundwater samples were submitted for volatile organic compound (VOC) analysis (method 8260). Soil samples were not analyzed for VOCs since there was no evidence of VOC impact—such as significant photoionization detector (PID) readings, staining, odors, etc.—in soil.

A review of the soil analytical results indicates that the detection of PNAs was limited to one boring location, GP-1, located in the northwest corner of the subject property. The reported concentrations of the 10 PNA constituents detected do not exceed any current MDEQ Residential or Non-Residential cleanup criterion. Select metals were detected in each of the soil samples collected. Of those metals detected, total mercury, copper, arsenic, selenium, and silver were detected in concentrations exceeding the groundwater surface water interface protection criteria; the concentration of arsenic also exceeded the residential drinking water and direct contact criterion.

The Phase II ESA laboratory analytical results demonstrate that the subject property meets the definition of a “facility,” as defined by Part 201 of NREPA.

G. Known Contamination—Locations and Environmental Media

Soil contaminants detected on the subject property exceeding cleanup criteria were found site-wide at all nine soil boring locations and included arsenic, copper, selenium, silver, and mercury. Selenium concentrations exceed cleanup criteria in every boring except GP-6, located in the

eastern portion of the property beneath proposed residences. Silver concentrations exceed cleanup criteria in every boring except GP-9, located in the central portion of the property at a proposed playground area. Both arsenic and copper concentrations exceed cleanup criteria in two boring locations: GP-2, located beneath proposed residences in the northwest portion of the property, and GP-5, located beneath proposed residences in the eastern portion of the property. The only detection of mercury on the property was also an exceedance. The mercury exceedance was detected at GP-7, located near the eastern property boundary, beneath proposed residences.

The known contamination on the property is consistent with the findings of the 2008 *Summary Report Area-Wide Assessment of Historic Fill of Muskegon Lake Shoreline, Muskegon, Michigan* prepared by Environmental Resources Management and Superior Environmental Corp. This previous study identified the presence of contaminated historic fill soils along the Muskegon Lake Shoreline and included samples collected from the subject property.

The presence of arsenic, copper, selenium, silver, and mercury detected in soil at concentrations that exceed current Part 201 generic residential cleanup criteria and screening levels demonstrates that the subject property has been identified as a “facility,” as defined by Part 201 of the NREPA.

Refer to Figure 2 for a site plan detailing the sample locations and concentrations of contaminants identified in association with the subject property.

H. “Facility” Demonstration

The subject property meets the definition of a “facility” based on the detection of contaminants in soil on the subject property at concentrations in excess of MDEQ Residential cleanup criteria.

The contaminants identified include:

- Mercury
- Copper
- Arsenic
- Selenium
- Silver



2. PROPERTY INFORMATION

A. Property Legal Description

The subject property consists of two parcels. Parcel 1 (tax identification number 61-24-205-574-0001-10) will be purchased whole, and a portion of Parcel 2 (tax identification number 61-24-205-574-0001-20) will be purchased. A legal description for the property being transferred and a Property Identification Number have not yet been created.

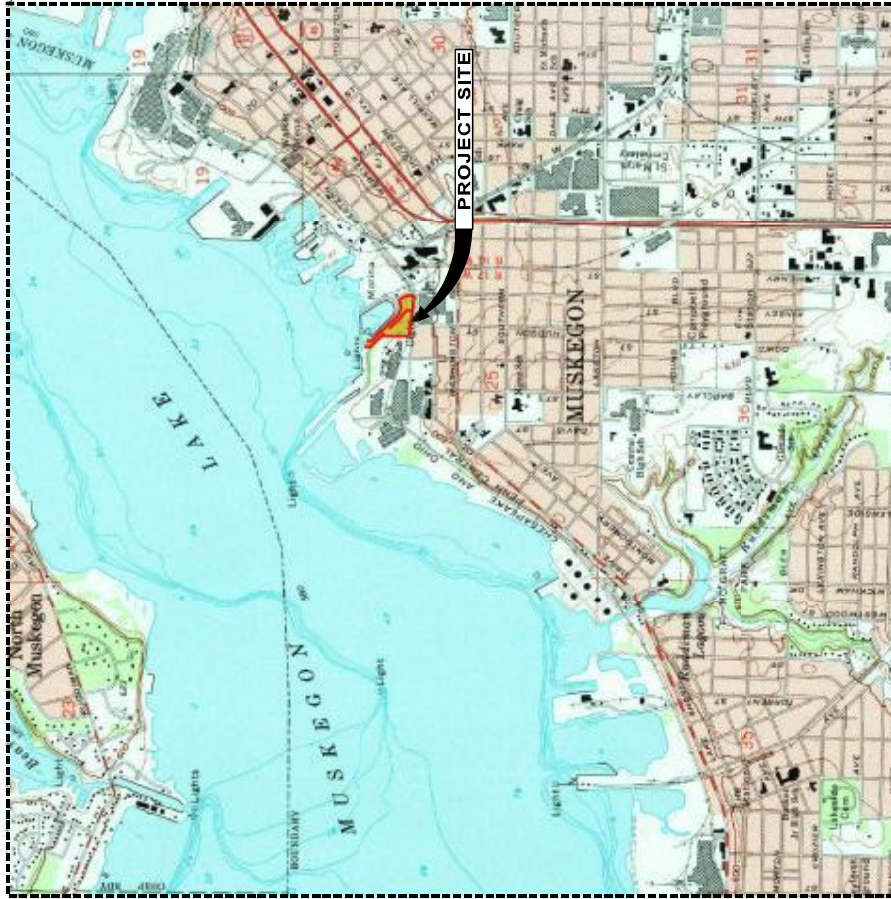
B. & C. Survey Map, Property Tax Identification Number(s)

