

KALAMAZOO COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

MEETING DATE: Thursday, August 25, 2016
PLACE OF MEETING: County Administration Building
201 West Kalamazoo Avenue, Room 207a
TIME: 4:00 pm

MINUTES

Present: Andy Wenzel, Julie Rogers, Douglas Milburn, Thell Woods, James Spurr, Joe Agostinelli, Habib Mandwee

Members Excused: Tim Hudson, Christopher Carew, Ken Peregón, Travis Grimwood

Kalamazoo Township: Not present

Staff: Lotta Jarnefelt, Rachael Grover

Consultant: David Stegink

Recording Secretary: Zeña Vos and Rachael Grover

Community: 6

1. Chair Agostinelli called the meeting to Order at 4:13 p.m.
2. Members Excused: Tim Hudson, Christopher Carew, Ken Peregón, Travis Grimwood
3. Approval of the Agenda: Agostinelli recommended moving item 8 Discussion/Action before item 7. **Woods moved and Wenzel seconded the approval of the agenda as amended. Motion Carried.**
4. Approval of Minutes: **Woods moved and Mandwee seconded the approval of July 28, 2016 minutes. Motion Carried.**
5. Citizens Comments: None
6. Consent Agenda – Invoices
 - a. **\$3,419.45** – Envirologic related to WO#25 - Metal Mechanics
 - b. **\$ 265.00** – Envirologic related to WO#17 General Environmental
 - c. **\$850.00** – Invoice from MEDA – Grover - IEDC Basic Econ. Development Course**Spurr moved and Mandwee seconded the approval of Consent Agenda. Motion Carried.**

7. Discussion/Action Calendar:

- a. **Discussion/Action:** Metal Mechanics
 - i. Brownfield Plan
Grover stated Part I & Part II Application was approved by the Authority in February. Provided brief summary of the Metal Mechanics Project.

Metal Mechanics owner Tom Dally's update: Project is moving forward - they broke ground in the middle of July and have the steel erected and hoping to move in by end of year.

The delay in capture to 2018 was because it was believed that the site will not have occupancy yet at that time. It was suggested that capture should start in 2017 at an estimated value.

Woods moved and Wenzel seconded the approval of the Brownfield Plan subject to changing the TIF tables to start capture in 2017. Motion Carried.

- ii. Timeline – Packet page 14
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Grover stated, based on the recommendation today, Schoolcraft Village Supervisor would like to get the plan tomorrow so it can be on the Schoolcraft Village Council meeting on Sept 6, 2016 at 7 p.m.

The Brownfield Plan is not on the County Commission Committee of the Whole agenda yet but Grover has communicated with County Admin office to hold a spot on the agenda for the BOC COW on Sept 20, 2016 at 4pm.

The letters to the taxing jurisdictions regarding the public hearing will be mailed on Sept 23rd, and the public hearing and approval of the plan is scheduled for the BOC meeting on Oct 4, 2016 at 7pm.

iii. Development Agreement

Grover stated that the Development Agreement is not ready but she has communicated with Metal Mechanics and will be sending the draft soon.

b. **Discussion/Action:** MEDC Annual Reports

Grover stated the 2015 Annual Reports for each brownfield plan that collects TIF needs to be submitted to the MEDC by August 31, 2016. The Eliza Street and Corner @ Drake were added for year 2015. Additionally, some of the reports have not started collecting TIF yet but were entered into the MEDC portal a few years ago when this format was started so those sites have a statement as to why they are not collecting TIF as an update to MEDC.

The State will generate the invoice from this report for those sites that owe 3 mils to the State Brownfield Fund.

Spurr moved and Mandwee seconded the approval to authorize the staff to submit the Annual Report. Motion Carried.

c. **Discussion/Action:** TIF Statements for Summer 2016 Tax Capture

Not further discussion required. Discussed in item 8

d. **Discussion/Action:** EPA Grant

i. RFP Pre-Proposal meeting – Next Steps – Executive Committee

Agostinelli updated that the Consultant Pre-proposal meeting took place. Representative from Phillips Environmental, Envirologic, SME, DLZ & PM Environmental were in attendance.

There was a concern raised by one firm about the local Headquarters preference provision and how the committee is going to score the proposals.

After more research it was noted that Federal Regulations would prohibit the local headquarters preference that is built into the RFP. It provides a preference that limits the available consultant pool too severely. There is an exemption in 40 CFR for engineering and architecture as long as there is a sufficient pool of companies. There is sufficient number of consultants with a local office but not sufficient number that have a headquarters located in Kalamazoo County.

Agostinelli suggested removing the 10 point preference for headquarters in Kalamazoo County as Addendum No. 1 to the RFP.

Spurr move and Rogers seconded the approval of Addendum No. 1 to the RFP. Motion Carried.

