

# **City of Flint, Michigan**

*Third Floor, City Hall  
1101 S. Saginaw Street  
Flint, Michigan 48502  
[www.cityofflint.com](http://www.cityofflint.com)*



## **Meeting Agenda - Final**

**Wednesday, September 22, 2021**

**5:00 PM**

**ELECTRONIC PUBLIC MEETING**

## **LEGISLATIVE COMMITTEE**

*Maurice D. Davis, Chairperson, Ward 2  
Santino Guerra, Vice Chairperson, Ward 3*

*Eric Mays, Ward 1  
Jerri Winfrey-Carter, Ward 5  
Monica Galloway, Ward 7*

*Kate Fields, Ward 4  
Herbert J. Winfrey, Ward 6  
Allan Griggs, Ward 8*

*Eva Worthing, Ward 9*

*Inez M. Brown, City Clerk*

*Davina Donahue, Deputy City Clerk*

**SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING****PUBLIC NOTICE  
FLINT CITY COUNCIL ELECTRONIC PUBLIC MEETING**

On Friday, October 5, 2020, the Michigan Supreme Court (MSC) issued an order declaring that the Emergency Powers of Governor (EPG) Act as an unconstitutional delegation of legislative authority, which was the primary authority relied on by Governor Whitmer for her COVID-19 related executive orders. Subsequently, Governor Whitmer requested that the MSC clarify that their order does not go into effect until October 30, 2020. On Monday October 12, 2020, the Michigan Supreme Court rejected Governor Whitmer's request to delay the effect of its decision to strike down the EPG. On, Tuesday, October 13, 2020, Senate Bill 1108 passed, amending the Open Meetings Act to allow municipalities to hold electronic meetings. On Friday, October 16, 2020, Governor Whitmer signed into law Senate Bill 1108 amending the Open Meetings Act. Subsequently, on December 22, 2020, Public Act 267 of 1976 was amended through Senate Bill 1246 extending the electronic meetings with no reason through March 31, 2021. The act also allows that after March 31, 2021, electronic meetings may be held if a local state of emergency was declared. On March 23, 2020, the Flint City Council extended Mayor Neeley's declaration of emergency indefinitely due to the COVID-19 pandemic. Therefore, this meeting will be held electronically.

Pursuant to Act 267 of the Public Acts of 1976 Open Meetings Act as amended, notice is hereby given that the Flint City Council will conduct four (4) regularly scheduled committee meetings, to be held as follows:

**Flint City Council Committee Meetings  
(Finance, Governmental Operations, Legislative and Grants)  
Wednesday, September 22, 2021, at 5 p.m.**

1. The public and media may listen to the meeting online by live stream at <https://www.youtube.com/c/FlintCityCouncilMeetings> or through Start Meeting by dialing (617) 944-8177. (If unable to get through, please dial (206) 451-6011.)
  2. In order to speak during the PUBLIC SPEAKING PERIOD of each meeting by telephone, participants will also call (617) 944-8177. (If unable to get through, please dial (206) 451-6011):
    - a. All callers will be queued and muted until the Public Speaking portion of each agenda;
    - b. Public speakers will be unmuted in order and asked if they wish to address the City Council ON ANY SUBJECT;
    - c. Public speakers should state and spell their name for the record and will be allowed two (2) minutes for public speaking during each meeting;
    - d. The speaker will be returned to mute after the 2 minutes have expired;
    - e. After the telephonic public speakers for each committee meeting are completed, emailed public comments will be read by the City Clerk. All emailed public comments will be timed for 2 minutes;
    - f. Per Rules Governing Meetings of the Council (Rule 7.1 VII), there will only be one speaking opportunity per speaker per meeting. Consequently, public participants who call in and speak during the public speaking period of the meetings WILL NOT have any written comments as submitted read by the City Clerk.
  3. The public may send public comments by email to [CouncilPublicComment@cityofflint.com](mailto:CouncilPublicComment@cityofflint.com) no later than 10 minutes prior to the meeting start time of 5 p.m.
  4. Persons with disabilities may participate in the meeting by the above-mentioned means or by emailing a request for an accommodation to [CouncilPublicComment@cityofflint.com](mailto:CouncilPublicComment@cityofflint.com), with the subject line Request for Accommodation, or by contacting the City Clerk at (810) 766-7418 to request accommodation - including, but not limited to, interpreters.
- If there are any questions concerning this notice, please direct them to City Council office at (810) 766-7418.

## ROLL CALL

## MEMBER REMOTE ANNOUNCEMENT

*Pursuant to the newly revised Open Meetings Act, each Council member shall state that they are attending the meeting remotely and shall state where he or she is physically located (county or city and state).*

## MEMBER CONTACT INFORMATION

*Eric Mays - (810) 922-4860; Maurice Davis - mdavis@cityofflint.com; Santino Guerra - sguerra@cityofflint.com; Kate Fields - kfields@cityofflint.com; Jerri Winfrey-Carter - jwinfrey-carter@cityofflint.com; Herbert Winfrey - (810) 691-7463; Monica Galloway - mgalloway@cityofflint.com; Allan Griggs - agriggs@cityofflint.com; Eva Worthing - eworthing@cityofflint.com.*

## PROCEDURES ON CONDUCTING ELECTRONIC MEETINGS

*All boards and commissions must adhere to all laws established under the Michigan Compiled Laws and in accordance with the revisions to the Open Meetings Act adopted in Senate Bill 1246, as passed on December 17, 2020, and signed into law on December 22, 2020, and subsequent amendments that may be adopted.*

## READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

*Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.*

## PUBLIC SPEAKING

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), two (2) minutes per speaker. Only one speaking opportunity per speaker.*

## COUNCIL RESPONSE

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes.*

## SPECIAL ORDERS

**210334** Special Order/Separating Past Due Water Bills from Liens on Homes

A Special Order as requested by Councilperson Davis: He would like a discussion about separating past due water bills from liens on property owners' homes.

## RESOLUTIONS

- 210233.1** Approval/City of Flint Brownfield Redevelopment Project Authority/Brownfield Plan for the James P. Cole Project (1809 James P. Cole Boulevard)

Resolution resolving that the [Brownfield Plan for the James P. Cole Project (1809 James P. Cole Boulevard)] as submitted is hereby approved and adopted, and a copy of the plan and all amendments thereto shall be maintained on file in the City Clerk's office. [NOTE: Once approved, the Brownfield plan will allow the reimbursement of eligible project expenses from the additional tax revenue realized as a result of the redevelopment. The reimbursement can occur over the life of the plan, which is normally 30 years. The eligible reimbursable expenses are estimated at around \$2,541,508.00.]

## ORDINANCES

- 210214.1** Amendment/Ordinance/Chapter 28 (Motor Vehicles & Traffic)/Article II (Operation of Vehicles)/Addition of Sections 28-65 (a) - (d), Section 28-65.1 and Section 28-65.2 (Drag Racing)

An amendment to the ordinance to amend Chapter 28 (Motor Vehicles and Traffic), Article II (Operation of Vehicles) of the Code of the City of Flint by adding Sections 28-65 (a) - (d), Section 28-65.1 and Section 28-65.2 (Drag Racing). [NOTE: Ordinance amended to correct typographical and technical errors.]

- 210231** Amendment/Ordinance/Chapter 24 (Housing)/Article I (International Property Maintenance Code)/Addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions)

An ordinance to amend the Code of the City of Flint by amending Chapter 24 (Housing), Article I (International Property Maintenance Code), with the addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions).

- 210332** Amendment/Ordinance/Chapter 9 (Animals and Fowl)/Article I (In General)/Section 9.1 (Cruelty to Animals Prohibited)/Addition of Sections 9-1.1 through 9-1.6

Ordinance to amend the Code of the City of Flint by amending Chapter 9 (Animals & Fowl), Article 1 (In General) by amending 9-1 (Cruelty to Animals Prohibited) by adding Sections 9-1.1 through 9-1.6.

- 210333** Amendment/Ordinance/Chapter 28 (Motor Vehicles & Traffic)/Addition of Section 28-95 (Loitering In or About a Motor Vehicle)

An ordinance to amend Chapter 28 (Motor Vehicles and Traffic), by the addition of Section 28-95 (Loitering In or About a Motor Vehicle).

- 210378** Amendment/Chapter 50/PC-21-408/Shaltz Acquisitions, LLC/Rezoning/448 South Saginaw Street/From D-4 to D-5/Ward 5

An ordinance to amend the Code of the City of Flint has been requested by Shaltz Acquisitions (PC-21-408) to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows: 448 South Saginaw Street, Parcel No. 41-18-107-019, legally described as VILLAGE OF FLINT NLY 20 FT OF SLY 28 FT OF LOT 7, BLK 3 from "D-4" Metropolitan Business District and future zoned "DC-Downtown Core" to "D-5" Metropolitan Commercial Service Business District. THE PLANNING COMMISSION RECOMMENDS DENIAL.

- 210397** Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons)

The provisions of Chapter 18, (Taxation; Funds; Purchasing); Article I, (In General); Section 18-4.1, (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons) shall be amended by adding subsection (CC). [NOTE: The PILOT is for the Grand Flint Limited Dividend Housing Association, LP, a Michigan Limited Partnership (The Grand on University). The annual service charge for the class of persons of low and moderate income shall be equal to four (4) percent of the annual shelter rents, exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.]

- 210400** Amendment/Ordinance/Chapter 1 (General Provisions)/Addition of Section 1-134.1 (Prohibition on Illegal Use of Controlled Substances by Elected Officials While on City Property or Engaged in City Business)

An ordinance to amend the Ordinances of the City of Flint by amending Chapter 1 (General Provisions), with the addition of Section 1-134.1 (Prohibition on Illegal Use of Controlled Substances by Elected Officials While on City Property or Engaged in City Business).

## OUTSTANDING DISCUSSION ITEMS

- 200500** Council Review/Rules Governing Meetings of the Council (RGMC)

Per the "Rules Governing Meetings of the Council", the Flint City Council shall review the "Rules Governing Meetings of the Council" (RGMC). [NOTE: RGMC Rule No. 33.1 states that, "Every December, the City Council shall place an item on the Special Affairs Committee agenda for review of these rules." Because Special Affairs meetings are suspended indefinitely due to health concerns, it has been added to this agenda.] [NOTE: The "Rules Governing Meetings of the Council" were originally adopted by the City Council on May 10, 1976, with a 1st Amendment adopted May 24, 2010, a 2nd Amendment adopted on April 27, 2015, and a 3rd Amendment adopted June 12, 2017.]

- 210119** Discussion Item/Blight Tickets

A Discussion Item as requested by Councilperson Fields to discuss the procedures after a ticket has been written for blight and whether the ordinances can be strengthened. [Referral Action Date: 2/22/2020 @ Electronic City Council Meeting.]

**210206** Referral/Ordinances/Littering

Referral as requested by Councilperson Fields to ATTORNEY: re, what ordinances are on the books to deal with littering. [Referral Action Date: 4/14/2021 @ City Council Electronic Public Meeting.]

**210209** Discussion Item/Combining Lots

A Discussion Item as requested by Councilperson Winfrey-Carter to discuss combining lots, specifically for Peggy Brisbane-Noblitt. [Referral Action Date: 4/22/2021 @ City Council Legislative Committee Electronic Public Meeting.]

**210294** Referral/Ordinance/Public Hearings/Rezoning

A referral as requested by Councilperson Galloway: re, she would like a copy of the ordinance that says rezoning issues need to have a public hearing. [Referral Action Date: 6-17-21 @ Electronic City Council Meeting.]

**ADJOURNMENT**



RESOLUTION NO.:

210233.1  
JUN 14 2021

PRESENTED:

ADOPTED:

**RESOLUTION APPROVING CITY OF FLINT BROWNFIELD REDEVELOPMENT  
AUTHORITY BROWNFIELD PLAN FOR THE JAMES P. COLE PROJECT**  
(1809 James P. Cole)

**BY THE CITY ADMINISTRATOR:**

On July 28, 1997, the Flint City Council adopted a resolution establishing the Brownfield Redevelopment Authority (Authority) of the City of Flint pursuant to the Brownfield Redevelopment Financing Act 381 of the Public Acts ("Act") of 1996, to promote the revitalization, redevelopment and reuse of certain blighted, tax reverted and functionally obsolete properties.

Under Act 381, the Authority is authorized to develop and propose for adoption by the City Council a brownfield plan for one (1) or more parcels of eligible properties.

Pursuant to the resolution establishing the Authority and the bylaws of the Authority, the Authority has submitted a proposed brownfield plan for 1809 James P. Cole (the Plan).

The required notice of the public hearing on the proposed Plan was given in accordance with section 13 of Act 381, and such hearing held by the City Council on March 8, 2021.

Once approved, the brownfield plan will allow of the reimbursement of eligible project expenses from the additional tax revenue realized as a result of the redevelopment. The reimbursement can occur over the life of the plan which is normally 30 years. The eligible reimbursable expenses are estimated at around \$2,541,508.

**IT IS RESOLVED, THAT:**

1. Definitions. Where used in this Resolution, the terms set forth below shall have the following meaning unless the context clearly requires otherwise:

"Eligible Activities" or "eligible activity" shall have the meaning described in Act 381.

"Eligible Property" means the property designated in the Plan as the Eligible Property, as described in Act 381.

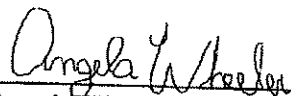
"Plan" means the Plan prepared by the Authority, as transmitted to the City Council by the Authority for approval, copies of which Plan are on file in the office of the City Clerk.

"Taxing Jurisdiction" shall mean each unit of government levying an ad valorem property tax on the Eligible Property.

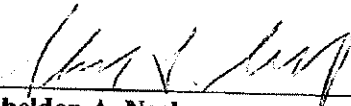
2. Public Purpose. The City Council hereby determines that the Plan constitutes a public purpose.
3. Best Interest of the Public. The City Council hereby determines that it is in the best interest of the public to promote the revitalization of environmentally distressed areas in the City to proceed with the Plan.
4. Review Considerations. As required by act 381, including consideration of the criteria of "facility" as defined in act 381;
  - a. Portions of the property designated in the Plan meet the definition of Eligible Property, as described in act 381, including consideration of the criteria of "facility" as defined in Act 381;
  - b. The Plan meets the requirements set forth in section 13 of Act 381.

- c. The proposed method of financing the costs of eligible activities is feasible and the authority has the ability to arrange the financing.
  - d. The costs of eligible activities proposed are reasonable and necessary to carry out the purpose of Act 381.
  - e. The amount of captured taxable value estimated to result from adoption of the Plan is reasonable.
5. Approval and Adoption of Plan. The Plan as submitted by the authority is hereby approved and adopted. A copy of the Plan and all amendments thereto shall be maintained on file in the City Clerk's office.
  6. Establishment of Project Fund; Approval of Depositary. The Authority shall establish a separate fund for the Eligible Property subject to this Plan, which shall be kept in a depositary bank account or accounts in bank or banks approved by the Treasurer of the City. All monies received by the Authority pursuant to the Plan shall be deposited in the Project Fund for the Eligible Property. All monies in the Project Fund and earnings thereon shall be used only in accordance with the Plan and Act 381.
  7. Use of Monies in the project Fund. The monies credited to the Project Fund and on hand therein from time to time shall be used annually to first make those payments authorized by and in accordance with the Plan and any development.
  8. Payment of Tax Increment Revenues to Authority. The municipal and the county treasurers shall, as ad valorem and specific local taxes are collected on the Eligible Property, pay the Tax Increment Revenues to the Authority for deposit in the Project Fund. The payments shall be made not more than 20 days after the Tax Increment Revenues are collected.
  9. Disclaimer. By adoption of this Resolution and approval of the Plan, the City assumes no obligation or liability to the owner, developer, lessee or lessor of the eligible property for any loss or damage that may result to such persons from the adoption of this Resolution and Plan. The City makes no guarantees or representation as to the determinations of the appropriate state officials regarding the ability of the Authority to capture tax increment revenues from the state and local school district taxes for the Plan.
  10. Repealer. All of this resolution and parts of resolutions insofar as they conflict with the provisions of this resolution shall be rescinded.

Approved as to Form:

  
 Angela Wheeler  
 Chief Legal Officer

ADMINISTRATION:

  
 Sheldon A. Neeley  
 Mayor

  
 Kate Fields, Council President







## CITY OF FLINT

ACCOUNTING APPROVAL: \_\_\_\_\_ Date: \_\_\_\_\_

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒  
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

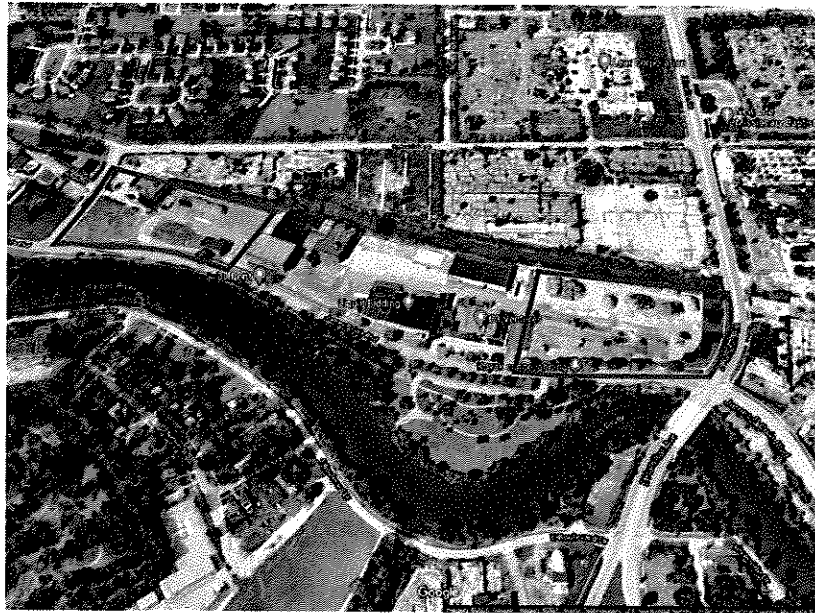
OTHER IMPLICATIONS (i.e., collective bargaining):

STAFF RECOMMENDATION: (PLEASE SELECT): ☒ APPROVED ☐ NOT APPROVED


DEPARTMENT HEAD SIGNATURE: \_\_Khalfani Stephens, Economic Development Director  
(PLEASE TYPE NAME, TITLE)

EXHIBIT A

CITY OF FLINT  
BROWNFIELD REDEVELOPMENT AUTHORITY



BROWNFIELD PLAN FOR THE  
PROPOSED DUPONT INDUSTRIAL FACILITY  
REDEVELOPMENT PROJECT

| Prepared for  | Prepared By   |
|---|---|
|  <b>DEARBORN CAPITAL</b><br><i>Commercial Real Estate Financing</i><br><br>James P Cole Venture, LLC<br>Attn: Ms. Mona Navitsky<br>c/o Dearborn Capital Partners, LLC<br>980 North Michigan, Suite 1620<br>Chicago, IL 60611<br>Attn: Mr. Brien Wloch; Managing Member<br>M (312) 543-1250<br>E <a href="mailto:mona.navitsky@dearcapcre.com">mona.navitsky@dearcapcre.com</a> | <b>ASSOCIATED<br/>ENVIRONMENTAL<br/>SERVICES</b><br><br>Mr. Nicholas G. Maloof, RPG<br>President and General Counsel<br>Associated Environmental Services, LLC<br>40701 Woodward Avenue, Suite 50<br>Bloomfield Hills, MI 48304<br>T (248) 203-9898<br>M (248) 250-2525<br>E <a href="mailto:ngm@associatedenvironmental.net">ngm@associatedenvironmental.net</a><br>W <a href="http://www.associatedenvironmental.net">www.associatedenvironmental.net</a> |

Plan Preparation Date: **October 31, 2020**

Approved by the Brownfield Redevelopment Authority on: \_\_\_\_\_

Approved by the Flint City Council on: \_\_\_\_\_

**CITY OF FLINT  
BROWNFIELD REDEVELOPMENT AUTHORITY  
BROWNFIELD PLAN**

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## **I. INTRODUCTION**

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In order to promote the revitalization of environmentally distressed and blighted areas within the boundaries of the City of Flint, Michigan (the “City”), the City has established the City of Flint Brownfield Redevelopment Authority (the “FBRA”) pursuant to Michigan Public Act 381 of 1996, as amended (“Act 381”).