A scaled site map showing the subject property and sampling locations is presented as Figure 2.

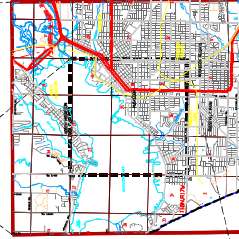


D. Location Map





PROJECT SITE



T 10 N. R. 17 W.
MUSKEGON COUNTY
MUSKEGON, MICHIGAN

SOURCE: MUSKEGON WEST, MICHIGAN USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE MAPS
MAPTECH® U.S. TERRAIN SERIES™ ©MAPTECH®, INC. 605-433-5500



SCALE 1" = 2000'

PROJECT NO.
170175

FIGURE NO.
1

VACANT PROPERTY
1000 WEST WESTERN AVE.
MUSKEGON, MI 49441

LOCATION MAP

envirollogic
environmental consulting + services
2900 INTERSTATE PARKWAY
ANN ARBOR, MI 48106
PH: (269) 342-1100 FAX: (269) 342-4946

E. Property Location

The subject property is located at 1000 W. Western Avenue in the City of Muskegon.

F. Spatial Data

Table 1: Spatial Data

County	City/Village/ Township	Town	Range	Section	Quarter	Quarter- Quarter	Latitude	Longitude
Muskegon	City of Muskegon	10 N	17 W	25	SE	SE	43.229411	-86.266330

Latitude and Longitude information was obtained from interpolation of aerial photography.



3. FACILITY STATUS

A. Analytical Table

Table 2: Summary of "Facility" Contaminants

Hazardous Substance	CAS Number	Maximum Concentration	Sample Location and Depth	Media Affected
Arsenic	7440382	8,300 µg/kg	GP-5 @ 6"	Soil
Copper	7440508	110,000 µg/kg	GP-5 @ 6"	Soil
Mercury (total)	Varies	170 µg/kg	GP-7 @ 6"	Soil
Selenium	7782492	880 µg/kg	GP-8 @ 3'	Soil
Silver	7440224	980 µg/kg	GP-7 @ 6"	Soil

B. Laboratory Analytical Data Sheets and Chain of Custody

The laboratory analytical data sheets are included in the November 7, 2017, Phase II ESA completed by Envirologic, which is included in Appendix A of this Baseline Environmental Assessment (BEA).



4. IDENTIFICATION OF THE AUTHOR OF THE BEA

The following individuals have conducted this Baseline Environmental Assessment.

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of this part. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR 312.



David A. Stegink

Associate Vice President—Senior Environmental Scientist

David A. Stegink graduated from Hope College with a Bachelor of Science degree in Chemistry/Biology and has over 30 years of environmental related experience. Mr. Stegink has been a Project Manager for Envirologic since 1991. Between 1984 and 1991, Mr. Stegink served as a Chemist and Operations Manager for a commercial hazardous waste treatment facility. Mr. Stegink's expertise includes transactional environmental liability, property assessments including Phase I and II ESAs, Baseline Environmental Assessments, Brownfield Redevelopment, hazardous waste management, underground storage tanks, stormwater management, and environmental policy and regulations.



Zach Curry

Project Scientist

Zach Curry worked under the supervision of Mr. Stegink. Mr. Curry holds an Associate's Degree in Applied Arts and Science from Muskegon Community College and a Bachelor of Geology from Grand Valley State University. He has conducted original research and field studies in a variety of settings from glaciated Precambrian bedrock in Minnesota to sedimentary beds in Kentucky. Mr. Curry is proficient with ArcGIS software to map and analyze geologic features.