Submittal of RFP deadline will remain September 2, 2016.

Revised non-discrimination sex preference cannot be changed in the Purchasing Policy yet per Thom Canny. But it is included in the RFP language.

The Authority has set a goal of offering a contract to a consultant at the BRA meeting in September.

Grover will send the Executive Committee/RFP Proposal Review Committee note of meeting on September 9, 2016 for selecting the consultant and to provide a recommendation to the KCBRA Board. Grover will send all Committee members copies of the proposals.

The RFP has been downloaded by 10 firms.

e. **Discussion:** KCBRA Board member Terms Expiring October 31, 2016

2 Board members have terms expiring at the end of October: Thell Woods and Ken Peregon. The County Administration office will receive the applications and the County Board Appointment committee will schedule interviews with all applicants.

The spots are also open to anyone who wants to apply.

Rogers expressed in order to have appointments approved prior to the end of the October 31st term date and to avoid quorum issues, the County Board would need to approve the appointments at the October 4, 2016 meeting.

The opening will be posted on Monday. Usually it is posted for 30 days.

f. **Discussion/Action:** 232 LLC Development Agreement Addendum

Agostinelli abstained from the discussion of the Addendum.

Grover spoke with the attorney for 232 LLC and informed him about the KCBRA Board's frustration of the length of time this project has taken to get to completion and to remind 232 LLC that they are currently in default of the contract.

232 LLC's attorney provided a suggested language change to the addendum as attached in the packet. They were expecting to receive occupancy August 24, 2016 and they will be submitting the report for their Michigan Business Tax Credit August 26th. The project is almost done and they can schedule a tour. They want the KCBRA board members to know that they have made significant progress.

232 LLC's proposed language was reviewed. Wenzel suggests staying with the KCBRA language without the proposed changes will not harm the project.

Spurr moved and Woods seconded the approval of 2nd Addendum without the proposed change. Motion Carried. Agostinelli abstained.

8. Financial Reports

a. **Discussion:** Fund 247

Grover stated starting to receive Summer TIF for Midlink.

Expenses are up to date and the transfer of Brown Family Holdings TIF to the LSRRF has been processed.

Agostinelli reminded everyone that in the next 2 months it's critical to have a quorum at the meetings because it will be a busy time.

Grover will be sending TIF Statements to the local Treasurers.

9. Staff Report

a. Vicksburg Mill

No update at this time.

b. Envirologic Project Updates

Stegink noted on Eliza Street they have the specifications put together for the vapor extraction system. Getting ready to schedule meetings with MDEQ.

Agostinelli updated regarding Pro Services. They are pushing the start of construction to spring. Agostinelli will discuss with Pro Services to complete Brownfield Plan soon. Stegink will also be in communication with Pro Services. KCBRA needs Part II Application and Application fee from Pro Services in order to move forward with Brownfield Plan review and approval process.

c. Midlink Tour on August 31, 2016

Grover noted there are 13 people from the KCBRA Board, KCBRA staff, County Commissioners, and County Administration that will be in attendance. She will send email out details of the visit. AT&T is presenting information about the fiber ready site initiative during a big press event at 10 a.m. The Midlink tour starts at 11:00 a.m.

d. Checker Motors site update – Grover received contact from John Byl noting there will be changes to the Brownfield Plan and requesting that the KCBRA postpone consideration of the Plan until September or October.

10. Committees – times, dates and places

- a. Land Bank Report – From August 11, 2016, 9:00 a.m. – Land Bank is interested in discussing the potential for the KCBRA providing funds for a Phase II assessment at a property on Portage Road near Washington Square. It would not be a TIF generating project.
- b. Project/Finance Committee – Tentative – September 8, 2016, 4:00 p.m. – No need for meeting as of now.
- c. Executive Committee – September 9, 2016, 8:30 a.m. – Will meet to review responses to RFP for EPA grant consultants.
- d. PR/Media Committee – no report

11. Other –

Hawkins and Grover are meeting with the Northside Association of Community Development regarding a possible project.

12. Board Member Comments

13. Adjournment at 5:17 pm

Next Meeting: 4th Thursday – September 22, 2016 at 4pm (room 207a, County Admin Bldg)

PLEASE CALL 384-8112 OR EMAIL RAGROV@KALCOUNTY.COM

IF YOU ARE UNABLE TO ATTEND THE MEETING

Meetings of the Kalamazoo County Brownfield Redevelopment Authority are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, political affiliation, sexual orientation, gender identity, or disability. The Kalamazoo County Brownfield Redevelopment Authority will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four (4) business days' notice to the Kalamazoo County BRA. Individuals with disabilities requiring auxiliary aids or services should contact the Kalamazoo County BRA by writing or calling:

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