The primary purpose of this Brownfield Plan (“Plan”) is to promote the redevelopment of and private investment in certain “brownfield” properties within the City. Inclusion of property within this Plan will facilitate financing of environmental response and other Eligible Activities at eligible properties, and will also provide tax incentives to eligible taxpayers willing to invest in revitalization of eligible sites, commonly referred to as “brownfields.” By facilitating redevelopment of brownfield properties, this 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 FBRA.

This Plan is intended to apply to the eligible property identified in this Plan and, if tax increment revenues are proposed to be captured from that eligible property, to identify and authorize the Eligible Activities to be funded by such tax increment revenues.

This Plan is intended to be a living document, which may be modified or amended in accordance with the requirements of Act 381, as necessary to achieve the purposes of Act 381. The applicable sections of Act 381 are noted throughout the Plan for reference purposes.

This Plan describes the project to be completed (see Attachment C) and contains information required by Section 13(2) of Act 381.

## II. GENERAL PROVISIONS

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### **A. Description of the Eligible Property (Section 13 (2)(h)) and the Project**

The property comprising the eligible property consists of multiple parcel of land that are either contaminated and qualify as a “facility” as that term is defined in Part 201 of NREPA, as amended, are immediately adjacent to the “facility” and/or will be unified with the “facility” parcel(s). **Each parcel is eligible as it is either contaminated and qualifies as a “facility” and/or it is adjacent to and being combined with a parcel that is a “facility.”**

The parcel and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the “Property.”

**Attachment A** includes a site map of the Property. The Property is located east of Industrial Avenue, south of East Hamilton Avenue, west of James P. Cole Boulevard, and north of East Wood Street. The Property contains one several existing structures. The Property was historically used for industrial activities/purposes since the early 1900’s.

The existing structures and buildings have been mostly unoccupied for several years.

The eligible property will include all tangible personal property to be located on the real property. Parcel information is outlined below.

|  |   |
|--|---|
| <b>Address</b>   | 1809 James P. Cole Boulevard, Flint, Genesee County, MI 48503 |
| <b>Parcel ID</b>   | Parcel ID Nos. 41-06-452--014 & 41-06-452-015                 |
| <b>Owner</b>   | James P Cole Venture, LLC                                     |
| <b>Legal Description<br/>(obtained from<br/>ALTA Survey)</b> | SEE ATTACHED ALTA Survey                                      |

James P Cole Venture, LLC is the project developer (“Developer”) and owner of the Property.

The proposed Project is comprised of a build-to-suit redevelopment of a 17.99 acre historically industrial property currently containing approximately 110,578 square feet of existing structures. According to information provided to AES, the Property is proposed to be redeveloped into a multi-tenant multi-building industrial park. According to a Site Plan provided by Developer, approximately 110,578 square feet of existing building will remain and undergo renovations with the remaining buildings being demolished to make way for an additional 190,700 square feet of proposed new construction buildings, all on 17.99 acres of improved commercial and industrial land.

The completed development will include two single or multiple tenant structures each of which can be expanded to accommodate growth of an existing tenant or additional tenants within the proposed structures.

The Project will be undergoing site plan and zoning review by the City of Flint Engineering Department and Planning & Development Departments, and is therefore subject to change as part of the approval processes. The Project is currently estimated to be an estimated \$14,250,000.00 (excluding land costs) investment by Developer plus any furniture, fixtures and equipment (FF&E) and other Personal Property of the proposed tenants (Operators).

It is currently anticipated, subject to necessary Planning, Engineering, FBRA and State of Michigan EGLE, MEDC/MSF, and Tax Commission approvals, that construction will begin in the Summer/Fall of 2021, or sooner, subject to approval of Eligible Activities, including retroactive approval of completed Eligible Activities. It is anticipated that the Eligible Activities will be completed within 12-18 months of the start date.

The project description provided herein is a summary of the proposed development at the time of the adoption of the Plan. The actual development may vary from the project description provided herein, without necessitating an amendment to this Plan, so long as such variations are not material and arise as a result of governmental processes, changes in market and/or financing conditions affecting the project and/or are related to the addition or immaterial removal of amenities to the project. All material changes, as determined by FBRA in its reasonable discretion, to the project description are subject to the approval of the FBRA staff and shall be consistent with the overall nature of the proposed development, its proposed public purpose, and the purposes of Act 381.

#### **Census Tract Qualification**

The Property is located in a low-income community (LIC) Census Tract (Census Tract No. 26049013600). A low-income community (LIC) Census Tract is defined as, "...a poverty rate of at least 20 percent or with median family incomes that do not exceed 80 percent of area median income..." In addition, the Property is located in a Qualified Opportunity Zone, which means that the area has been targeted by State and Local Governmental Units for development. *Please see the attached CDFI Fund Census Tract Map.*

Based on the information provided by Developer, the Property contains structures and infrastructure that will be demolished and/or partially demolished and removed as part of the planned re-development ("Project"). In addition, the proposed Project will redevelop an underutilized Property that contains multiple impediments to redevelopment. The proposed Project will create temporary construction jobs and is intended to create permanent jobs in an area of Genesee County (Flint) with a high unemployment rate as demonstrated by the Census Tract information.

**Attachment C** provides a description of the project to be completed at the Property (the "Project"). **Attachment C** also includes details regarding development team, total investment amount, description of project uses number of temporary and permanent jobs,



project renderings, and additional financing incentives (IFT). **Attachment D** includes letters of support for the Project.

**B. Basis of Eligibility (Section 13 (2)(h) and Section 2 (o))**

The Property qualifies as a “facility” as that term is defined under the natural Resources and Environmental Protection Act (NREPA), P.A.451 of 1994, as amended, based on the presence of soil contamination.

The Property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was used for industrial purposes; (b) it is located within the City of Flint, a qualified local governmental unit under Act 381; and (c) the Property is determined to be a “facility” as defined by Act 381.

The Property qualifies as a “facility” and is eligible for Brownfield Redevelopment Incentives pursuant to the Brownfield Redevelopment Financing Act, P.A. 381 of 1996, as amended. The Property is classified as a “facility” due to the presence of soil contamination related to historical use and operation of portions of the Property for industrial purposes.

In addition, based on the condition of the existing structures, the Property could also qualify under either “blighted<sup>2</sup>” or “functionally obsolete<sup>3</sup>” status, however, Developer has not moved forward with either or both such designations as the Property already qualifies under Act 381.

**Phase I Environmental Site Assessment (ESA)**

Applied Ecosystems, Inc. (AEI) was retained by Developer to prepare a Baseline Environmental Assessment (BEA) and published the BEA on September 20, 2016 as of pre-acquisition due diligence and disclosed to MDEQ on December 7, 2016.

According to information presented the BEA, the Property was historically used for industrial activities/purposes by E. I. du Pont de Nemours and Company (DuPont) and predecessor companies since the early 1900’s beginning in 1901 with Flint varnish and Color Works providing paint and varnishes for the carriage industry and converting to automotive paint manufacturing in 1910. DuPont purchased the property in 1918 and operated on-site until 1995. In 1989, DuPont initiating environmental site investigation activities to assess soil and groundwater on the Property.

In 2003 DuPont entered into a Voluntary Corrective Action agreement with MDEQ and actions included:

- Excavation and disposal of contaminated soil;
- Groundwater treatment; and
- Free product removal.

In 2005, a Remedial Action Plan (RAP) was prepared that specified long term groundwater treatment as well as property use restrictions (Deed Restrictions).

In 2015, after 12 consecutive monthly gauging events with no free product present, DuPont submitted a request for a “No Further Action” determination related to free product removal activities

Contamination remaining on-site includes volatile organic compounds (VOCs), semi-VOCs (SVOCs), arsenic, chromium, cobalt and cyanide. Known impacted media include soil and groundwater with exceedances of the volatilization to indoor air (VIA) pathway likely based on the known concentrations of VOCs.

*Please see Figures 1 and 2 for Site Location and Aerial Photo Maps.*

Based on the documented concentrations of soil and groundwater contamination, concentrations exceed the EGLE Part 201 Generic Residential Cleanup Criteria (GRCC) promulgated under Part 201 of the Natural Resources and Environmental Protection Act (NREPA), 1994 P.A. 451, as amended (Part 201), and therefore the Property meets the definition of a “facility” as defined pursuant to Part 201.

As the Property qualifies as a “facility”<sup>1</sup>, it is eligible for Brownfield Redevelopment Incentives pursuant to the Brownfield Redevelopment Financing Act, P.A. 381 of 1996, as amended. In addition, based on the condition of the existing structures, the Property could also qualify under either “blighted”<sup>2</sup> or “functionally obsolete”<sup>3</sup> status.

Sample results were compared to current Generic Residential Cleanup Criteria (GRCC) promulgated under Part 201 of the Natural Resources and Environmental Protection Act (NREPA), 1994 P.A. 451, as amended (Part 201). Based on the results of the Phase II ESA the Property meets the definition of a “facility” as defined pursuant to Part 201.

<sup>1</sup>Under Part 201 of NREPA, P.A. 451 of 1994, as amended, Section 20101(1)(s) states:

“Facility” means any area, place, parcel or parcels of property, or portion of a parcel of property where a hazardous substance in excess of the concentrations that satisfy the cleanup criteria for unrestricted residential use has been released, deposited, disposed of, or otherwise comes to be located. Facility does not include any area, place, parcel or parcels of property, or portion of a parcel of property where any of the following conditions are satisfied:

- (i) Response activities have been completed under this part or the comprehensive environmental response, compensation, and liability act, 42 USC 9601 to 9675 that satisfy the cleanup criteria for unrestricted residential use.
- (ii) Corrective action has been completed under the resource conservation and recovery act, 42 USC 6901 to 6992k, part 111, or part 213 that satisfies the cleanup criteria for unrestricted residential use.
- (iii) Site-specific criteria that have been approved by the department for application at the area, place, parcel of property, or portion of a parcel of property are met or satisfied and hazardous substances at the area, place, or property that are not addressed by site-specific criteria satisfy the cleanup criteria for unrestricted residential use.
- (iv) Hazardous substances in concentrations above unrestricted residential cleanup criteria are present due only to the placement, storage, or use of beneficial use by-products or inert materials at the area, place, or property in compliance with part 115.
- (v) The property has been lawfully split, subdivided, or divided from a facility and does not contain hazardous substances in excess of concentrations that satisfy the cleanup criteria for unrestricted residential use.
- (vi) Natural attenuation or other natural processes have reduced concentrations of hazardous substances to levels at or below the cleanup criteria for unrestricted residential use.

SEE: [http://www.legislature.mi.gov/\(S\(1xfrucyrylw4dlqaeqznk3\)\)/mileq.aspx?page=getObject&objectName=mcl-324-20101](http://www.legislature.mi.gov/(S(1xfrucyrylw4dlqaeqznk3))/mileq.aspx?page=getObject&objectName=mcl-324-20101)

<sup>2</sup>Under MCL 125.2652(2)(e) “Blighted” means property that meets any of the following criteria as determined by the governing body:

- (i) Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.
- (ii) Is an attractive nuisance to children because of physical condition, use, or occupancy.
- (iii) Is a fire hazard or is otherwise dangerous to the safety of persons or property.
- (iv) Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.
- (v) Is tax reverted property owned by a qualified local governmental unit, by a county, or by this state. The sale, lease, or transfer of tax reverted property by a qualified local governmental unit, county, or this state after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.
- (vi) Is property owned or under the control of a land bank fast track authority, whether or not located within a qualified local governmental unit. Property included within a brownfield plan prior to the date it meets the requirements of this subdivision to be eligible property shall be considered to become eligible property as of the date the property is determined to have been or becomes qualified as, or is combined with, other eligible property. The sale, lease, or transfer of the property by a land bank fast track authority after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.
- (vii) Has substantial subsurface demolition debris buried on site so that the property is unfit for its intended use.

<sup>3</sup>Under MCL 125.2652(2)(s) "Functionally obsolete" means that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or superadequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property.

### **C. Summary of Eligible Activities and Description of Costs (Section 13 (2)(a),(b))**

The "Eligible Activities" that are intended to be carried out at the Property are considered "Eligible Activities" as defined by Sec 2 of Act 381, because they include, but are not limited to: (1) Phase I ESA, Phase II ESA and Baseline Environmental Assessment activities; (2) 7a Due Care Activities including Phase II ESA Due Care Investigation Activities and Preparation of pre-development and post-development Due Care Plans or Documentation of Due Care Compliance; (3) Additional Response Activities; (4) Building Demolition Activities including selective exterior and interior demolition and lead, asbestos and hazardous materials abatement; (5) Development and Preparation of Brownfield Plan and Act 381 Work Plan; (6) UST Removal Activities; (7) Remediation Activities including installation of engineering controls and operation & maintenance (O&M) related to the engineering controls; (8) Site Preparation Activities to ready the site for redevelopment including utility disconnection and re-connection, removal and re-location of public utilities, land balancing and rough and finished grading; (9) Infrastructure Activities including the construction of storm water retention/detention ponds and/or systems, and installation of new utilities; and (10) Public Improvements including installation of public utilities, street improvements, deceleration lanes and drive approaches, streetscapes, landscaping and other related activities. In addition, supplementary Eligible Activities that are financial in nature include: (1) Interest on the sums expended to implement the Eligible Activities at a rate of five (5%) per annum; and (2) environmental insurance may be obtained at some during the project development process.

A summary of the Eligible Activities and the estimated cost of each eligible activity intended to be paid for with Tax Increment Revenues from the Property are shown in the table attached hereto as **Attachment E**.

The Eligible Activities described in **Attachment E** are not exhaustive. Subject to the approval of FBRA staff in writing, additional Eligible Activities may be carried out at the Property, without requiring an amendment to this Plan, so long as such Eligible Activities are permitted by Act 381 and the performance of such Eligible Activities does not exceed the total costs stated in **Attachment E**.

Unless otherwise agreed to in writing by the FBRA, all Eligible Activities shall commence within eighteen (18) months after the date the governing body approves this Plan and be completed within three (3) years after approval of the Michigan Strategic Fund work plan, if applicable, or three (3) years after execution of the Reimbursement Agreement (as that term is defined below). Any long-term monitoring or operation and maintenance activities or obligations that may be required will be performed in compliance with the terms of this Plan and any documents prepared pursuant to this Plan.

The Developer desires to be reimbursed for the costs of Eligible Activities. Tax increment revenue generated by the Property will be captured by the FBRA and used to reimburse

the cost of the Eligible Activities completed on the Property pursuant to the terms of a Reimbursement Agreement to be executed by the FBRA and the Developer after approval of this Plan (the "Reimbursement Agreement"), to the extent permitted by Act 381. In the event this Plan contemplates the capture of tax increment revenue derived from "taxes levied for school operating purposes" (as defined by Section 2(oo) of Act 381 and hereinafter referred to as "School Taxes"), the Developer acknowledges and agrees that FBRA's obligation to reimburse the Developer for the cost of Eligible Activities with tax increment revenue derived from School Taxes, or Specific Taxes that are considered School Taxes, (as these capitalized terms are defined by Act 381) is contingent upon the Developer receiving at least the initial applicable work plan approvals by the Michigan Strategic Fund and/or the EGLE, as may be required pursuant to Act 381.

**FBRA agrees to retroactively reimburse Developer for all Eligible Activities completed prior to the approval of this Plan and for Eligible Activities completed as described in this Plan from the Local Taxes, or Specific Taxes that are considered Local Taxes, at the percentage ratio that Local Taxes comprise the overall combined Local and School Taxes. To the extent that Developer obtains Act 381 Work Plan approval from EGLE or MEDC/MSF, then the remaining percentage of Eligible Activities will be reimbursed to Developer. If deemed necessary, Developer will provide the FBRA with evidence, reasonably satisfactory to FBRA, that the Developer has the financial means to complete the project without the capture of, and subsequent reimbursement with, the contemplated School Taxes.**

This Plan provides for the capture of taxes levied for school purposes (School Tax Capture), comprised of the State Education Tax (SET) and School Operating Tax, from the eligible Property. However, as the approval of School Tax Capture is at the discretion of the EGLE and MEDC/MSF, all Eligible Activities shall be reimbursable from Local Taxes unless School Tax Capture is approved by the agency responsible for the Eligible Activity(ies), then reimbursement will be from a combination of both Local and School Taxes.

The estimated costs outlined in this Plan and listed in **Attachment E** may increase or decrease depending on the nature and extent of any unknown or unanticipated conditions on the Property. As long as the total costs, adjusted by the 15% factor, are not exceeded, the line item costs of the Eligible Activities outlined herein, in the attachments and/or in the Brownfield Plan, may be adjusted between the Eligible Activities after the date this Plan is approved without the need for any additional approval from City of Flint City Council or the City of Flint Brownfield Redevelopment Authority, to the extent those adjustments do not violate the terms of any EGLE or MEDC/MSF approved work plan, if any. If necessary, this Plan may also be amended to add or delete Eligible Activities and the estimated cost of each.

The costs listed in **Attachment E** are estimated costs and may increase or decrease depending on the nature and extent of environmental contamination and other unknown conditions encountered on the Property. The actual cost of those Eligible Activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues

of the FBRA from the Property shall be governed by the terms of the Reimbursement Agreement. No costs of Eligible Activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Reimbursement Agreement and Section 2 of Act 381. The Reimbursement Agreement and this Plan will dictate the total cost of Eligible Activities subject to payment or reimbursement, provided that the total cost of Eligible Activities subject to payment or reimbursement under the Reimbursement Agreement shall not exceed the estimated costs set forth in **Attachment E**. As long as the total costs, adjusted by the 15% contingency under Act 381, are not exceeded, line item costs of Eligible Activities may be adjusted after the date this Plan is approved by the governing body (Flint City Council), to the extent the adjustments do not violate the terms of the approved EGLE or MSF work plan.

**D. Estimate of Captured Taxable Value and Tax Increment Revenues (Section 13(2)(c)); Beginning Date of Capture of Tax Increment Revenues (Section (13)(2)(f); Impact of Tax Increment Financing on Taxing Jurisdictions (Section 13(2)(g))**

This Plan anticipates the capture of tax increment revenues to reimburse the Developer for the costs of Eligible Activities under this Plan in accordance with the Reimbursement Agreement. A table of estimated tax increment revenues to be captured is attached to this Plan as **Attachment F**.