Envirologic Technologies, Inc.
2960 Interstate Parkway
Kalamazoo, Michigan 49048
(269) 342-1100



RESOLUTION APPROVING THE BROWNFIELD PLAN AMENDMENT

Harbor West LLC 1000-1060 West Western Ave

(Hartshorn Village)

City of Muskegon

County of Muskegon, Michigan

Minutes of a Regular Meeting of the City Commission of the City of Muskegon, County of Muskegon, Michigan (the "City"), virtually on the City of Muskegon's Facebook Page on the 9th day of June, 2020 at 5:30 p.m., prevailing Eastern Time.

PRESENT:

ABSENT:

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner _____.

WHEREAS, in accordance with the provisions of Act 381, Public Acts of Michigan, 1996, as amended ("Act 381"), the City of Muskegon Brownfield Redevelopment Authority (the "Authority") has prepared and approved a Brownfield Plan Amendment to add Harbor West LLC, 1000, 1010 and 1060 West Western Avenue; and

WHEREAS, the Authority has forwarded the Brownfield Plan Amendment to the City Commission requesting its approval of the Brownfield Plan Amendment; and

WHEREAS, the City Commission has provided notice and a reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to express their views and recommendations regarding the Brownfield Plan Amendment, as required by Act 381; and

WHEREAS, not less than 10 days has passed since the City Commission provided notice of the proposed Brownfield Plan to the taxing units; and

WHEREAS, the City Commission held a public hearing on the proposed Brownfield Plan on June 9, 2020.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. That the Brownfield Plan constitutes a public purpose under Act 381.
2. That the Brownfield Plan meets all the requirements of Section 13(1) of Act 381.
3. That the proposed method of financing the costs of the eligible activities, as identified in the Brownfield Plan and defined in Act 381, is feasible and the Authority has the authority to arrange the financing.
4. That the costs of the eligible activities proposed in the Brownfield Plan are reasonable and necessary to carry out the purposes of Act 381.
5. That the amount of captured taxable value estimated to result from the adoption of the Brownfield Plan is reasonable.
6. That the Brownfield Plan in the form presented is approved and is effective immediately.
7. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

Be it Further Resolved that the Mayor and City Clerk are hereby authorized to execute all documents necessary or appropriate to implement the provisions of the Brownfield Plan.

AYES:

NAYS:

RESOLUTION DECLARED APPROVED.

Ann Marie Meisch, City Clerk

Stephen J Gawron, Mayor

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, at a regular virtual meeting held on June 9, 2020 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and altered under Michigan Governor's Executive Order 2020-75 (COVID-19) and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Ann Marie Meisch, City Clerk

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: June 9, 2020	Title: Transmittal of 2020-21 Proposed Budget
Submitted By: Frank Peterson, City Manager	Department: City Manager
Brief Summary: At this time staff is transmitting to the City Commission the proposed budget for fiscal year 2020-21 which starts July 1, 2020. Both hardcopy and electronic versions of the budget have been distributed to Commissioners. Additionally, the budget is available for inspection on the City's website and at the City Clerk's office. The proposed budget was reviewed in detail with staff at the June 8, 2020 work session. A public hearing on the budget will be held at the regular Commission meeting on June 9, 2020. City ordinance requires that the budget be adopted by the Commission on or before the second Commission meeting in June. https://www.muskegon-mi.gov/cresources/Commission%20Approval%20Budget%202021%20(june4).pdf	
Detailed Summary: N/A	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: Approval of the proposed budget for fiscal year 2020-21.	
For City Clerk Use Only: Commission Action:	

**CITY OF MUSKEGON
RESOLUTION OF APPROPRIATION
2020-21 BUDGET**

WHEREAS, the City Manager has submitted a proposed Budget for 2020-21 in accordance with City Ordinance and Michigan Public Act 621 of 1978 known as the "Uniform Budgeting and Accounting Act"; and,

WHEREAS, the 2020-21 proposed Budget has been reviewed by the City Commission following a public hearing for which due notice was given; NOW, THEREFORE, BE IT RESOLVED that the Budget for the City of Muskegon for the fiscal year beginning July 1, 2020 is hereby determined and adopted as follows:

