

**CITY OF BATTLE CREEK**

**CALHOUN COUNTY, MICHIGAN**

Minutes of a regular meeting of the City Commission of the City of Battle Creek, Calhoun County, Michigan, held in the City Hall, 10 N. Division Street, Battle Creek, Michigan, on the 6th day of June, 2017, at 7:00 p.m. Local Time.

PRESENT: Members: \_\_\_\_\_

ABSENT: Members: \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and seconded by Member \_\_\_\_\_:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION TO APPROVE AMENDMENT TO THE  
TAX INCREMENT FINANCING PLAN AND DEVELOPMENT PLAN  
FOR THE CITY OF BATTLE CREEK  
TAX INCREMENT FINANCE AUTHORITY**

WHEREAS, the Battle Creek Tax Increment Finance Authority (the “Authority”) and the City of Battle Creek (the “City”) pursuant to the provisions of Public Act 450 of the Public Acts of Michigan of 1980, as amended (“Act 450”), desire to amend the Authority’s Tax Increment Financing Plan and Development Plan (the “Plan”) as set forth in a proposed amendment to the Plan; and

WHEREAS, the Authority prepared and recommended the amendment to the Plan to the City Commission for approval; and

WHEREAS, the proposed amendment to the Plan, in the form on file with the City Clerk, if approved by the City, would authorize the pass-through of certain tax increment revenues derived by the Authority from the levy of City operating millage on the captured assessed value of properties

located within the Authority's district (the "District") in a specified minimum annual amount and subject to certain terms and conditions (the "Amendment"); and

WHEREAS, pursuant to the requirements of Act 450, the City Commission held a public hearing on the Amendment on June 6, 2017, at 7:00 p.m. or shortly thereafter, at the Battle Creek City Hall located at 10 N. Division Street in the City; and

WHEREAS, notice of said public hearing was given twice by publication in the *Battle Creek Shopper News* on May \_\_, 2017 and May \_\_, 2017, in accordance with the requirements of Section 17 of Act 450; and

WHEREAS, prior to said public hearing, the City provided a reasonable opportunity to all taxing jurisdictions that levy taxes in the District to express their views and recommendations regarding the Amendment; and

WHEREAS, by letter dated May \_\_, 2017, which was mailed via certified mail on or before May 16, 2017 in accordance with Act 450, the Authority informed each such taxing jurisdiction about the fiscal and economic implication of the Amendment; and

WHEREAS, at said public hearing, the City Commission provided the fullest opportunity for interested persons to be heard, the expression of opinion, argument on the merits, and introduction of documentary evidence pertinent to the Amendment and, in addition, the City Commission received and considered all communications submitted in writing with reference to the matter; and

WHEREAS, a record of the public hearing, including all data presented at that time, has been made.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Amendment constitutes a public purpose.

2. With respect to the Plan, as amended by the Amendment (collectively, the “Plan”), the City Commission hereby makes the following findings in accordance with Section 18(1) of Act 450:

(a) The Development Plan portion of the Plan meets the requirements set forth in Section 16(2) of Act 450;

(b) The Tax Increment Financing Plan portion of the Plan meets the requirements set forth in Sections 13(1) of Act 450;

(c) The proposed method of financing the public facilities as set forth in the Plan is feasible and the Authority has the ability to arrange the financing;

(d) The development set forth in the Plan is reasonable and necessary to carry out the purpose of Act 450;

(e) The amount of captured assessed value estimated to result from the adoption of the Plan is reasonable;

(f) Any land to be acquired under the Plan is reasonably necessary to carry out the purposes of the Plan and the purposes of Act 450;

(g) The Development Plan portion of the Plan is in reasonable accord with the approved Master Plan of the City;

(h) All public services, such as fire and police protection and utilities are, or will be, adequate to service the Authority District and the property located therein; and

(i) The required changes in zoning, streets, street levels, intersections and utilities as described in the Plan are reasonably necessary for the project and the City.

3. Based upon the findings set forth in paragraph 2 above, the Amendment in the form on file with the City Clerk is hereby approved.