Tax increments are projected to be captured and applied to (i) reimbursement of eligible activity costs and payment of FBRA administrative and operating expenses, (ii) make deposits into the State Brownfield Redevelopment Fund, and (iii) make deposits into the FBRA's Local Brownfield Revolving Fund, as follows:

Exhibit A  
PROPOSED DUPONT INDUSTRIAL FACILITY  
Brownfield Redevelopment Plan

| Section D Capture Summary Table <sup>1</sup> |                    |                    |                      |
|--|--------------------|--------------------|----------------------|
|  | Developer P&I      | Local RLF          | State Brownfield RLF |
| <b>School Capture</b>                        |                    |                    |                      |
| State Education Tax (SET)                    | \$222,116.24       | \$81,770.29        | \$303,887            |
| School Operating Tax                         | \$1,428,867        | \$490,622          |                      |
| <b>Local Capture</b>                         |                    |                    |                      |
| County Operating                             | \$404,311          | \$148,844          |                      |
| Library                                      | \$296,155          | \$109,027          |                      |
| Flint Operating                              | \$555,291          | \$204,426          |                      |
| Public Safety                                | \$444,232          | \$163,541          |                      |
| Misc. Levies                                 | \$670,747          | \$246,930          |                      |
| Genesee County Parks                         | \$55,366           | \$20,383           |                      |
| Parks and Rec                                | \$37,019           | \$13,628           |                      |
| Genesee ISD                                  | \$277,327          | \$102,096          |                      |
| Mass Transit                                 | \$90,483           | \$33,310           |                      |
| Flint Sinking Fund                           | \$87,366           | \$32,163           |                      |
| CS Mott Operating                            | \$145,893          | \$53,709           |                      |
| <b>TOTAL</b>                                 | <b>\$4,715,173</b> | <b>\$1,700,449</b> | <b>\$303,887</b>     |

|  |                  |                  |
|--|------------------|------------------|
| In addition, the following taxes are projected to be generated but shall not be captured during the life of this Plan: |                  |                  |
| <b>Non-Capturable Millages</b>   |                  |                  |
| Flint School Debt  | \$208,789        | \$76,864         |
| CS Mott Debt   | \$58,491         | \$21,533         |
| Public Library Debt  | \$134,751        | \$49,607         |
| <b>TOTAL</b>   | <b>\$402,030</b> | <b>\$148,004</b> |

<sup>1</sup>All numbers presented are based on gross taxes generated in the Capture side of the TIR Capture Tables and may differ from the actual reimbursement amounts from each millage levy due to allocation percentages and rounding of numbers.

In no event shall the duration of this Plan exceed thirty-five (35) years following the date of the governing body's resolution approving this Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (3) and (5) of Section 13 of Act 381 or 30 years. Further, in no event shall the beginning date of the capture of tax increment revenues be later than five (5) years after the date of the governing body's resolution approving this Plan.

**E. Plan of Financing (Section 13(2)(d)); Maximum Amount of Indebtedness (Section 13(2)(e))**

The Eligible Activities are to be financed solely by the Developer. The FBRA will reimburse the Developer for the cost of approved Eligible Activities, but only from tax increment revenues generated from the Property. No advances have been or shall be made by the City or the FBRA for the costs of Eligible Activities under this Plan.

All reimbursements authorized under this Plan shall be governed by the Reimbursement Agreement. The inclusion of Eligible Activities and estimates of costs to be reimbursed in this Plan are intended to authorize the FBRA to fund such reimbursements and does not obligate the FBRA or the City to fund any reimbursement or to enter into the Reimbursement Agreement providing for the reimbursement of any costs for which tax increment revenues may be captured under this Plan, or which are permitted to be reimbursed under this Plan in the absence of tax increment revenues being generated from the Property. The amount and source of any tax increment revenues that will be used for purposes authorized by this Plan, and the terms and conditions for such use and upon any reimbursement of the expenses permitted by this Plan, will be provided solely under the Reimbursement Agreement contemplated by this Plan.

Unless otherwise agreed upon by the Developer, the FBRA, and the State of Michigan, the FBRA shall not incur any note or bonded indebtedness to finance the purposes of this Plan.

Interest shall be paid under this Plan as provided in the Reimbursement Agreement, provided that to the extent that the Michigan Strategic Fund or Michigan Department of Environment, Great Lakes and Energy (EGLE) does not approve the payment of interest on an eligible activity with School Taxes, interest shall not accrue or be paid under this Plan with respect to the cost of such Eligible Activity from School Taxes. Unless otherwise agreed upon by the Developer, the FBRA, and the State of Michigan, the FBRA will approve interest on the local portion of the reimbursement to the extent that the projected internal rate of return to the Developer does not exceed twenty (20%), as more specifically stated in the Reimbursement Agreement.

Reimbursements under the Reimbursement Agreement shall not exceed the cost of Eligible Activities permitted under this Plan, plus the 15% contingency factor and approved interest.

**F. Duration of Plan (Section 13(2)(f))**

Subject to Section 13b(16) of Act 381, the beginning date of capture of tax increment revenues for each eligible property shall occur in accordance with the TIF table described in **Exhibit F**. As the tax increment revenue table is an estimate/projection based on certain assumptions, the repayment period may exceed that depicted in the table. In no event, however, shall this Plan extend beyond the maximum term allowed by Section 13(2)(f) of Act 381 for the duration of this Plan.

Furthermore, this Plan, or any subsequent amendment thereto, may be abolished or terminated in accordance with Section 14(8) of Act 381 in the event of any of the following:

a. The governing body may abolish this Plan (or any subsequent amendment thereto) when it finds that the purposes for which this Plan was established have been accomplished.

b. The governing body may terminate this Plan (or any subsequent amendment thereto) if the project for which Eligible Activities were identified in this Plan (or any subsequent amendment thereto) fails to occur with respect to the eligible property for at least five (5) years following the date of the governing body resolution approving this Plan (or any subsequent amendment thereto), provided that the governing body first does both of the following:

(i) gives 30 days' written notice to the Developer at its last known address by certified mail or other method that documents proof of delivery attempted; and

(ii) provides the Developer with an opportunity to be heard at a public meeting.

Notwithstanding anything in this subsection to the contrary, this Plan (or any subsequent amendment thereto) shall not be abolished or terminated until the principal and interest on bonds, if any, issued under Section 17 of Act 381 and all other obligations to which the tax increment revenues are pledged have been paid or funds sufficient to make the payment have been identified or segregated.

**G. Effective Date of Inclusion in Brownfield Plan**

The Property will become a part of this Plan on the date this Plan is approved by the governing body (City Council).

**H. Displacement/Relocation of Individuals on Eligible Property (Section 13(2)(i-l))**

There are no persons or businesses residing on the eligible property and no occupied residences will be acquired or cleared, therefore there will be no displacement or relocation of persons or businesses under this Plan.

**I. Local Brownfield Revolving Fund ("LBRF") (Section 8; Section 13(2)(m))**

The FBRA has established a Local Brownfield Revolving Fund (LBRF). The LBRF will consist of all tax increment revenues authorized to be captured and deposited in the LSRRF, as specified in Section 13(5) of Act 381, under this Plan and any other plan of the FBRA. It may also include funds appropriated or otherwise made available from public or private sources.

The amount of tax increment revenue authorized for capture and deposit in the LBRF is estimated as depicted in the 30 Year Cash Flow Projection Table present in **Attachment F**. All funds, if any, deposited in the LBRF shall be used in accordance with Section 8 of Act 381.



**J. Brownfield Redevelopment Fund (Section 8a; Section 13(2)(m))**

The FBRA shall pay to the Department of Treasury at least once annually an amount equal to 3 mills of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, that are captured under this Plan for up to the first twenty-five (25) years of the duration of capture of tax increment revenues for each eligible property included in this Plan. If the FBRA pays an amount equal to 3 mills of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, on a parcel of eligible property to the Department of Treasury under Section 13b(14) of Act 381, the percentage of local taxes levied on that parcel and used to reimburse Eligible Activities for the Project under this Plan shall not exceed the percentage of local taxes levied on that parcel that would have been used to reimburse Eligible Activities for the Project under this Plan if the 3 mills of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, on that parcel were not paid to the Department of Treasury under Section 13b(14) of Act 381.

**K. Developer's Obligations, Representations and Warrants**

The Developer and its affiliates shall comply with all applicable laws, ordinances, executive orders, or other regulations imposed by the City or any other properly constituted governmental authority with respect to the Property and shall use the Property in accordance with this Plan.

The Developer, at its sole cost and expense, shall be solely responsible for and shall fully comply with all applicable federal, state, and local relocation requirements in implementing this Plan, if any.

The Developer represents and warrants that a Phase I Environmental Site Assessment ("ESA"), and if appropriate, a Phase II ESA, Baseline Environmental Assessment, and Due Care Plan or Response Activity Plan, pursuant to Part 201 of Michigan's Natural Resources and Environmental Protection Act (MCL 324.20101 *et seq.*), have been performed on the Property ("Environmental Documents"). Attached hereto as **Attachment G** is the City of Flint's Department of Buildings, Safety Engineering and Environmental acknowledgement of its receipt of the Phase I ESA, Phase II ESA and Baseline Environmental Assessment (BEA).

The Developer intends to include a City of Flint Land Bank Authority, Genesee County Land Bank Authority or State of Michigan Land Bank financing component, to be determined at a later date, depending upon the needs of the Project.

Except as otherwise agreed to by the FBRA, any material breach of a material representation or warranty contained in this Plan shall render the Plan invalid, subject to the Developer's reasonable opportunity to investigate and cure as described in the Reimbursement Agreement. Prior to any such invalidity, FBRA shall provide Developer written notice of the Developer's alleged breach and the opportunity to either refute the allegation or cure the breach within a reasonable period of time. Notwithstanding the foregoing, any irregularity may be waived by the FBRA, Flint City Council, MEDC/MSF or EGLE.

With the approval of this Brownfield Plan, it is the specific intention of the FBRA to authorize and support: (1) the preparation and submittal of an Act 381 Work Plan for approval by EGLE and MEDC/MSF, (2) application for an IFT Abatement under P.A. 198 of 1974, as amended; (3) grant or loan and other available incentives, including EGLE grants and loans, USEPA grants and loans, Genesee County grants and loans, and (3) other possible sources of incentives related to the Eligible Investments made by Developer as part of this project. It is understood that any such tax abatement may extend the currently depicted repayment period and that any such grant award may off-set the need for TIR reimbursement under the Plan or any such loan may use the TIR to repay a loan.

It should be noted that as part of the long term lease arrangement between Developer and Tenant, all proceeds from the Brownfield Plan TIR capture may be assigned to and accrue to the benefit of an entity to be identified in the Reimbursement Agreement which shall be deemed to be the Qualified Taxpayer under the Plan.

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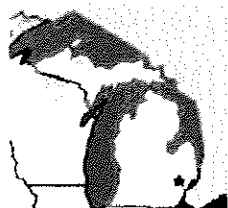
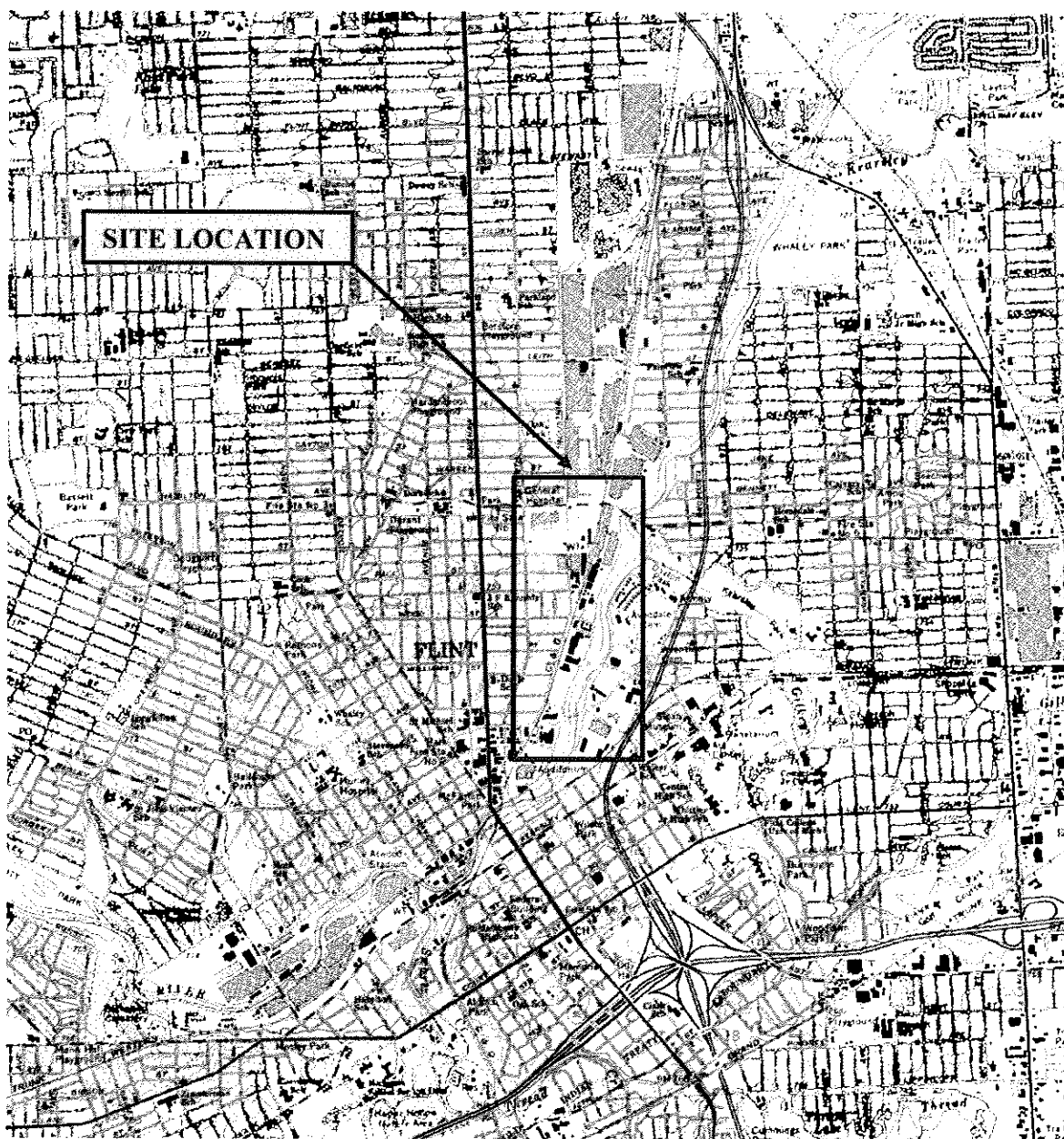
Exhibit A  
PROPOSED DUPONT INDUSTRIAL FACILITY  
Brownfield Redevelopment Plan

**III. ATTACHMENTS**

Exhibit A  
PROPOSED DUPONT INDUSTRIAL FACILITY  
Brownfield Redevelopment Plan

**ATTACHMENT A**

**Site Map**



**REFERENCE**  
 USGS 7.5 MIN TOPOGRAPHIC QUADRANGLE  
 FLINT NORTH, MICHIGAN  
 DATED: 1983  
 SCALE: 1: 24000



# **FIGURE 1: SITE LOCATION MAP**

**Former DuPont Industrial Facility**

James P. Cole Boulevard  
 Flint, Genesee County, Michigan 48503

PROJECT: 2020041601.01

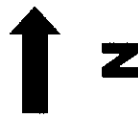
DATE: 8/28/2020

PREPARED BY: NGM

**ASSOCIATED  
 ENVIRONMENTAL  
 SERVICES, INC.**

Environmental Services •  
 Land Development • Real  
 Estate Consulting

40701 Woodward Avenue, Suite 50  
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 Email: [info@associatedenvironmental.net](mailto:info@associatedenvironmental.net)  
 Web: [www.associatedenvironmental.net](http://www.associatedenvironmental.net)



## Former DuPont Industrial Facility

James P. Cole Boulevard  
Flint, Genesee County, Michigan 48503

DATE: 8/28/20

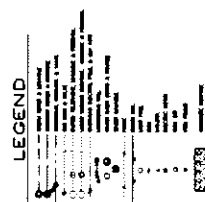
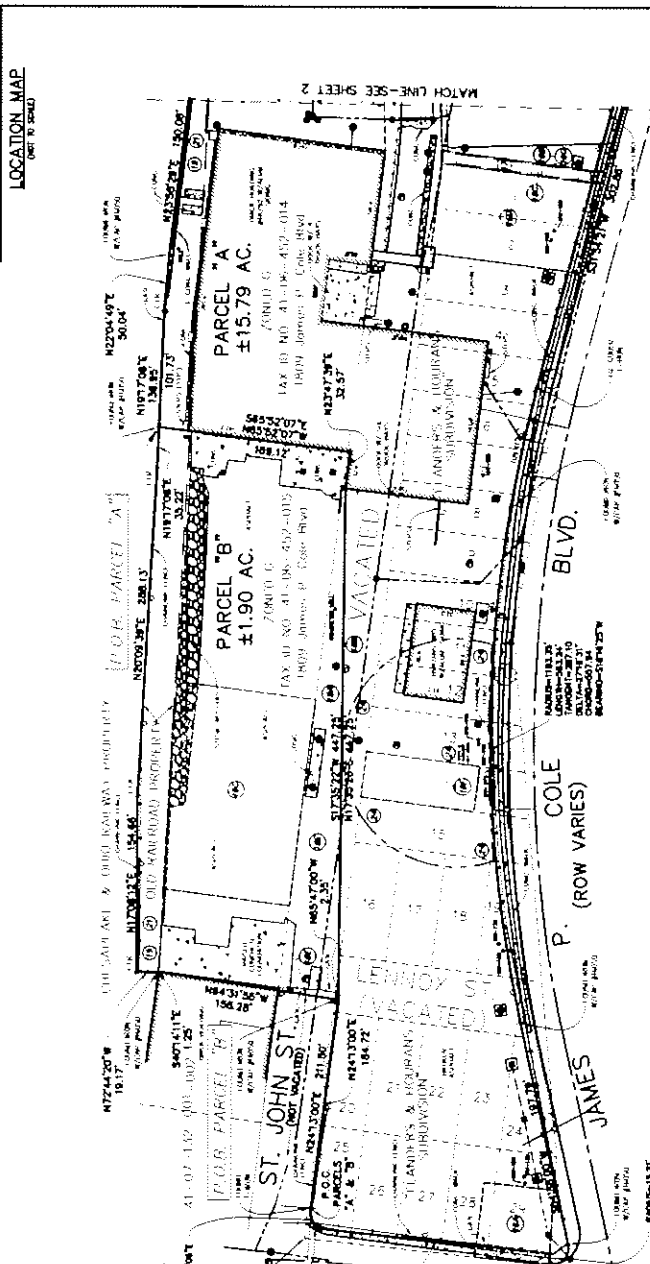
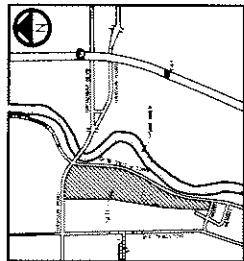
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E: [info@associatedenvironmental.net](mailto:info@associatedenvironmental.net)  
W: [www.associatedenvironmental.net](http://www.associatedenvironmental.net)

**ATTACHMENT B**

**Legal Descriptions of Eligible Property to which the Plan Applies**



5 WORKING DAYS!  
BEFORE YOU DIG  
CALL MISS DIG  
1-800-482-7171  
(TOLL FREE)

**NOTE:** LOCATION OF ALL UNDERGROUND UTILITIES AS SHOWN ARE APPROXIMATE. ALL LOCATIONS MUST BE FIELD VERIFIED BY CONTRACTOR PRIOR TO ANY TRENCHING.