GENERAL FUND

<u>FUND ACTIVITY NUMBER</u>	<u>FUND/ACTIVITY NAME</u>	<u>AMOUNT</u>
101-10101	City Commission	\$85,642.00
101-10102	City Promotions & Public Relations	\$58,000.00
101-10145	City Attorney	\$380,000.00
101-10172	City Manager	\$442,010.00
101-10875	Support to Outside Agencies	\$425,363.00
101-10891	Contingency and Bad Debt Expense	\$100,000.00
101-20215	City Clerk & Elections	\$622,802.00
101-20220	Employee Relations	\$224,437.00
101-30202	Finance Administration	\$640,541.00
101-30205	Income Tax Administration	\$400,220.00
101-30209	Assessing Services	\$349,000.00
101-30248	Information Systems Administration	\$530,926.00
101-30253	City Treasurer	\$625,823.00
101-30851	Insurance Premiums	\$360,000.00
101-30906	Debt Retirement	\$445,100.00
101-30999	Transfers to Other Funds	\$740,000.00
101-40301	Police	\$10,766,690.00
101-50336	Fire	\$3,285,760.00
101-50338	Central Fire Station	\$75,000.00
101-50387	Building Code Inspections and Enforcement	\$2,349,360.00
101-60265	City Hall Maintenance	\$295,402.00
101-60446	Community Event Support/Downtown BID	\$91,539.00
101-60448	Streetlighting	\$350,000.00
101-60523	Sanitation	\$2,267,799.00
101-60550	Stormwater Management	\$14,000.00
101-70276	Cemeteries Maintenance	\$498,897.00
101-70751	Parks Maintenance	\$1,832,600.00
101-70757	McGraft Park Maintenance	\$122,975.00
101-80400	Planning, Zoning and Economic Development	\$441,257.00

101-90000	Major Capital Improvements	<u>\$50,000.00</u>
	Grand Total General Fund Appropriations	\$28,871,143.00

OTHER BUDGETED FUNDS

<u>FUND ACTIVITY NUMBER</u>	<u>FUND/ACTIVITY NAME</u>	<u>AMOUNT</u>
202,204	Major Streets and State Trunklines	5,328,443
203	Local Streets	1,819,723
264	Criminal Forfeitures	28,314

BE IT FURTHER RESOLVED that the revenues and other financing sources (including use of prior year balances) for Fiscal Year 2019-20 are estimated as follows:

GENERAL FUND

<u>FUND/ACTIVITY NAME</u>	<u>AMOUNT</u>
Taxes	\$ 15,477,115
Licenses and Permits	2,629,500
Federal Grants	40,000
State Grants	776,000
State Shared Revenue	4,130,818
Charges for Sales & Services	4,027,455
Interest & Operating Transfers	428,500
Fines & Fees	643,647
Other Revenue	<u>825,000</u>
 Total General Fund Revenue	
Appropriations	<u>\$28,977,855</u>

OTHER BUDGETED FUNDS

<u>FUND ACTIVITY NUMBER</u>	<u>FUND/ACTIVITY NAME</u>	<u>AMOUNT</u>
202,204	Major Streets and State Trunklines	6,310,774
203	Local Streets	1,654,958
264	Criminal Forfeitures	0

BE IT FURTHER RESOLVED that the operating expense projections for the following non-budget funds are hereby approved:

<u>FUND ACTIVITY NUMBER</u>	<u>FUND/ACTIVITY NAME</u>	<u>AMOUNT</u>
305	TIFA Debt Service	\$50,000
394	Downtown Development Authority Debt	599,373
290	Local Finance Development Authority Debt	445,100
295	Brownfield Redevelopment Authority (Betten)	30,813
296	Brownfield Redevelopment Authority (Former Mall)	175,000
298	Brownfield Redevelopment Authority (Terrace Point)	225,000
252	Farmers Market & Kitchen 242	201,703
254	L C Walker Arena	1,561,843
404	Public Improvement Fund	2,427,324
482	State Grants Fund	0
590	Sewer	17,632,272
591	Water	15,362,682
594	Marina/Launch Ramp	342,258
661	Equipment	3,065,294
642	Public Service Building	1,101,205
643	Engineering Services Fund	491,866
677	General Insurance Fund	4,877,448

BE IT FURTHER RESOLVED, that there is hereby appropriated for said fiscal year the several amounts set forth above which, pursuant to the "Uniform Budget and Accounting Act", define the City of Muskegon's appropriation centers, and

BE IT FURTHER RESOLVED, that the City Manager is hereby empowered to transfer appropriations within appropriation centers, and

BE IT FURTHER RESOLVED, that there is hereby levied a general tax as herein fixed on each dollar of taxable valuation for the purposes herein outlined, said levy to be applied on all taxable real and personal property in the City of Muskegon as set forth in the assessment roll dated May 2018:

<u>PURPOSE</u>	<u>MILLAGE (MILLS)</u>
General Operating	9.9920
Sanitation Service	2.9976
Promotion	<u>.0824</u>

Total

13.0720

At a meeting of the City Commission of the City of Muskegon, on the Twenty-fifth Day of June 2019, the foregoing resolution was moved for adoption by Commissioner German. Commissioner Rinsema-Sybenga supported the motion.

Resolution declared adopted.

Mayor

City Clerk