BASIS OF BEARING:  
 BASED UPON PREVIOUS SURVEY BY ERIC W  
 BARTT, MICHIGAN S.L.S. NO. 46883, DATED  
 01-28-2013, CHAIN 308 AND 1200/100

Site is located in Good  
which is on two different  
0.2% annual chance  
Community Panel No.  
September 20, 2008 for  
Cottonwood Shopping Area

[illegible][illegible][illegible][illegible]

**EXPERIENCE:** FOR THE PAST 15 YEARS, THERE IS NO OBSERVED EVIDENCE OF EXISTING OR FORMER BUILDING CONSTRUCTION OR BUILDING ACTIVITIES WITHIN RECENT BOUNDARIES. THERE IS NO EVIDENCE OF EXISTING OR FORMER CONSTRUCTION OR BUILDING ACTIVITIES WITHIN RECENT BOUNDARIES. THE RESULT OF MANY YEARS' EARTH COMPACTION ON THE PRESENTATION OF AVAILABLE DATA FOR THE CONTROLLING ASSUMPTION OF OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION.

**USE:** 1. AS OF 1/10/2004 THERE IS NO EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, DUMP OR SANITARY LANDFILL. 2. AS OF 1/10/2004 THERE IS NO EVIDENCE OF SITE USE OR ACTIVITIES WITHIN RECENT BOUNDARIES WITH CLIENT LABELED AS "N/A".

**SURVEYOR'S CERTIFICATE:** JAMES P. COLE VENTURE, LLC, a Michigan Limited Liability Company, and CHEMICAL BANK, This is to certify that the survey on which it is based was made in accordance with the 2016 "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," partially established and adopted by ALTA, NSPS, and includes items 3, 4, 7(a), 7(b), 8, 9, 10, 11 and 18 of Table A thereof. The field work was completed on 12-6-2012.

|  |   |   |   |   |                  |               |
|--|---|---|---|---|------------------|---------------|
| 7/19/2018<br>Date<br>REC'D MCARDLE<br>Michigan Professional Surveyor No. 46678 |  |  | <b>MERIDIAN</b><br>LAND SURVEYING<br>(800) 338-9900<br>www.meridianland.com<br>300 E FIRST STREET, SUITE 300<br>CITY OF FLINT, MICHIGAN 48602 | ALTA / ACSM LAND TITLE SURVEY<br>PART OF THE SE 1/4 OF SECTION 6, T17N R2E<br>CITY OF FLINT, GENESEE COUNTY, MICHIGAN | DATE: 06/15/2018 | SHEET: 1 OF 1 |
|  |   |   |   |   | PROJECT: 1000    | DTD: 11/18    |
|  |   |   | ABL: 0000   | DTD: 11/18  | COUNTY: GENESEE  | CITY: FLINT   |
|  |   |   | 14010.00 FT.  | 14010.00 FT.  | 14010.00 FT.     | 14010.00 FT.  |

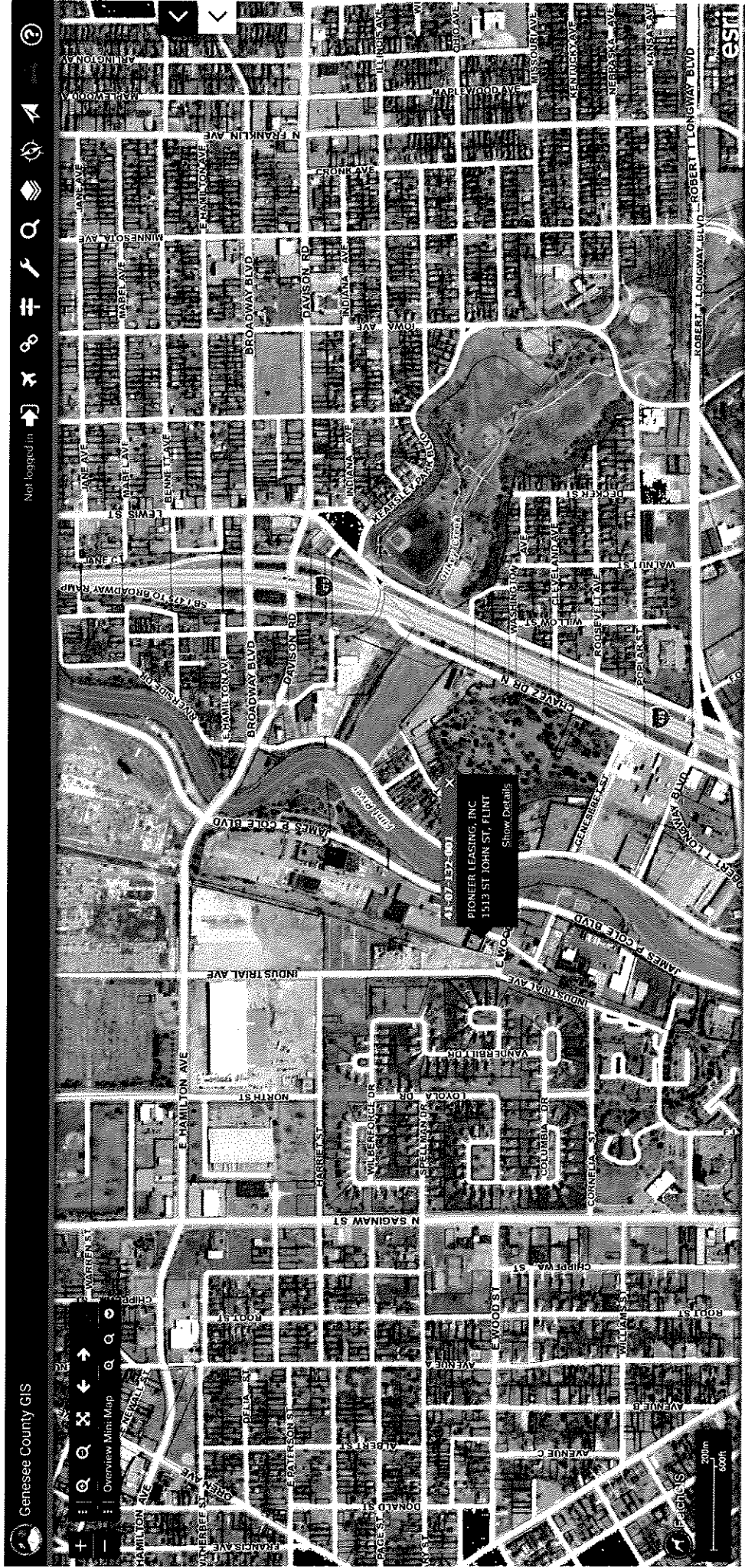








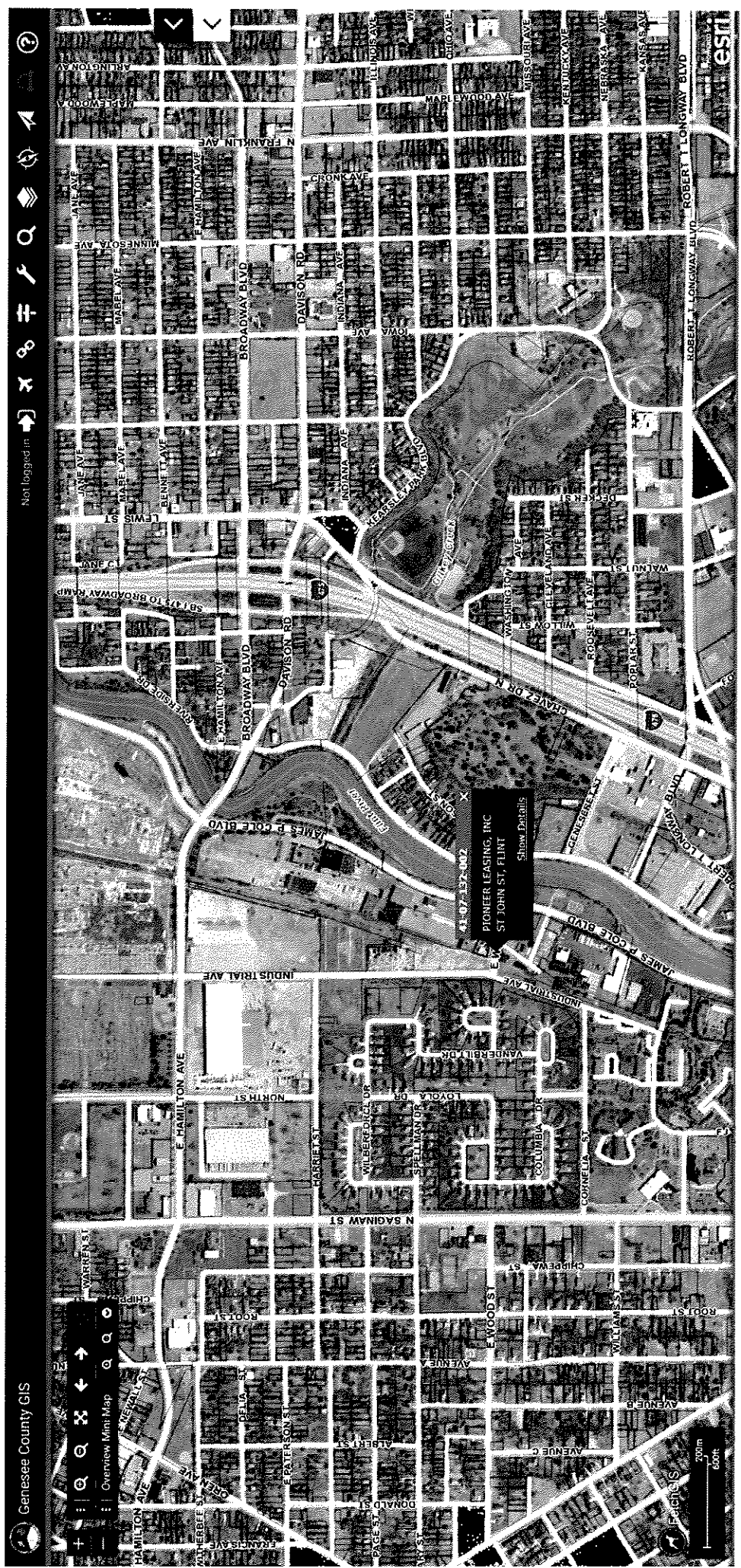




Genesee County GIS

Not logged in

esri



Not logged in

Genesee County GIS

41-47-132-002  
PIONEER LEASING, INC  
ST JOHN ST, FLINT  
Show Details

**ATTACHMENT C**

**Project Description – See attached Project Description**

**Project Summary**

|                                       |  |
|---------------------------------------|--|
| <b>Type of Use:</b>                   | Industrial   |
| <b>Square Footage:</b>                | Approximately 110,578 square feet of existing building will remain and undergo renovations with the remaining buildings being demolished to make way for an additional 190,700 square feet of proposed new construction buildings, all on 17.99 acres of improved commercial and industrial land |
| <b>Number of Housing Units:</b>       | Not Applicable   |
| <b>Total Investment:</b>              | \$14,250,000.00 (excluding land costs) by Developer, plus additional investments for Furniture, Fixtures and Equipment (FF&E) will be made by individual Tenants   |
| <b>Additional Incentives:</b>         | In addition to Brownfield TIF, Developer is seeking tax abatements, Grants and Loans   |
| <b>Estimated Jobs – Construction:</b> | 67.5 FTE Jobs over 10 month estimated construction period  |
| <b>Estimated Jobs – Permanent:</b>    | TBD based on tenants recruited for occupancy   |
| <b>Project Timeline:</b>              | Developer intends to start redevelopment activities after final approval of all incentives   |

# Attachment C

## Brownfield Plan for James P Cole Venture, LLC

*Provide a description of the project to be completed at the Property (the "Project")*

*Include details regarding development team, total investment amount, description of project use, number of temporary and permanent jobs, and additional financing incentives (IFT). See attached for Project renderings.*

### **Project Description**

The proposed redevelopment site is the former DuPont Industrial Facility located at 1809 James P. Cole Boulevard in Flint, Genesee County, Michigan 48503 (the "Property").

The Property is a currently proposed to be redeveloped into a multi-tenant multi-building industrial park. According to a site plan provided by Client, approximately 110,578 square feet of existing building will remain and undergo renovations with the remaining buildings being demolished to make way for an additional 190,700 square feet of proposed new construction buildings, all on 17.99 acres of improved commercial and industrial land (the "Project").

The existing structures and buildings have been mostly unoccupied for several years. According to a Site Plan provided by Developer, approximately 110,578 square feet of existing building will remain and undergo renovations with the remaining buildings being demolished to make way for an additional 190,700 square feet of proposed new construction buildings, all on 17.99 acres of improved commercial and industrial land.

The completed development will include two single or multiple tenant structures each of which can be expanded to accommodate growth of an existing tenant or additional tenants within the proposed structures.

The Project will be undergoing site plan and zoning review by the City of Flint Engineering Department and Planning & Development Departments, and is therefore subject to change as part of the approval processes. The Project is currently estimated to be an estimated \$14,250,000.00 (excluding land costs) investment by Developer plus any furniture, fixtures and equipment (FF&E) and other Personal Property of the proposed tenants (Operators).

Developer does not currently employ any employees at the Property as there are no existing operations.

The development of the Project on the Property is comprised of two proposed new buildings (Building #1 and Building #2). The completion of this Project is estimated to create an average of 33.8 Full Time Equivalent (FTE) construction jobs per year during the nine (9) month estimated construction phase (.8 year) for each of the buildings comprising the Project within the City of Flint, Genesee County, Michigan resulting in an estimated total of 67.5 FTE jobs with an annualized construction payroll of \$4,375,800.00 or more per year for the construction phase (estimated \$3,281,850.00 or more per Building for a total Project construction payroll of \$6,563,700.00 using FTE calculations).

As the proposed tenants for the new buildings have not been identified at this time, the actual estimated new full-time jobs being created by the Project are not yet determined. However, using U.S. Energy Information Administration (USEIA), Office of Energy Consumption and Efficiency Statistics, job creation can be estimated based on the proposed building square footage and national ratios for jobs on a per square foot basis. As the two new industrial buildings are proposed to be 90,000 ft<sup>2</sup> and 100,000 ft<sup>2</sup> and based on the USEIA data of "Median square feet per worker" of 1,442 ft<sup>2</sup>, the estimated new jobs per building to be created are 62.4 and 69.3, respectively.

See: <https://www.eia.gov/consumption/commercial/data/2012/bc/cfm/b2.php>

According to Payscale.com, the "Average Production Worker Hourly Pay in Flint, Michigan is \$13.24."

See:

[https://www.payscale.com/research/US/Job=Production\\_Worker/Hourly\\_Rate/32d28c9e/Flint-MI](https://www.payscale.com/research/US/Job=Production_Worker/Hourly_Rate/32d28c9e/Flint-MI)

Based on the foregoing projections, the estimated new permanent FTE jobs payroll being created by the Project is 62.4 FTE X \$13.24/Hour for 40 hours per week for 52 weeks/year = \$1,718,812.76 and 69.3 FTE X \$13.24/Hour for 40 hours per week for 52 weeks/year = \$1,909,791.96 or a total estimated payroll of **\$3,628,604.72**.

#### **Development Team**

##### **Developer/Entity**

James P Cole Venture, LLC  
Attn: Ms. Mona Navitsky  
c/o Dearborn Capital Partners, LLC  
980 North Michigan, Suite 1620  
Chicago, IL 60611  
Attn: Mr. Brien Wloch; Managing Member  
M: (312) 543-1250  
E: [mona.navitsky@dearcapcre.com](mailto:mona.navitsky@dearcapcre.com)

##### **Entity Members**

Please see the attached Ownership Description

##### **Brownfield Redevelopment Consultant and Primary Point of Contact**

Mr. Nicholas G. Maloof, RPG  
President and General Counsel  
Associated Environmental Services, LLC  
40701 Woodward Avenue, Suite 50  
Bloomfield Hills, Michigan 48304  
T (248) 203-9898  
F (248) 647-0526  
M (248) 250-2525  
E [ngm@associatedenvironmental.net](mailto:ngm@associatedenvironmental.net)  
W [www.associatedenvironmental.net](http://www.associatedenvironmental.net)



**Primary Environmental Consultant for Developer**

To Be Determined (TBD)

T ( ) -

M ( ) -

E

W www.

**Status of the site  
planning/permitting  
process**

The Project will be undergoing site plan and zoning review by the City of Flint Engineering Department and Planning & Development Departments, and is therefore subject to change as part of the approval processes. The Project is currently estimated to be an estimated \$14,250,000.00 (excluding land costs) investment by Developer plus any furniture, fixtures and equipment (FF&E) and other Personal Property of the proposed tenants (Operators).

**Other Incentives**

In addition to Brownfield TIF, Developer intends to apply for Grants, Loans and Job Training incentives.

Tenant(s)/Occupant(s) intend to apply for an Industrial Facilities Tax Abatement under the Plant Rehabilitation and Industrial Development Districts Act, P.A. 198 of 1974, as amended for a 12 year period.

See attached for Project drawings and renderings.

**Job Creation and Economic Development**

completion of this Project is estimated to create an average of 33.8 Full Time Equivalent (FTE) construction jobs per year during the nine (9) month estimated construction phase (.8 year) for each of the buildings comprising the Project within the City of Flint, Genesee County, Michigan resulting in an estimated annualized construction payroll of \$4,375,800.00 or more per year for the construction phase (estimated \$3,281,850.00 or more per Building for a total Project construction payroll of \$6,563,700.00 using FTE calculations). As the proposed tenants for the Project are unknown, AES projected the estimated number of jobs using U.S. Energy Information Administration (USEIA), Office of Energy Consumption and Efficiency Statistics, job creation can be estimated based on the proposed building square footage and national ratios for jobs on a per square foot basis. AES also obtained and used information on hourly wages from Payscale.com. According to Payscale.com, the "Average Production Worker Hourly Pay in Flint, Michigan is \$13.24. As the two new industrial buildings are proposed to be 90,000 ft<sup>2</sup> and 100,000 ft<sup>2</sup> and based on an the USEIA data of "Median square feet per worker" of 1,442 ft<sup>2</sup>, the estimated new jobs per building to be created are 62.4 FTE and 69.3 FTE, respectively. Based on the foregoing projections, the estimated new permanent FTE jobs payroll being created by the Project is 62.4 FTE X \$13.24/Hour for 40 hours per week for 52 weeks/year = \$1,718,812.76 and 69.3 FTE X \$13.24/Hour for 40 hours per week for 52 weeks/year = \$1,909,791.96 or a total estimated payroll of \$3,628,604.72. Please see the tables below for a

**Table 1: Construction Phase Job Creation and Direct Economic Impact**

| Phase of Construction                                 | Job Classification                            | Typical Hourly Rate | Typical Hours Worked (Weekly) | Typical Annual Salary | Number of Jobs Related to Project (Average per year) | Total Annualized Payroll Related to Project | Duration of Jobs in Years Created by Project (in years based on # months construction) | Full-time Equivalent (FTE) Jobs | Total Project Related Payroll (salary/wages & benefits only) |
|---|---|---------------------|-------------------------------|-----------------------|--|---|--|---------------------------------|--|
| Building #1: Site Preparation & Vertical Construction | Construction Tradesmen and affiliated workers | \$46.75             | 40                            | \$97,240.00           | 45   | \$4,375,800.00                              | 0.8  | 33.8                            | \$3,281,850.00   |
| Building #2: Site Preparation & Vertical Construction | Construction Tradesmen and affiliated workers | \$46.75             | 40                            | \$97,240.00           | 45   | \$4,375,800.00                              | 0.8  | 33.8                            | \$3,281,850.00   |
| <b>Construction Phases Total</b>                      |   |                     |                               |                       | <b>90</b>  | <b>\$8,751,600.00</b>                       | <b>0.8</b>   | <b>67.5</b>                     | <b>\$6,563,700.00</b>  |

|                            |                |                  |                   |                              |
|----------------------------|----------------|------------------|-------------------|------------------------------|
| Average Hourly =           | \$46.75        | Phase            | Duration (Months) | Duration as Fraction of Year |
| Average Weekly =           | \$1,870.00     | Site Preparation | 1.0               | 0.1                          |
| Average Annual =           | \$97,240.00    | Vertical Const.  | 8.0               | 0.7                          |
| Total Annualized Payroll = | \$4,375,800.00 | <b>Total</b>     | <b>9.0</b>        | <b>0.8</b>                   |

Table 2: Post Construction Phase / Permanent Job Creation and Direct Economic Impact

| Phase of Operation   | Job Classification    | Typical Hourly Rate | Typical Hours Worked (Weekly) | Typical Annual Salary | Number of Direct Jobs Related to Project (Average per year) | Total Annual Payroll Related to Project | Duration of Jobs Created by Project | Full-time Equivalent (FTE) Jobs | Total Project Related Payroll (salary/wages only) |
|--|-----------------------|---------------------|-------------------------------|-----------------------|---|---|-------------------------------------|---------------------------------|---|
| Building #1  | Warehouse, Production | \$13.24             | 40                            | \$27,539.20           | 62.4  | \$1,718,446.08                          | Permanent                           | TBD                             | \$1,718,446.08                                    |
| Building #1  |                       |                     |                               |                       | 62.4  | \$1,718,446.08                          |                                     |                                 | \$1,718,446.08                                    |
| Building #2  | Warehouse, Production | \$13.24             | 40                            | \$27,539.20           | 69.3  | \$1,908,466.56                          | Permanent                           | TBD                             | \$1,908,466.56                                    |
| Building #2  |                       |                     |                               |                       | 69.3  | \$1,908,466.56                          |                                     |                                 | \$1,908,466.56                                    |
| <b>Total Estimated Jobs and Project Payroll (Annually)</b> |                       |                     |                               |                       | <b>131.7</b>  | <b>\$3,626,912.64</b>                   |                                     |                                 | <b>\$3,626,912.64</b>                             |

As the proposed tenants for the Project are unknown, AES projected the estimated number of jobs using U.S. Energy Information Administration (USEIA), Office of Energy Consumption and Efficiency Statistics, job creation can be estimated based on the proposed building square footage and national ratios for jobs on a per square foot basis. AES also obtained and used information on hourly wages from Payscale.com. According to Payscale.com, the "Average Production Worker Hourly Pay in Flint, Michigan is \$13.24. As the two new industrial buildings are proposed to be 90,000 ft<sup>2</sup> and 100,000 ft<sup>2</sup> and based on an the USEIA data of "Median square feet per worker" of 1,442 ft<sup>2</sup>, the estimated new jobs per building to be created are 62.4 FTE and 69.3 FTE, respectively. Based on the foregoing projections, the estimated new permanent FTE jobs payroll being created by the Project is 62.4 FTE X \$13.24/Hour for 40 hours per week for 52 weeks/year = \$1,718,812.76 and 69.3 FTE X \$13.24/Hour for 40 hours per week for 52 weeks/year = \$1,909,791.96 or a total estimated payroll of \$3,628,604.72. Please see the tables below for a summary of direct economic benefits resulting from the Project.









**ATTACHMENT D**

**Supportive Letters**

## ATTACHMENT E

### Estimated Cost of Eligible Activities Tables

#### ESTIMATED COST OF ELIGIBLE ACTIVITIES SUMMARY

| Description of Eligible Activities                   | Estimated Cost Bldg#1 | Estimated Cost Bldg#2 | Activity Total <sup>1</sup> |
|--|-----------------------|-----------------------|-----------------------------|
| Brownfield Plan and Act 381 Work Plan                |                       |                       | \$30,000.00                 |
| Baseline Environmental Assessment Activities         | \$22,900.00           | \$22,900.00           | \$45,800.00                 |
| Due Care Activities                                  | \$328,500.00          | \$321,500.00          | \$650,000.00                |
| Response Activities                                  | \$83,500.00           | \$83,500.00           | \$167,000.00                |
| Demolition Activities                                | \$50,000.00           | \$225,000.00          | \$275,000.00                |
| Infrastructure Improvements                          | \$472,948.00          | \$464,360.00          | \$937,308.00                |
| Site Preparation                                     | \$218,200.00          | \$218,200.00          | \$436,400.00                |
| <b>Sub-Total Site Eligible Activities</b>            | <b>\$1,176,048.00</b> | <b>\$1,335,460.00</b> | <b>\$2,541,508.00</b>       |
| FBRA Administration Costs                            |                       |                       | \$973,411.00                |
| Local Site Remediation Revolving Fund                |                       |                       | \$1,044,652.00              |
| <b>Total Estimated Cost to be Funded Through TIF</b> |                       |                       | <b>\$4,559,571.00</b>       |

<sup>1</sup>Does not include 15% Act 381 Contingency



**TABLE 1 - TOTAL PROPOSED EGLE ELIGIBLE ACTIVITY COSTS**  
**BROWNFIELD PLAN**  
**PROPOSED FORMER DUPONT SITE REDEVELOPMENT - Phase 1 (90,000 ft2 bldg)**  
**CITY OF FLINT, GENESEE COUNTY, MICHIGAN**

| Eligible Activity Description  | Brownfield Property Cost |                             |           |
|--|--------------------------|-----------------------------|-----------|
| DEPARTMENT SPECIFIC ACTIVITIES (MCL §125.2652(2)(b)) ELIGIBLE ACTIVITY COSTS         |                          |                             |           |
| Baseline Environmental Assessments (MCL §125.2652(2)(l))                             | Local TIF Capture Only   | State and Local TIF Capture | TOTAL     |
| Phase I Environmental Site Assessment  | \$0                      | \$2,400                     | \$2,400   |
| Phase II Environmental Site Assessment   | \$0                      | \$15,000                    | \$15,000  |
| Baseline Environmental Assessment  | \$0                      | \$3,500                     | \$3,500   |
| 7a Due Care Plan   | \$0                      | \$2,000                     | \$2,000   |
| Due Care Activities (MCL §125.2652(2)(l) and (m))                                    |                          |                             |           |
| Section 7aCA Due Care Plan - Revisions/Documentation of Due Care Compliance          | \$0                      | \$4,500                     | \$4,500   |
| Additional Due Care Phase II ESA Environmental Due Diligence Activities              | \$0                      | \$40,000                    | \$40,000  |
| Additional Due Care Phase II ESA Environmental Due Diligence Reporting Activities    | \$0                      | \$3,500                     | \$3,500   |
| Treatment/Disposal of Contaminated Groundwater During Construction (if necessary )   | \$0                      | \$40,000                    | \$40,000  |
| Soil Staging, Loading, Transportation, and Disposal                                  | \$0                      | \$35,000                    | \$35,000  |
| Soil Verification Sampling (if necessary )   | \$0                      | \$25,000                    | \$25,000  |
| Soil Backfill (Soil, soil placement & compaction)                                    | \$0                      | \$5,000                     | \$5,000   |
| Health & Safety Plan   | \$0                      | \$2,500                     | \$2,500   |
| Project Management   | \$0                      | \$15,000                    | \$15,000  |
| Soil Erosion Measures  | \$0                      | \$3,000                     | \$3,000   |
| Incremental Costs for Greenspace Encapsulation (as necessary )                       | \$0                      | \$30,000                    | \$30,000  |
| Incremental Costs for Encapsulation (Engineering controls for Building and Parking)  | \$0                      | \$50,000                    | \$50,000  |
| Soil Vapor Assessment and Pilot Test   | \$0                      | \$5,000                     | \$5,000   |
| Soil Vapor Barrier / Sub-slab Depressurization System                                | \$0                      | \$65,000                    | \$65,000  |
| Work Plans, Engineering, Specifications and Reports                                  | \$0                      | \$5,000                     | \$5,000   |
| Response Activities (MCL §125.2652(2)(l) and (o)(i) and (ii))                        |                          |                             |           |
| Hoist, Trench and Other former Equipment Removal Related Activities (if present)     | \$0                      | \$15,000                    | \$15,000  |
| UST Removal and Closure (if identified during excavation)                            | \$0                      | \$50,000                    | \$50,000  |
| UST Removal Observation, Sampling and Report (if identified during excavation)       | \$0                      | \$12,000                    | \$12,000  |
| Work Plans, Engineering, Specifications and Reports                                  | \$0                      | \$6,500                     | \$6,500   |
| ENVIRONMENTAL COSTS SUBTOTAL   | \$0                      | \$434,900                   | \$434,900 |
| TOTAL ELIGIBLE ACTIVITY COSTS PLUS CONTINGENCY AND ADMINISTRATIVE COSTS              |                          |                             |           |
| Contingency  |                          |                             |           |
| Contingency (15% of Subtotal NOT including completed BEA Activities)                 | \$0.00                   | \$61,800                    | \$61,800  |
| Brownfield Plan, Act 381 Work Plan and Related Documents (MCL §125.2652(2)(o)(i)(D)) |                          | \$7,500                     | \$7,500   |
| ELIGIBLE ACTIVITY COSTS SUBTOTAL   | \$0                      | \$504,200                   | \$504,200 |
| Agency Administrative Costs  |                          |                             |           |
| State Act 381 Work Plan Review (No longer charged by State)                          | \$0                      | \$0                         | \$0       |
| DBRA Administrative and Operating Costs (15% of TIR Annually)                        | \$0                      | \$0                         | \$0       |
| GRAND TOTAL  | \$0                      | \$504,200                   | \$504,200 |

**TABLE 2 - TOTAL PROPOSED MSF ELIGIBLE ACTIVITY COSTS**  
**PROPOSED FORMER DUPONT SITE REDEVELOPMENT - Phase 1 (90,000 ft2 bldg)**  
**CITY OF FLINT, GENESEE COUNTY, MICHIGAN**

| Eligible Activity Description   | Brownfield Property Cost |
|---|--------------------------|
| <b>ELIGIBLE ACTIVITIES (MCL 125.2652(2)(o)) MSF ELIGIBLE ACTIVITY COSTS</b>                         |                          |
| <b>Lead, Asbestos and Mold Abatement (MCL §125.2652(2)(o)(i)(G))</b>                                |                          |
| Pre Demolition Hazardous Materials Environmental Assessment (HMEA)                                  | \$0                      |
| Bid Specs and Bid Evaluation (for HazMat Abatement)   | \$0                      |
| Lead, Asbestos and Mold Abatement Consulting, Management, Design and Planning, Air Monitoring       | \$0                      |
| Site Security (HazMat Abatement and Demolition)   | \$0                      |
| Pre Demolition Asbestos, Lead and Hazardous Materials Abatement                                     | \$0                      |
| <b>Demolition Activities (MCL §125.2652(2)(o)(i)(F))</b>  |                          |
| Demolition Engineering, Design and Management, Bid Specs and Evaluation                             | \$15,000                 |
| Demolition of Building (Interior and Exterior, Incl Demo & Disp)                                    | \$0                      |
| Demolition of Building (Utility disconnect and removal)   | \$0                      |
| Demolition of Building (Pavement removal)   | \$35,000                 |
| <b>Infrastructure Improvements (MCL §125.2652(2)(o)(ii)(B))</b>                                     |                          |
| Utility Connection & Installation - New site utilities/Utility relocation (water, sewer, gas, etc.) | \$472,948                |
| Utility Connection & Installation - Retention/Detention   | \$0                      |
| Public Infrastructure - Storm Sewer   | \$0                      |
| Public Infrastructure - James P. Cole Right-of-Way  | \$0                      |
| Public Infrastructure -   | \$0                      |
| Public Infrastructure -   | \$0                      |
| <b>Site Preparation (MCL §125.2652(2)(o)(ii)(C))</b>  |                          |
| Geotechnical Testing & Evaluation   | \$20,000                 |
| Soil Mitigation activities  | \$0                      |
| Geotechnically Non-viable Soils Removal   | \$0                      |
| Site Preparation (Exc., Debris removal, etc.)   | \$25,000                 |
| Site Preparation (Rough Grading, etc.)  | \$132,000                |
| Site Preparation (Finished Grading, etc.)   | \$28,200                 |
| Site Preparation (Specialized foundations)  | \$0                      |
| Site Preparation (Sheeting, shoring, etc.)  | \$0                      |
| Site Preparation - Excavation   | \$5,000                  |
| Site Preparation - Pumping of Groundwater   | \$8,000                  |
| <b>MSF ELIGIBLE ACTIVITY COSTS SUBTOTAL</b>   | <b>\$741,148</b>         |
| <b>TOTAL ELIGIBLE ACTIVITY COSTS PLUS CONTINGENCY</b>   |                          |
| Contingency (15% of Subtotal)   | \$111,172                |
| Brownfield Plan, Act 381 Work Plan and Related Documents (MCL §125.2652(2)(o)(i)(D))                | \$7,500                  |
| <b>GRAND TOTAL</b>  | <b>\$859,820</b>         |

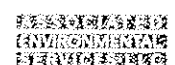
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**TABLE 1 - TOTAL PROPOSED EGLE ELIGIBLE ACTIVITY COSTS**  
**BROWNFIELD PLAN**  
**PROPOSED FORMER DUPONT SITE REDEVELOPMENT - Phase 1 (100,000 ft2 bldg)**  
**CITY OF FLINT, GENESEE COUNTY, MICHIGAN**

| Eligible Activity Description  | Brownfield Property Cost |                             |           |
|--|--------------------------|-----------------------------|-----------|
| DEPARTMENT SPECIFIC ACTIVITIES (MCL §125.2652(2)(l)) ELIGIBLE ACTIVITY COSTS         |                          |                             |           |
| Baseline Environmental Assessments (MCL §125.2652(2)(l))                             | Local TIF Capture Only   | State and Local TIF Capture | TOTAL     |
| Phase I Environmental Site Assessment  | \$0                      | \$2,400                     | \$2,400   |
| Phase II Environmental Site Assessment   | \$0                      | \$15,000                    | \$15,000  |
| Baseline Environmental Assessment  | \$0                      | \$3,500                     | \$3,500   |
| 7a Due Care Plan   | \$0                      | \$2,000                     | \$2,000   |
| Due Care Activities (MCL §125.2652(2)(l) and (m))                                    |                          |                             |           |
| Section 7aCA Due Care Plan - Revisions/Documentation of Due Care Compliance          | \$0                      | \$4,500                     | \$4,500   |
| Additional Due Care Phase II ESA Environmental Due Diligence Activities              | \$0                      | \$40,000                    | \$40,000  |
| Additional Due Care Phase II ESA Environmental Due Diligence Reporting Activities    | \$0                      | \$3,500                     | \$3,500   |
| Treatment/Disposal of Contaminated Groundwater During Construction (if necessary)    | \$0                      | \$40,000                    | \$40,000  |
| Soil Staging, Loading, Transportation, and Disposal                                  | \$0                      | \$35,000                    | \$35,000  |
| Soil Verification Sampling (if necessary)  | \$0                      | \$25,000                    | \$25,000  |
| Soil Backfill (Soil, soil placement & compaction)                                    | \$0                      | \$5,000                     | \$5,000   |
| Health & Safety Plan   | \$0                      | \$2,500                     | \$2,500   |
| Project Management   | \$0                      | \$15,000                    | \$15,000  |
| Soil Erosion Measures  | \$0                      | \$3,000                     | \$3,000   |
| Incremental Costs for Greenspace Encapsulation (as necessary)                        | \$0                      | \$30,000                    | \$30,000  |
| Incremental Costs for Encapsulation (Engineering controls for Building and Parking)  | \$0                      | \$50,000                    | \$50,000  |
| Soil Vapor Assessment and Pilot Test   | \$0                      | \$5,000                     | \$5,000   |
| Soil Vapor Barrier / Sub-slab Depressurization System                                | \$0                      | \$58,000                    | \$58,000  |
| Work Plans, Engineering, Specifications and Reports                                  | \$0                      | \$5,000                     | \$5,000   |
| Response Activities (MCL §125.2652(2)(l) and (oo)(i) and (ii))                       |                          |                             |           |
| Hoist, Trench and Other former Equipment Removal Related Activities (if present)     | \$0                      | \$15,000                    | \$15,000  |
| UST Removal and Closure (if identified during excavation)                            | \$0                      | \$50,000                    | \$50,000  |
| UST Removal Observation, Sampling and Report (if identified during excavation)       | \$0                      | \$12,000                    | \$12,000  |
| Work Plans, Engineering, Specifications and Reports                                  | \$0                      | \$6,500                     | \$6,500   |
| ENVIRONMENTAL COSTS SUBTOTAL   | \$0                      | \$427,900                   | \$427,900 |
| TOTAL ELIGIBLE ACTIVITY COSTS PLUS CONTINGENCY AND ADMINISTRATIVE COSTS              |                          |                             |           |
| Contingency  |                          |                             |           |
| Contingency (15% of Subtotal NOT including completed BEA Activities)                 | \$0.00                   | \$60,750                    | \$60,750  |
| Brownfield Plan, Act 381 Work Plan and Related Documents (MCL §125.2652(2)(o)(i)(D)) |                          | \$7,500                     | \$7,500   |
| ELIGIBLE ACTIVITY COSTS SUBTOTAL   | \$0                      | \$496,150                   | \$496,150 |
| Agency Administrative Costs  |                          |                             |           |
| State Act 381 Work Plan Review (No longer charged by State)                          | \$0                      | \$0                         | \$0       |
| DBRA Administrative and Operating Costs (15% of TIR Annually)                        | \$0                      | \$0                         | \$0       |
| GRAND TOTAL  | \$0                      | \$496,150                   | \$496,150 |

**TABLE 2 - TOTAL PROPOSED MSF ELIGIBLE ACTIVITY COSTS**  
**PROPOSED FORMER DUPONT SITE REDEVELOPMENT - Phase 1 (100,000 ft2 bldg)**  
**CITY OF FLINT, GENESEE COUNTY, MICHIGAN**

| Eligible Activity Description   | Brownfield Property Cost |
|---|--------------------------|
| <b>ELIGIBLE ACTIVITIES (MCL 125.2652(2)(o)) MSF ELIGIBLE ACTIVITY COSTS</b>                         |                          |
| <b>Lead, Asbestos and Mold Abatement (MCL §125.2652(2)(o)(i)(G))</b>                                |                          |
| Pre Demolition Hazardous Materials Environmental Assessment (HMEA)                                  | \$0                      |
| Bid Specs and Bid Evaluation (for HazMat Abatement)   | \$0                      |
| Lead, Asbestos and Mold Abatement Consulting, Management, Design and Planning, Air Monitoring       | \$0                      |
| Site Security (HazMat Abatement and Demolition)   | \$0                      |
| Pre Demolition Asbestos, Lead and Hazardous Materials Abatement                                     | \$0                      |
| <b>Demolition Activities (MCL §125.2652(2)(o)(i)(F))</b>  |                          |
| Demolition Engineering, Design and Management, Bid Specs and Evaluation                             | \$15,000                 |
| Demolition of Building (Interior and Exterior, Incl Demo & Disp)                                    | \$90,000                 |
| Demolition of Building (Utility disconnect and removal)   | \$25,000                 |
| Demolition of Building (Pavement removal)   | \$95,000                 |
| <b>Infrastructure Improvements (MCL §125.2652(2)(o)(ii)(B))</b>                                     |                          |
| Utility Connection & Installation - New site utilities/Utility relocation (water, sewer, gas, etc.) | \$464,360                |
| Utility Connection & Installation - Retention/Detention   | \$0                      |
| Public Infrastructure - Storm Sewer   | \$0                      |
| Public Infrastructure - James P. Cole Right-of-Way  | \$0                      |
| Public Infrastructure -   | \$0                      |
| Public Infrastructure -   | \$0                      |
| <b>Site Preparation (MCL §125.2652(2)(o)(ii)(C))</b>  |                          |
| Geotechnical Testing & Evaluation   | \$20,000                 |
| Soil Mitigation activities  | \$0                      |
| Geotechnically Non-viable Soils Removal   | \$0                      |
| Site Preparation (Exc., Debris removal, etc.)   | \$25,000                 |
| Site Preparation (Rough Grading, etc.)  | \$132,000                |
| Site Preparation (Finished Grading, etc.)   | \$28,200                 |
| Site Preparation (Specialized foundations)  | \$0                      |
| Site Preparation (Sheeting, shoring, etc.)  | \$0                      |
| Site Preparation - Excavation   | \$5,000                  |
| Site Preparation - Pumping of Groundwater   | \$8,000                  |
| <b>MSF ELIGIBLE ACTIVITY COSTS SUBTOTAL</b>   | <b>\$907,560</b>         |
| <b>TOTAL ELIGIBLE ACTIVITY COSTS PLUS CONTINGENCY</b>   |                          |
| Contingency (15% of Subtotal)   | \$136,134                |
| Brownfield Plan, Act 381 Work Plan and Related Documents (MCL §125.2652(2)(o)(i)(D))                | \$7,500                  |
| <b>GRAND TOTAL</b>  | <b>\$1,051,194</b>       |


  
 CITY OF FLINT, MICHIGAN

**ATTACHMENT F**

**TIF Tables**

**Tax Increment Revenue Capture Estimates**  
**Former DuPont Facility Redevelopment**  
**James P. Cole Blvd**  
**Flint, Genesee County, Michigan**  
**October 31, 2020**

**FINAL DRAFT FOR REVIEW AND APPROVAL**

**EXHIBIT A: TIF TABLE**

|   | Plan Year |           | Incremental Taxable Value (TV) Increase Rate: 2% per year |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |
|---|-----------|-----------|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--|
|   | 2021      | 2022      | 2023  | 2024      | 2025      | 2026      | 2027      | 2028      | 2029      | 2030      | 2031      | 2032      | 2033      | 2034      | 2035      | 2036      | 2037      | 2038      | 2039      | 2040      |  |
| <b>Base Taxable Value (\$)</b>                        | 34,000    | 34,000    | 34,000  | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    | 34,000    |  |
| <b>Estimated New TV (\$)</b>                          | 4,831,250 | 4,877,563 | 4,924,138   | 4,971,062 | 5,018,247 | 5,065,692 | 5,113,405 | 5,161,386 | 5,209,634 | 5,258,150 | 5,306,934 | 5,355,985 | 5,405,303 | 5,454,887 | 5,504,735 | 5,554,847 | 5,605,223 | 5,655,864 | 5,706,771 | 5,757,943 |  |
| <b>Incremental Difference (New TV - Base TV) (\$)</b> | 4,797,250 | 4,843,563 | 4,890,138   | 4,937,062 | 4,984,247 | 5,031,692 | 5,079,405 | 5,127,386 | 5,175,634 | 5,224,150 | 5,272,934 | 5,321,985 | 5,371,303 | 5,420,887 | 5,470,735 | 5,520,847 | 5,571,223 | 5,621,864 | 5,672,771 | 5,723,943 |  |
| <b>Millage Rate</b>                                   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   |  |
| <b>School Total</b>                                   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   | 20.0000   |  |
| <b>Local Capture</b>                                  |           |           |   |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |
| County Operating                                      | 5.4000    | 5.4000    | 5.4000  | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    | 5.4000    |  |
| Library   | 4.0000    | 4.0000    | 4.0000  | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    | 4.0000    |  |
| Fire Department                                       | 2.0000    | 2.0000    | 2.0000  | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    | 2.0000    |  |
| Police & Safety                                       | 6.0000    | 6.0000    | 6.0000  | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    | 6.0000    |  |
| Genesee County Parks                                  | 0.1418    | 0.1418    | 0.1418  | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    | 0.1418    |  |
| Parks and Rec   | 0.0000    | 0.0000    | 0.0000  | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    | 0.0000    |  |
| Genesee ISD   | 1.7721    | 1.7721    | 1.7721  | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    | 1.7721    |  |
| Max Transit   | 1.1000    | 1.1000    | 1.1000  | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    | 1.1000    |  |
| Flint Senior Fund                                     | 1.9705    | 1.9705    | 1.9705  | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    | 1.9705    |  |
| CS Multi-Operating                                    | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   | 41.3863   |  |
| <b>Local Total</b>                                    | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   | 65.3863   |  |
| <b>Non-Capturable Millages</b>                        |           |           |   |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |
| Flint School Dist                                     | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   | 2.87000   |  |
| CS Mont Clair   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   | 0.75000   |  |
| Public Library Dist                                   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   | 1.87000   |  |
| <b>Total Non-Capturable Taxes</b>                     | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   | 5.49000   |  |
| <b>TOTAL MILLS</b>                                    | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   | 70.8763   |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Total Tax Increment Revenue (TIR) Available for Capture</b> |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

Flint, Michigan



**Tax Increment Revenue Capture Estimates  
Former DuPont Facility Redevelopment  
James P. Cole Blvd  
Flint, Genesee County, Michigan  
October 31, 2020**

**EXHIBIT A: TIF TABLE**

| Section D: Capture Summary Table         |           |  | State Worksheet |  |
|--|-----------|--|-----------------|--|
| Developer P&L                            | Local R/F |  |                 |  |
| Plan Year                                |           |  |                 |  |
| Capital Year                             |           |  |                 |  |
| * Base Taxable Value                     |           |  |                 |  |
| 1 - Merged New FS                        |           |  |                 |  |
| Investment Difference (New FS - Base FS) |           |  |                 |  |
| 6,0000                                   |           |  |                 |  |
| 18,0000                                  |           |  |                 |  |
| 24,0000                                  |           |  |                 |  |
| State Education Tax (SEI)                |           |  |                 |  |
| School Operating Tax                     |           |  |                 |  |
| Local Capture                            |           |  |                 |  |
| County Operating                         |           |  |                 |  |
| Library                                  |           |  |                 |  |
| Port Operating                           |           |  |                 |  |
| Public Safety                            |           |  |                 |  |
| Misc. Taxes                              |           |  |                 |  |
| Georgetown Parks                         |           |  |                 |  |
| Parks and Rec                            |           |  |                 |  |
| Georgetown                               |           |  |                 |  |
| Metro Transit                            |           |  |                 |  |
| First Seining Fund                       |           |  |                 |  |
| CS Multi-Operating                       |           |  |                 |  |
| Local Total                              |           |  |                 |  |
| Non-Capturable Mills                     |           |  |                 |  |
| Port School Debt                         |           |  |                 |  |
| CS Multi Debt                            |           |  |                 |  |
| Public Library Debt                      |           |  |                 |  |
| 0.00000                                  |           |  |                 |  |
| Total Non-Capturable Taxes               |           |  |                 |  |
| TOTAL MILLS                              |           |  |                 |  |
| State Education Tax (SEI)                |           |  |                 |  |
| School Operating Tax                     |           |  |                 |  |
| Local Capture                            |           |  |                 |  |
| County Operating                         |           |  |                 |  |
| Library                                  |           |  |                 |  |
| Port Operating                           |           |  |                 |  |
| Public Safety                            |           |  |                 |  |
| Misc. Taxes                              |           |  |                 |  |
| Georgetown Parks                         |           |  |                 |  |
| Parks and Rec                            |           |  |                 |  |
| Georgetown                               |           |  |                 |  |
| Metro Transit                            |           |  |                 |  |
| First Seining Fund                       |           |  |                 |  |
| CS Multi-Operating                       |           |  |                 |  |
| Local Total                              |           |  |                 |  |
| Non-Capturable Mills                     |           |  |                 |  |
| Port School Debt                         |           |  |                 |  |
| CS Multi Debt                            |           |  |                 |  |
| Public Library Debt                      |           |  |                 |  |
| 0.00000                                  |           |  |                 |  |
| Total Non-Capturable Taxes               |           |  |                 |  |
| TOTAL MILLS                              |           |  |                 |  |





## EXHIBIT A: TIF TABLE

|  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      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198 | 199 | 200 | 201 | 202 | 203 | 204 | 205 | 206 | 207 | 208 | 209 | 210 | 211 | 212 | 213 | 214 | 215 | 216 | 217 | 218 | 219 | 220 | 221 | 222 | 223 | 224 | 225 | 226 | 227 | 228 | 229 | 230 | 231 | 232 | 233 | 234 | 235 | 236 | 237 | 238 | 239 | 240 | 241 | 242 | 243 | 244 | 245 | 246 | 247 | 248 | 249 | 250 | 251 | 252 | 253 | 254 | 255 | 256 | 257 | 258 | 259 | 260 | 261 | 262 | 263 | 264 | 265 | 266 | 267 | 268 | 269 | 270 | 271 | 272 | 273 | 274 | 275 | 276 | 277 | 278 | 279 | 280 | 281 | 282 | 283 | 284 | 285 | 286 | 287 | 288 | 289 | 290 | 291 | 292 | 293 | 294 | 295 | 296 | 297 | 298 | 299 | 300 | 301 | 302 | 303 | 304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400 | 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 | 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 | 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 | 494 | 495 | 496 | 497 | 498 | 499 | 500 | 501 | 502 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 | 527 | 528 | 529 | 530 | 531 | 532 | 533 | 534 | 535 | 536 | 537 | 538 | 539 | 540 | 541 | 542 | 543 | 544 | 545 | 546 | 547 | 548 | 549 | 550 | 551 | 552 | 553 | 554 | 555 | 556 | 557 | 558 | 559 | 560 | 561 | 562 | 563 | 564 | 565 | 566 | 567 | 568 | 569 | 570 | 571 | 572 | 573 | 574 | 575 | 576 | 577 | 578 | 579 | 580 | 581 | 582 | 583 | 584 | 585 | 586 | 587 | 588 | 589 | 590 | 591 | 592 | 593 | 594 | 595 | 596 | 597 | 598 | 599 | 600 | 601 | 602 | 603 | 604 | 605 | 606 | 607 | 608 | 609 | 610 | 611 | 612 | 613 | 614 | 615 | 616 | 617 | 618 | 619 | 620 | 621 | 622 | 623 | 624 | 625 | 626 | 627 | 628 | 629 | 630 | 631 | 632 | 633 | 634 | 635 | 636 | 637 | 638 | 639 | 640 | 641 | 642 | 643 | 644 | 645 | 646 | 647 | 648 | 649 | 650 | 651 | 652 | 653 | 654 | 655 | 656 | 657 | 658 | 659 | 660 | 661 | 662 | 663 | 664 | 665 | 666 | 667 | 668 | 669 | 670 | 671 | 672 | 673 | 674 | 675 | 676 | 677 | 678 | 679 | 680 | 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 | 689 | 690 | 691 | 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 | 700 | 701 | 702 | 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 | 711 | 712 | 713 | 714 | 715 | 716 | 717 | 718 | 719 | 720 | 721 | 722 | 723 | 724 | 725 | 726 | 727 | 728 | 729 | 730 | 731 | 732 | 733 | 734 | 735 | 736 | 737 | 738 | 739 | 740 | 741 | 742 | 743 | 744 | 745 | 746 | 747 | 748 | 749 | 750 | 751 | 752 | 753 | 754 | 755 | 756 | 757 | 758 | 759 | 760 | 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 | 769 | 770 | 771 | 772 | 773 | 774 | 775 | 776 | 777 | 778 | 779 | 780 | 781 | 782 | 783 | 784 | 785 | 786 | 787 | 788 | 789 | 790 | 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 | 799 | 800 | 801 | 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 | 810 | 811 | 812 | 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 | 821 | 822 | 823 | 824 | 825 | 826 | 827 | 828 | 829 | 830 | 831 | 832 | 833 | 834 | 835 | 836 | 837 | 838 | 839 | 840 | 841 | 842 | 843 | 844 | 845 | 846 | 847 | 848 | 849 | 850 | 851 | 852 | 853 | 854 | 855 | 856 | 857 | 858 | 859 | 860 | 861 | 862 | 863 | 864 | 865 | 866 | 867 | 868 | 869 | 870 | 871 | 872 | 873 | 874 | 875 | 876 | 877 | 878 | 879 | 880 | 881 | 882 | 883 | 884 | 885 | 886 | 887 | 888 | 889 | 890 | 891 | 892 | 893 | 894 | 895 | 896 | 897 | 898 | 899 | 900 | 901 | 902 | 903 | 904 | 905 | 906 | 907 | 908 | 909 | 910 | 911 | 912 | 913 | 914 | 915 | 916 | 917 | 918 | 919 | 920 | 921 | 922 | 923 | 924 | 925 | 926 | 927 | 928 | 929 | 930 | 931 | 932 | 933 | 934 | 935 | 936 | 937 | 938 | 939 | 940 | 941 | 942 | 943 | 944 | 945 | 946 | 947 | 948 | 949 | 950 | 951 | 952 | 953 | 954 | 955 | 956 | 957 | 958 | 959 | 960 | 961 | 962 | 963 | 964 | 965 | 966 | 967 | 968 | 969 | 970 | 971 | 972 | 973 | 974 | 975 | 976 | 977 | 978 | 979 | 980 | 981 | 982 | 983 | 984 | 985 | 986 | 987 | 988 | 989 | 990 | 991 | 992 | 993 | 994 | 995 | 996 | 997 | 998 | 999 | 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 | 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 | 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 1026 | 1027 | 1028 | 1029 | 1030 | 1031 | 1032 | 1033 | 1034 | 1035 | 1036 | 1037 | 1038 | 1039 | 1040 | 1041 | 1042 | 1043 | 1044 | 1045 | 1046 | 1047 | 1048 | 1049 | 1050 | 1051 | 1052 | 1053 | 1054 | 1055 | 1056 | 1057 | 1058 | 1059 | 1060 | 1061 | 1062 | 1063 | 1064 | 1065 | 1066 | 1067 | 1068 | 1069 | 1070 | 1071 | 1072 | 1073 | 1074 | 1075 | 1076 | 1077 | 1078 | 1079 | 1080 | 1081 | 1082 | 1083 | 1084 | 1085 | 1086 | 1087 | 1088 | 1089 | 1090 | 1091 | 1092 | 1093 | 1094 | 1095 | 1096 | 1097 | 1098 | 1099 | 1100 | 1101 | 1102 | 1103 | 1104 | 1105 | 1106 | 1107 | 1108 | 1109 | 1110 | 1111 | 1112 | 1113 | 1114 | 1115 | 1116 | 1117 | 1118 | 1119 | 1120 | 1121 | 1122 | 1123 | 1124 | 1125 | 1126 | 1127 | 1128 | 1129 | 1130 | 1131 | 1132 | 1133 | 1134 | 1135 | 1136 | 1137 | 1138 | 1139 | 1140 | 1141 | 1142 | 1143 | 1144 | 1145 | 1146 | 1147 | 1148 | 1149 | 1150 | 1151 | 1152 | 1153 | 1154 | 1155 | 1156 | 1157 | 1158 | 1159 | 1160 | 1161 | 1162 | 1163 | 1164 | 1165 | 1166 | 1167 | 1168 | 1169 | 1170 | 1171 | 1172 | 1173 | 1174 | 1175 | 1176 | 1177 | 1178 | 1179 | 1180 | 1181 | 1182 | 1183 | 1184 | 1185 | 1186 | 1187 | 1188 | 1189 | 1190 | 1191 | 1192 | 1193 | 1194 | 1195 | 1196 | 1197 | 1198 | 1199 | 1200 | 1201 | 1202 | 1203 | 1204 | 1205 | 1206 | 1207 | 1208 | 1209 | 1210 | 1211 | 1212 | 1213 | 1214 | 1215 | 1216 | 1217 | 1218 | 1219 | 1220 | 1221 | 1222 | 1223 | 1224 | 1225 | 1226 | 1227 | 1228 | 1229 | 1230 | 1231 | 1232 | 1233 | 1234 | 1235 | 1236 | 1237 | 1238 | 1239 | 1240 | 1241 | 1242 | 1243 | 1244 | 1245 | 1246 | 1247 | 1248 | 1249 | 1250 | 1251 | 1252 | 1253 | 1254 | 1255 | 1256 | 1257 | 1258 | 1259 | 1260 | 1261 | 1262 | 1263 | 1264 | 1265 | 1266 | 1267 | 1268 | 1269 | 1270 | 1271 | 1272 | 1273 | 1274 | 1275 | 1276 | 1277 | 1278 | 1279 | 1280 | 1281 | 1282 | 1283 | 1284 | 1285 | 1286 | 1287 | 1288 | 1289 | 1290 | 1291 | 1292 | 1293 | 1294 | 1295 | 1296 | 1297 | 1298 | 1299 | 1300 | 1301 | 1302 | 1303 | 1304 | 1305 | 1306 | 1307 | 1308 | 1309 | 1310 | 1311 | 1312 | 1313 | 1314 | 1315 | 1316 | 1317 | 1318 | 1319 | 1320 | 1321 | 1322 | 1323 | 1324 | 1325 | 1326 | 1327 | 1328 | 1329 | 1330 | 1331 | 1332 | 1333 | 1334 | 1335 | 1336 | 1337 | 1338 | 1339 | 1340 | 1341 | 1342 | 1343 | 1344 | 1345 | 1346 | 1347 | 1348 | 1349 | 1350 | 1351 | 1352 | 1353 | 1354 | 1355 | 1356 | 1357 | 1358 | 1359 | 1360 | 1361 | 1362 | 1363 | 1364 | 1365 | 1366 | 1367 | 1368 | 1369 | 1370 | 1371 | 1372 | 1373 | 1374 | 1375 | 1376 | 1377 | 1378 | 1379 | 1380 | 1381 | 1382 | 1383 | 1384 | 1385 | 1386 | 1387 | 1388 | 1389 | 1390 | 1391 | 1392 | 1393 | 1394 | 1395 | 1396 | 1397 | 1398 | 1399 | 1400 | 1401 | 1402 | 1403 | 1404 | 1405 | 1406 | 1407 | 1408 | 1409 | 1410 | 1411 | 1412 | 1413 | 1414 | 1415 | 1416 | 1417 | 1418 | 1419 | 1420 | 1421 | 1422 | 1423 | 1424 | 1425 | 1426 | 1427 | 1428 | 1429 | 1430 | 1431 | 1432 | 1433 | 1434 | 1435 | 1436 | 1437 | 1438 | 1439 | 1440 | 1441 | 1442 | 1443 | 1444 | 1445 | 1446 | 1447 | 1448 | 1449 | 1450 | 1451 | 1452 | 1453 | 1454 | 1455 | 1456 | 1457 | 1458 | 1459 | 1460 | 1461 | 1462 | 1463 | 1464 | 1465 | 1466 | 1467 | 1468 | 1469 | 1470 | 1471 | 1472 | 1473 | 1474 | 1475 | 1476 | 1477 | 1478 | 1479 | 1480 | 1481 | 1482 | 1483 | 1484 | 1485 | 1486 | 1487 | 1488 | 1489 | 1490 | 1491 | 1492 | 1493 | 1494 | 1495 | 1496 | 1497 | 1498 | 1499 | 1500 | 1501 | 1502 | 1503 | 1504 | 1505 | 1506 | 1507 | 1508 | 1509 | 1510 | 1511 |
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**Footnotes:**  
 \* 498A administrative fee is .15% with a \$100,000 cap. The plan's proportionate share of all tax increment revenue captured for administrative fees per PA 381.

**ATTACHMENT G**

**Environmental Department Acknowledgement and Other Environmental  
Documents**



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING DISTRICT OFFICE



C. HEIDI GRETHER  
DIRECTOR

September 17, 2018

**ACKNOWLEDGEMENT OF RECEIPT OF A BASELINE ENVIRONMENTAL  
ASSESSMENT**

**BEA ID:** B201802506LA

**Legal Entity:** James P Cole Venture LLC, 27 Forest Lane, South Barrington,  
Illinois 60010

**Property Address:** 1809 James P Cole Boulevard, Flint, Genesee County, Michigan

On September 13, 2018, the Michigan Department of Environmental Quality (MDEQ) received a Baseline Environmental Assessment (BEA) dated September 10, 2018, for the above legal entity and property. This letter is your acknowledgement that the MDEQ has received and recorded the BEA. The MDEQ maintains an administrative record of each BEA as received.

This BEA was submitted pursuant to Section 20126(1)(c) of Part 201, Environmental Remediation, and/or Section 21323a(1)(b) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). A BEA is submitted for the purpose of establishing an exemption to liability for a new owner or operator of property that has been demonstrated to be a facility or property as defined by Section 20101(1)(s) of Part 201, Environmental Remediation, and/or property as defined by Section 21303(d) of Part 213, Leaking Underground Storage Tanks, of the NREPA. Pursuant to Sections 20126(1)(c) and 21323a(1)(b), the conditions of this exemption require the legal entity to disclose the BEA to a subsequent purchaser or transferee of the property.

The BEA is only for the legal entity and property identified in the BEA and on the BEA Submittal Form. Each new legal entity that becomes the owner or operator of this facility must submit their own BEA.

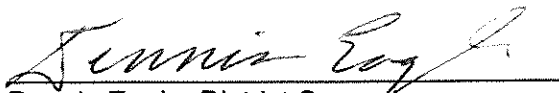
The MDEQ is not making any findings about the adequacy of the submittal or whether the submitter is liable or is eligible to submit. The submitted BEA does not alter liability with regard to a subsequent release, threat of release, or exacerbation of existing conditions that is the responsibility of the legal entity submitting the BEA.

The legal entity, as the owner and/or operator of a facility or property, may have Due Care responsibilities under Section 20107a of Part 201, Environmental Remediation, and/or Section 21304c of Part 213, Leaking Underground Storage Tanks, of the NREPA.

The legal entity may also have responsibility under applicable state and federal laws, including, but not limited to, Part 201, Environmental Remediation; Part 111, Hazardous Waste Management; Part 211, Underground Storage Tank Regulations; Part 213, Leaking Underground Storage Tanks; Part 615, Supervisor of Wells, of the NREPA; and the Michigan Fire Prevention Code, 1941 PA 207, as amended.

Pursuant to Section 20112a(6) of Part 201, Environmental Remediation, the property(s) identified in the BEA will be placed on the inventory of facilities, which is updated daily and posted on the MDEQ's website: <https://secure1.state.mi.us/FacilitiesInventoryQueries>.

Authorized signature:



Dennis Eagle, District Supervisor  
Lansing District Office  
Remediation and Redevelopment Division  
Michigan Department of Environmental Quality  
525 West Allegan Street  
P.O. Box 30242  
Lansing, Michigan 48909  
517-614-8544  
[eagled@michigan.gov](mailto:eagled@michigan.gov)

Enclosure

cc: Environmental Consulting & Technology Inc.



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 #

BA00602500LA

### 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: James P Cole Venture, LLC

Address: 27 Forest Lane

City: South Barrington State: IL ZIP: 60010

Contact Person (Name & Title): Ms. Ramona Navitsky - Treasurer

Telephone: (312) 543-1250

Email: mona.navitsky@dearcapcre.com

Contact for BEA questions if different from submitter:

Name & Title: Mr. John D'Addona – Principal Engineer

Company: Environmental Consulting & Technology, Inc.

Address: 2200 Commonwealth Blvd., Suite 300

City: Ann Arbor State: MI ZIP: 48105

Telephone: (734) 769-3004 Email: jdaddona@ectinc.com

#### Section B: Property Information

Street Address of Property: 1809 James P Cole Blvd

City: Flint State: MI Zip: 48503

City/Village/Township: City of Flint

Property Tax ID (include all applicable IDs):  
41-06-452-014 & 41-06-452-015

Address according to tax records, if different than above  
(include all applicable addresses):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Status of submitter relative to the property  
(check all that apply):

|          | Former                   | Current                  | Prospective                         |
|----------|--------------------------|--------------------------|-------------------------------------|
| Owner    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Operator | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

County: Genesee

Town: 7 North Range: 7 East Section: 6 and 7  
Quarter: \_\_\_\_\_ Quarter-Quarter: \_\_\_\_\_

Decimal Degrees Latitude: 43.0324828  
Decimal Degrees Longitude: 83.684671

Reference point for latitude and longitude:

Center of site ☒ Main/front door ☐  
Front gate/main entrance ☐ Other ☐

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 ☐

RECEIVED

SEP 13 2018

MDEQ - RRD  
LANSING DISTRICT OFFICE

#### 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:

07/11/2018

Date Baseline Environmental Assessment Report conducted:

09/10/2018

Date submitter first became the owner:

09/14/2018

|   |            |
|---|------------|
| Date submitter first became the operator:   | 09/14/2018 |
| Date submitter first became the operator (if prior to ownership):                         | N/A        |
| Anticipated date of becoming the owner for prospective owners:                            | N/A        |
| Anticipated date of becoming the operator for prospective operators:                      | N/A        |
| If former owner or operator of this property, prior dates of being the owner or operator: | N/A        |

**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)?   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Was the All Appropriate Inquiry (AAI) completed in accordance with Section 20101(1)(f) and or 21302(1)(b)?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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?   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Is this BEA being submitted to the department within 6 months of the submitter first becoming the owner or operator, or foreclosing?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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?                          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Does this BEA contain the legal description of the property addressed by the BEA?   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**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: John D'Addona, P.E. Date: September 10, 2018

Printed Name: John D'Addona, P.E.

Company: Environmental Consulting & Technology, Inc.

Mailing Address: 2200 Commonwealth, Suite 300 City: Ann Arbor State: MI Zip: 48105

Telephone: (734) 769-3004

E-Mail: jdaddona@ectinc.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: Ramona Navitsky Date: September 7, 2018

(Person legally authorized to bind the legal entity)

Printed Name: Ms. Ramona Navitsky

Title and Relationship of signatory to submitter: Treasurer

Address: 27 Forest Lane

City: South Barrington

State: IL

Zip: 60010

Telephone: (312) 543-1250

E-Mail: mona.navitsky@dearcapcre.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](http://www.michigan.gov/deqrrd).



*2200 Commonwealth Blvd., Suite 300, Ann Arbor, Michigan 48105*

## **BASELINE ENVIRONMENTAL ASSESSMENT**

**Parcels 41-06-452-014 & 41-06-452-015  
JAMES P. COLE BOULEVARD  
FLINT, MICHIGAN 48503**

**For submission to:**

Michigan Department of Environmental Quality  
Remediation and Redevelopment Division  
Lansing District Office  
525 West Allegan Street  
P.O. Box 30242  
Lansing, Michigan 48909

**September 10, 2018**

ECT No. 180509-0100



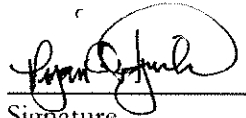
## Document Review

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The dual signatory process is an integral part of Environmental Consulting & Technology, Inc.'s (ECT's) Document Review Policy No. 9.03. All ECT documents undergo technical/peer review prior to dispatching these documents to any outside entity.

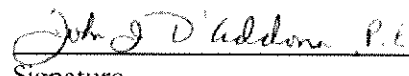
This document has been authored and reviewed by the following employees:

Ryan Higuchi  
Author

  
Signature

September 10, 2018  
Date

John D'Addona, P.E.  
Peer Review

  
Signature

September 10, 2018  
Date

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Baseline Environmental Assessment, Applied Science, Inc.,  
September 2016

## List of Acronyms

|         |  |
|---------|--|
| AAI     | All Appropriate Inquiry  |
| AKT     | AKT-Peerless   |
| AMEC    | AMEC Environment & Infrastructure, Inc.  |
| AST     | Aboveground Storage Tank   |
| ASTM    | American Society for Testing and Materials   |
| BEA     | Baseline Environmental Assessment  |
| BGS     | Below Ground Surface   |
| CAS     | Chemical Abstract Service Number   |
| CERCLA  | Comprehensive Environmental Response, Compensation, and Liability Act                |
| CERCLIS | Comprehensive Environmental Response, Compensation, and Liability Information System |
| COC     | Chain of Custody   |
| CREC    | Controlled Recognized Environmental Condition  |
| DC      | Direct Contact   |
| ECT     | Environmental Consulting & Technology, Inc.  |
| EDR     | Environmental Data Resources, Inc.   |
| EP      | Environmental Professional   |
| EPA     | Environmental Protection Agency  |
| ESA     | Environmental Site Assessment  |
| FINDS   | Facility Index System/Facility Registry System                                       |
| GRCC    | Generic Residential Cleanup Criteria   |
| GSI     | Groundwater Surface Water Interface  |
| HREC    | Historical Recognized Environmental Condition  |
| JPCV    | James P. Cole Ventures, LLC  |
| MDEQ    | Michigan Department of Environmental Quality   |
| NonGen  | Non-generator  |
| NREPA   | Natural Resources and Environmental Protection Act                                   |
| LUST    | Leaking Underground Storage Tank   |
| PCB     | Polychlorinated biphenyls  |
| PNA     | Polynuclear aromatics  |
| PID     | Photoionization Detector   |
| PPM     | Parts per Million  |
| RCRA    | Resource Conservation and Recovery Act   |
| REC     | Recognized Environmental Condition   |
| SVIAI   | Soil Volatilization to Indoor Air Inhalation   |
| SVOC    | Semi-volatile Organic Compounds  |
| SWDBG   | State-wide Default Background  |
| SWF/LF  | Solid Waste Facilities/Landfill  |
| USCS    | Unified Soil Classification System   |
| USGS    | United States Geological Survey  |
| UST     | Underground Storage Tank   |
| VOC     | Volatile Organic Compounds   |
| WDS     | Waste Data System  |

## 1.0 Introduction and Discussion

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This Baseline Environmental Assessment (BEA), as defined by the Environmental Remediation, Part 201 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the Part 201 Rules promulgated thereunder, has been completed by Environmental Consulting & Technology, Inc. (ECT) on behalf of James P. Cole Venture, LLC (JPCV), for the approximately 17.99-acre property comprised of two (2) parcels of 16.09 acres (Parcel A) located at 1809 James P. Cole Boulevard, and 1.90 acres (Parcel B) located at James P. Cole Boulevard in Flint, Michigan 48503 (herein referred to as the Subject Property). This BEA has been completed pursuant to Section 20126(1)(c) of Part 201 of NREPA PA 451 of 1994, as amended (Part 201).

In conducting this BEA, ECT has considered the results of a historical property use review and a physical reconnaissance performed in general conformance with the scope and limitation of American Society for Testing and Materials (ASTM) Practice E 1527-13. ECT has also obtained and reviewed data from sampling and analytical testing to adequately describe the environmental conditions that exist at the Subject Property at the time of the acquisition by the Submitter.

### 1.1 Owner/Operator Information

The purchaser of the Subject Property and Submitter of this BEA is James P. Cole Venture, LLC.

### 1.2 Intended Use of Property

The Submitter intends to redevelop the Subject Property consistent with local zoning and land-use ordinances. Operations on the Subject Property will not require the use of hazardous substances in a manner that would be considered a significant hazardous substance use as defined in Rule 901(o). This is the basis for being able to distinguish the existing contamination from any future release of a hazardous substance on the Subject Property.

### 1.3 Executive Summary of AAI

On July 11, 2018, AKT-Peerless (AKT), on behalf of JPCV, completed a Phase I ESA in general conformance with the scope and limitations of ASTM Practice E 1527-13 for the Subject Property. The Phase I ESA identified five (5) recognized environmental conditions (RECs) in connection with the Subject Property which are as follows:

**REC 1** - *"The subject property operated for industrial purposes from 1901 until 1996, specifically as a varnish and spring manufacturer from 1901 until the early 1920s, and then as DuPont from the early 1920s until 1996. Operations on the subject property included the use and/or storage of heavy industrial equipment, various chemicals, various petroleum products, hazardous substances, and/or hazardous wastes.*

*Moreover, the subject property was identified on the Waste Data System (WDS) database, the Resource Conservation & Recovery Act - Corrective Action Facilities (RCRAC) database, the Resource Conservation and Recovery Act - Generator Facilities (RCRAGR05) database, the Resource Conservation & Recovery Act Sites with Controls (RCRAS) database, the Resource Conservation & Recovery Act - Non-CORR-ACTS Treatment, Storage & Disposal Facilities (RCRAT)*

database, the Baseline Environmental Assessment (BEA) database, the Biennial Reporting System (BRS) database, the Enforcement and Compliance History Online (ECHO05) database, the Facility Registration System (FRSMI) database, the Institutional and Engineering Controls Registry (ICEC) database, the Inventory of Facilities (IF) database, Registered Underground Storage Tank (RUST), the Registered Aboveground Storage Tank (RAST) database, the Leaking Underground Storage Tank (LUST) database, and the Toxics Release Inventory (TRI) database.

According to the RUST database, seven USTs were removed from the ground. Additionally, MDEQ RRD file documentation confirmed a release (C-0226-89) of an unknown substance on June 5, 1989. The confirmed release was granted "closure" by the MDEQ on October 13, 1998. The results of subsurface investigations conducted between 1989 and 2015 identified soil and groundwater contamination at the subject property. Several compounds including benzene, ethylbenzene, 1,2,4-trimethylbenzene isomers, xylenes, benzo(g,h,i)perylene, fluoranthene, indo(1,2,3-cd)pyrene, arsenic, chromium, cobalt, and cyanide were identified in on-site soil and groundwater samples exceeding the current MDEQ Part 201 residential cleanup criteria (RCC).

Based on laboratory analytical results, the subject property meets the definition of a facility, as defined in Part 201 of the NREPA, Michigan Public Act (PA) 451, 1994, as amended. A BEA was subsequently disclosed to the MDEQ based upon the facility designation. In AKT Peerless' opinion, the historical use of the subject property and the presence of known contamination at the subject property represent a REC.

Multiple subsurface investigations were conducted on the subject property between 1989 and 2015 to address previously identified environmental concerns. It is AKT Peerless' opinion, the recognized environmental concerns discussed above have been adequately evaluated and no further subsurface investigation activities are recommended at this time. However, as noted previously, the subject property meets the definition of a facility, as defined in Part 201 of the NREPA, Michigan PA 451, 1994, as amended. Therefore, AKT Peerless recommends any future owner(s)/operator(s) prepare a BEA report and conduct a Section 20107(a) Documentation of Due Care Compliance (DDCC) Analysis prior to future use and occupancy."

**REC 2** - "The northern adjoining property (902 E Hamilton Avenue) historically operated for industrial purposes since at least 1914 until at least 1999. This adjoining property was identified on the Inventory of Facilities (IF) database and the PART 201 database. This adjoining property was also identified on the RUST database with 94 USTs, in which 90 have been removed and 4 are currently in use. This adjoining property was identified on the LUST database with 18 releases, of which 12 are currently listed as "open" by the MDEQ. In AKT Peerless' opinion, the known contamination related to the historical uses of the northern adjoining property and the 12 open releases represents a REC."

**REC 3** - "The southwestern adjoining property (1513 St John Street, historically 1517 St John Street) operated as an automotive repair shop since at least 1928 until at least 1967. This adjoining property was identified on the WDS database and the RUST database with one UST, which was removed on January 19, 1999. Additionally, MDEQ RRD file documentation confirmed a release (C-0047-99) of an unknown substance on January 19, 1999. The confirmed release was granted "closure" by the MDEQ on May 16, 1999. In AKT Peerless' opinion, the historical uses of the southwestern adjoining property and historical release represents a REC."

**REC 4** - "The western adjoining property (1620 Industrial Avenue) is currently being utilized for the storage of demolition debris. This adjoining property has historically operated for industrial purposes since at least 1902 until at least 1999. This adjoining property was identified on the IF database, the PART 201 database, and the BEA database. Additionally, MDEQ RRD file documentation confirmed a release (C-0146-85) of an unknown substance on June 2, 1987. The confirmed release remains "open" with the MDEQ. In AKT Peerless' opinion, the current use of the western adjoining property, the known contamination related to the historical uses of this adjoining property, and the open release represents a REC."

**REC 5** - "The western adjoining property (1002 E Hamilton Avenue) has historically operated for industrial purposes since at least 1902 until at least 1999. This adjoining property was identified on the IF database with a BEA. In AKT Peerless' opinion, that the known contamination related to the historical uses of this adjoining property represents a REC."

Based on these findings, AKT recommended further site investigation and/or assessment for RECs 2 through 5 in order to evaluate potential contaminant migration onto the Subject Property.

The Phase I ESA also identified a Controlled Recognized Condition (CREC) in connection to the Subject Property pertaining to the following:

**CREC 1** - *"According to information obtained from a review of Michigan Department of Environmental Quality, (MDEQ) file information, a restrictive covenant was set in place for two locations on Parcel A of the Subject Property dated May 29, 2009. The restrictive covenant includes a land use restriction that prohibits the use of the two areas of the subject property that are not in compliance with the limited or site-specific land use category; it also prohibits groundwater use for any purposes, except for wells and devices that are part of an MDEQ-approved response activity. With these considerations, contamination will remain on site at concentrations that exceeds the MDEQ, Part 201/213 (1994 P.A. 451) Residential Risk Based Screening Levels. Consequently, the subject property is a "facility" as that term is defined in Part 201."*

A copy of AKT's Phase I ESA is attached hereto as **Appendix A**.

The Submitter is unaware of any abandoned or discarded containers currently present on the Subject Property. Therefore, form EQP4476 is not required as part of this BEA.

## 1.4 Exceptions or Deletions from AAI Rule

The Phase I ESA included a review of current plat maps, historical plat maps, city directories, aerial photographs, topographic maps, property deeds, tax assessor's records, building permits, environmental reports, historical sources, and personal interviews conducted with individuals and public officials having knowledge of the Subject Property. A systematic review of environmental databases maintained by state and federal government agencies was also performed as required and defined by ASTM Practice E 1527-13. Accordingly, while ECT is unaware of any limitations or exceptions from the standard practice, it recognizes inherent limitations for Phase I ESAs in general, including but not limited to the elimination of uncertainty, non-exhaustive assessment and variable level of inquiry. Readers of this BEA are directed to Section 1.3 of AKT's Phase I ESA for an explanation of these limitations (**Appendix A**).

## 1.5 Discussion of Data Gaps

In accordance with ASTM Practice E 1527-13, the identification of data gaps, as well as comments on their significance on the ability to identify RECs for the Subject Property is required. As stated in Section 9.0 of the Phase I ESA, AKT identified the following deviations or "significant" data gaps, as defined by §312.10 of AAI final rule and §12.7 of ASTM E1527-13 for the Subject Property:

- *"Due to data failure, AKT Peerless was unable to determine the past development or use of the subject property prior to 1898 after review of reasonably ascertainable historical sources. AKT Peerless considers this to be a significant data gap (as defined by ASTM Practice E 1527) which may have impacted AKT Peerless' ability to identify RECs in connection with the subject property."*

## 1.6 Previous Baseline Environmental Assessments

ECT is aware of two (2) previous BEAs that were prepared for the Subject Property. A summary of the data collected in support of these BEAs are as follows:

#### **AMEC Environmental & Infrastructure – February 2013**

A BEA was prepared and filed by AMEC Environment & Infrastructure, Inc. (AMEC) on behalf of the Mullins Land Company, LLC in February 2013. The BEA was completed based on the identification of seven (7) RECs from a prior Phase I ESA dated January 2013 that was completed by AMEC. These RECs included:

- The historical use of the subject property for manufacturing of varnishes, paints, and adhesives,
- The historical environmental database listings,
- The presence of an operating groundwater treatment system designed to recover light non-aqueous phase liquid (LNAPL) and contaminated groundwater,
- The recorded deed restriction,
- The historical presence of a railroad west of the subject property,
- The historical presence of automobile component factories and bulk petroleum storage facilities on the western adjoining property, and
- The historical presence of automobile component factories and documented releases on the northern adjoining properties.

As noted by AMEC, DuPont conducted several remedial investigations at the Subject Property that included the advancement of over 150 soil borings, the excavation of approximately 20 test pits, over 40 groundwater monitoring well installations, and the collection of soil and groundwater samples for laboratory analysis. AMEC compared soil and groundwater results to the MDEQ Part 201 Residential Cleanup Criteria (RCC). Soil and groundwater exceedances of these criteria were primarily located in the vicinity of Building 6 and a former UST area, located at the southeast property boundary. Based on these historical analytical testing results, DuPont reportedly excavated and disposed of all contaminated soil above the saturated zone that exceeded the MDEQ's Part 201 industrial direct contact criteria. A groundwater treatment system was also installed around the exterior of Subject Building 6, and two land and resource use restrictions areas were filed for the Subject Property.

#### **Applied Science, Inc. – September 2016**

A BEA was prepared and filed by Applied Science, Inc. on behalf of C3 PH, LLC in September 2016. Applied Science noted that DuPont entered into a Voluntary Corrective Action agreement with MDEQ that included the excavation of soil impacted above the MDEQ non-residential direct contact cleanup criteria, as well as the operation of a groundwater treatment system designed to remove contaminated groundwater and free product. In 2015, DuPont requested a no further action status with regard to the free product recovery with respect to the absence of free product for a period of 12 consecutive months.

Contamination was still noted on the Subject Property in soil and groundwater above the MDEQ Part 201 Residential Cleanup Criteria (RCC) for VOCs, SVOCs, arsenic, chromium, cobalt, and cyanide, therefore Applied Science concluded that the Subject Property met the definition of a facility as defined in Part 201 of NREPA, Michigan Public Act 451, 1994, as amended.

## **1.7 Discussion of Environmental Sampling**

AKT's Phase I report identifies a recognized environmental condition pertaining to the Subject Property's prior uses which involved use and/or storage of heavy industrial equipment, various chemicals, various petroleum products, hazardous substances, and/or hazardous wastes. A number of investigations between 1989 and 2015 identified soil and groundwater contaminant concentrations that exceeded generic residential cleanup criteria thereby characterizing the Subject Property as a *facility* as defined in Part 201 of NREPA, Michigan Public Act 451, 1994, as amended. Based on the comprehensive sample results, no further subsurface sampling of known on-site contaminant areas were completed for this BEA.



As a result of the findings in the Phase I ESA, ECT performed a Phase II environmental site investigation on August 20, 2018, on behalf of the Submitter for the purpose of evaluating the potential contamination from offsite sources on the Subject Property prior to its acquisition. Specifically, the following evaluation activities were completed:

### **1.7.1 Soil Sampling**

Direct push drilling services were performed by Fibertec Environmental Services, Inc. (Fibertec) using a track-mounted Geoprobe® Model 6620 drilling rig. The final depths of the borings were determined in the field based on observed subsurface soil conditions, the potential migration pathways associated with the RECs, and the depth to groundwater. Six (6) soil borings, designated as GP-1 through GP-6, were completed to depths of 15 feet below ground surface (bgs), except at boring GP-6 where the boring was advanced to a depth of 10 feet bgs. Soil characteristics at each boring were described and logged by a field geologist in general accordance with the Unified Soil Classification System (USCS) and screened for ionizable volatile organic compounds (VOCs) using a MiniRac 3000 photoionization detector (PID) equipped with a 10.6 electron volt (eV) lamp. The PID had a minimum detection limit of 0.1 parts per million (ppm) and was calibrated daily prior to usage. The locations of the soil borings are depicted on **Figure 3**.

Soil borings GP-1, GP-2, GP-5, and GP-6 were located in areas where the construction of new buildings is proposed. For each of these locations, one (1) discrete soil sample was collected for laboratory analytical testing. The soil samples were collected within ten feet below the ground surface based on elevated PID screening results. If there were negligible differences in PID screening results through the soil column, a sample was collected based on soil types or visual observations or at the bottom of the 10-foot interval. Soil descriptions, sample collection intervals, and PID readings are shown on the soil boring logs provided in **Appendix B**. Soil samples selected for laboratory analyses were placed in an ice-filled cooler for transportation to Fibertec's analytical laboratory. All four (4) of the soil samples were analyzed for VOCs, polynuclear aromatics (PNAs), and 10-MI metals as described below in Section 1.7.3. The soil sampling locations are shown on **Figure 3**.

### **1.7.2 Groundwater Sampling**

Groundwater samples were collected to evaluate the potential for the migration of contamination from an off-site source onto the Subject Property. Shallow groundwater samples were collected from temporary monitoring wells TMW-1 through TMW-6, located at soil borings GP-1 through GP-6, respectively. Groundwater was observed in all six (6) soil borings within the maximum explored depth of 15 feet. Temporary monitoring wells were installed using one-inch disposable polyvinyl chloride (PVC) monitoring wells with 10-slot five-foot screens. The depths of the temporary monitoring wells ranged from 9 to 15 feet bgs, depending on the presence of water-bearing soils observed at the soil boring. Groundwater samples were collected from five of the six temporary monitoring wells. TMW-4, located at GP-4, had insufficient groundwater to produce a groundwater sample. The screened depths of the temporary monitoring wells are included on the soil boring logs provided in **Appendix B**.

Groundwater samples were also collected from existing monitoring wells. Shallow groundwater samples were collected from MW-23S, MW-24S, MW-25S, and MW-26S with depths ranging from 6.6 to 12 feet. Deep groundwater samples were collected from MW-23D, MW-24D, MW-25D, and MW-26D with depths ranging from 68 to 89 feet. Five (5) groundwater samples from temporary monitoring wells (TMW-1, TMW-2, TMW-3, TMW-5, and TMW-6) and three (3) groundwater samples from the existing, deep monitoring wells (MW-23D, MW-24D, and MW-26D) were submitted for analysis for VOCs, PNAs, and 10-MI metals as described below in Section 1.7.3. PCBs were additionally requested for analysis at TMW-1 and MW-24D. Groundwater samples collected for laboratory analyses were placed in an ice-filled cooler for transportation to Fibertec's analytical laboratory. Samples collected from MW-23S, MW-24S, MW-25S, and MW-26S were not submitted for laboratory testing due to the lack of visual and olfactory evidence of contamination. The temporary and existing monitoring well locations are included on **Figure 3**.

### 1.7.3 Location of Known Contamination

#### Soil

A table comparing the results of the soil analytical testing to the current Part 201 Generic Residential Cleanup Criteria (GRCC) is included in **Table 1**. The soil sampling locations are shown on **Figure 3**. The analytical laboratory testing reports are included in **Appendix C**. Based on observed soil conditions and a review of the analytical testing results, ECT concluded the following:

- No VOCs were detected in the four (4) soil samples. The samples were collected to evaluate shallow contamination.
- No PNAs were detected in the four soil samples. The samples were collected to evaluate for shallow contamination.
- Metals were detected above laboratory reporting limits in all soil samples (from soil borings GP-1 through GP-4). The samples were collected to evaluate for shallow contamination in the vicinity of proposed buildings. A concentration of arsenic exceeds the state-wide default background (SWDBG), drinking water protection, groundwater surface water interface (GSI) protection, and residential direct contact. Concentrations of total chromium and selenium exceeds the SWDBG and the GSI protection. The concentration of mercury exceeds the GSI protection criterion, but not the SWDBG. Concentrations of barium, cadmium, copper, lead, silver, and zinc did not exceed their respective SWDBG or criteria. Concentrations of metals that exceed the residential criteria limit are discussed below.
  - Arsenic was detected in every sample at concentrations ranging from 1,400 to 9,900 µg/kg. The concentration of arsenic at GP-2 (3-5') exceeds the SWDBG value (5,800 µg/kg), the DW protection (4,600 µg/kg), the GSI (4,600 µg/kg) protection, and the residential direct contact (7,600 µg/kg) cleanup criteria. Under the Part 201 rules, background values for metals may be substituted for GRCC if the background concentrations are higher than the cleanup criteria. The arsenic concentration is above the SWDBG value, but it is below region-specific background values as presented in the Michigan Department of Environmental Quality (MDEQ) *Michigan Background Soil Survey 2005 (Updated 2015)*. MDEQ has begun accepting these regional soil background values based on the empirical average regional background concentration plus two standard deviations. Therefore, the acceptable background value for arsenic in clay soils within the Erie Glacial Lobe is 31,400 µg/kg. Substituting this value for GRCC results in arsenic concentrations not exceeding GRCC.
  - Chromium was detected in all soil samples at concentrations ranging from 4,000 to 27,000 µg/kg. The concentration of chromium collected from GP-1 (3-5') exceeds the SWDBG (18,000 µg/kg) and GSI protection (3,300 µg/kg) criterion. Due to a higher acute toxicity for hexavalent chromium (Cr(VI)) compared to the more commonly occurring trivalent chromium Cr(III)), the Part 201 GRCC for chromium are based on the risks associated with Cr(VI). No Part 201 GRCC are established for Cr(III), but there is a SWDBG level for Cr(III) that is set at 18,000 µg/kg. The laboratory analyses performed for the soil samples represents a total chromium concentration, and does not differentiate between Cr(III) and Cr(VI). Unless additional analyses are performed to specifically test for Cr(VI), the conservative approach is to compare the reported concentrations to the Part 201 Cr(VI) GRCC and the Cr(III) background values.
  - Selenium was detected in two (2) soil samples at concentrations ranging from 240 to 630 µg/kg. The concentration of selenium collected from GP-2 (3-5') exceeds the SWDBG (410 µg/kg) and the GSI protection (400 µg/kg) cleanup criteria. The concentrations of arsenic, chromium, and selenium at GP-1 and GP-2 exceed their respective residential criteria.

### **Groundwater**

A table comparing the results of the groundwater analytical testing to the current Part 201 Generic Residential Cleanup Criteria (GRCC) is included in **Table 2**. The soil sampling locations are shown on **Figure 3**.

The analytical laboratory testing reports are included in **Appendix C**. Based on observed groundwater conditions and a review of the analytical testing results, ECT concluded the following:

- Several VOCs were detected in four groundwater samples: TMW-1, TMW-2, TMW-3, and TMW-5. The samples were collected to evaluate for potential contaminant migration onto the subject property. Benzene was detected in two groundwater samples (TMW-1 and TMW-5) at concentrations ranging from 1.2 to 180 µg/L. The concentrations of benzene at TMW-1 exceed the drinking water protection (5.0 µg/L) and GSI protection (12 µg/L) criteria. Isopropylbenzene was detected in one groundwater sample, TMW-1, at a concentration of 32 µg/L. The concentration of isopropylbenzene exceeds the GSI protection (28 µg/L) criterion. Naphthalene (also discussed under PNAs) was detected in one groundwater sample at a concentration of 39 µg/L. The concentration of naphthalene collected from TMW-1 exceeds the GSI protection (11 µg/L) criterion. Trichloroethene was detected in one groundwater samples at a concentration of 5.3 µg/L. The concentration of trichloroethene collected from TMW-3 exceeds the drinking water protection (5.0 µg/L) criterion. Xylenes were detected in one groundwater sample at a concentration of 60 µg/L. The concentration of xylenes collected from TMW-1 exceeds the GSI protection (41 µg/L) criterion. The concentrations of benzene, isopropylbenzene, naphthalene, trichloroethene, and xylenes in two groundwater samples exceed their respective GRCC. Acetone, sec-butylbenzene, ethylbenzene, n-propylbenzene, toluene, trichlorofluoromethane, 1,2,4-trimethylbenzene (TMB), and 1,3,5-TMB were detected, but the concentrations were below their respective cleanup criteria.
- PNAs were detected in one groundwater sample: TMW-1. Samples were collected to evaluate for potential contaminant migration onto the subject property. Naphthalene (also discussed under VOCs) was detected in one groundwater sample at a concentration of 39 µg/L. The concentration of naphthalene collected from TMW-1 exceeds the GSI protection (11 µg/L) criterion. The concentration of naphthalene in one groundwater sample exceeds the respective residential cleanup criteria. There were no other detections of PNAs.
- Metals were detected above laboratory reporting limits in all groundwater samples, except TMW-1. The samples were collected to evaluate for potential contaminant migration onto the subject property. Concentrations of arsenic, cadmium, and lead exceed the drinking water and GSI criteria. Concentrations of copper exceed the GSI criterion. Concentrations of metals that exceed the residential criteria limit are discussed below.
  - Arsenic was detected in two groundwater samples (TMW-2 and TMW-5) at concentrations ranging from 18 to 25 µg/L. The concentrations exceed the DW (10 µg/L) and the GSI (10 µg/L) criteria.
  - Cadmium was detected in two groundwater samples (MW-23D and MW-26D) at concentrations ranging from 11 to 51 µg/L. The concentrations exceed the DW (5.0 µg/L) and the GSI (2.5 µg/L) criteria.
  - Copper was detected in eight groundwater samples at concentrations ranging from 5.0 to 32 µg/L. The concentrations of copper collected from TMW-2 and TMW-3 exceed the GSI (13 µg/L) criteria.
  - Lead was detected in three groundwater samples at concentrations ranging from 3.0 to 20 µg/L. The concentrations of lead collected from TMW-2 and TMW-3 exceed the DW (4.0 µg/L) and the GSI (14 µg/L) criteria.
  - The concentrations of arsenic, cadmium, copper, and lead exceed their respective residential criteria.

- PCBs were not detected in the two groundwater samples (TMW-1 and MW-24D), which were collected to evaluate for potential contaminant migration onto the Subject Property.

In determining the sample locations and analytical testing parameters described herein, ECT relied upon its best judgment of the hazardous substances most likely to be present with respect to the prior uses of the adjacent properties. Readers should note that the presence of all possible contaminants has neither been confirmed as a part of this assessment, nor is such confirmation a required element of this BEA.

#### **1.7.4 Basis for Concluding Facility Status**

A comparison of analytical data obtained as a result of ECT's August 2018 sampling of areas of the Subject Property potentially affected by the migration of contaminants by off-site sources indicates the presence of VOCs, SVOCs and Michigan 10 Metals within the groundwater, and Michigan 10 Metals at concentrations exceeding levels exceeding the corresponding GRCC established for residential uses under the NREPA, 1994 PA 451, as amended. In addition, contamination remains on the Subject Property in both soil and groundwater above the GRCC for VOCs, SVOCs, arsenic, chromium, cobalt, and cyanide as detailed in the BEA report that was prepared by Applied Science, Inc. in September 2016. Accordingly, the Subject Property described herein meets the definition of a "facility" under Part 201 of the NREPA.

## 2.0 Property Information

### 2.1 Legal Description

The Subject Property is located on the southwest corner of East Hamilton Avenue and James P. Cole Boulevard, north of East Wood Street in the City of Flint. Parcel A is located at 1809 James P. Cole Boulevard while Parcel B has no address number on James P. Cole Boulevard, Sections 6 and 7, Township 7 North, and Range 7 East of the Flint North Quadrangle Map, in Flint, Genesee County, Michigan 48503. The Parcel ID (Tax ID) numbers for the Subject Property are:

Parcel A – (Parcel ID: 41-06-452-014)

THAT PART OF BLKS 29, 30, 31, 32, 33 AND 34 OF OAK PARK SUBDIVISION OF PART OF SECS 1 & 2 OF SMITH'S RESERVATION AND PT OF VACATED ST JOHN ST AND OTHER VACATED STREETS AND PT OF LOTS 1 THRU 15, 19 AND 24 THRU 29 AND INCL ALL OF LOTS 16 THRU 18 AND 20 THRU 23 OF PLAT OF FLANDERS & HOURANS SUBDIVISION AND PT OF THE OLD RR ROW AND OTHER LANDS DESC AS: COM AT THE SW COR OF LOT 25 OF SD PLAT OF FLANDERS & HOURANS SUBDIVISION; TH N 24 DEG 13' 00" E ALG THE ELY ROW LINE OF ST JOHN ST, 211.50 FT; TH N 65 DEG 47' 00" W, 2.35 FT; TH N 64 DEG 31' 55" W, 158.28 FT; TH S 40 DEG 14' 11" E, 1.25 FT; TH N 72 DEG 44' 20" W, 19.17 FT; TH N 17 DEG 08' 12" E, 154.66 FT; TH N 20 DEG 09' 39" E, 288.13 FT; TH N 19 DEG 17' 08" E, 35.22 FT TO POB OF THIS PARCEL OF LAND; TH CONT N 19 DEG 17' 08" E, 101.73 FT; TH N 22 DEG 04' 49" E, 50.04 FT; TH N 23 DEG 58' 29" E, 150.06 FT; TH N 20 DEG 22' 22" E, 110.76 FT; TH N 18 DEG 10' 21" E, 240.78 FT; TH ALG THE ARC OF A CURVE TO THE RIGHT WITH RADIUS OF 1128.83 FT, A DIST OF 144.58 FT, THE LONG CHORD BEARING N 21 DEG 50' 20" E, 144.48 FT; TH N 65 DEG 35' 31" W, 18.63 FT; TH N 14 DEG 02' 16" E, 175.59 FT; TH N 15 DEG 44' 18" E, 271.61 FT; TH N 78 DEG 57' 09" W, 23.05 FT; TH N 11 DEG 47' 00" E, 98.38 FT; TH N 67 DEG 01' 34" W, 0.61 FT; TH N 12 DEG 12' 29" E, 165.28 FT TO A FOUND PT ON THE SLY LINE OF HAMILTON AVE; TH ALG SD HAMILTON AVE AS MONUMENTED, S 89 DEG 06' 53" E, 62.00 FT; TH S 89 DEG 47' 46" E, 33.97 FT TO THE PC OF A NON-TANGENT CURVE TO THE RIGHT, WITH RADIUS OF 597.53 FT; TH ALG THE ARC OF SD CURVE A DIST OF 60.67 FT, THE LONG CHORD BEING S 74 DEG 59' 40" E, 60.64 FT TO THE PC OF A COMPOUND NON-TANGENT CURVE TO THE RIGHT WITH RADIUS OF 45 FT; TH ALG THE ARC OF SD CURVE A DIST OF 31.86 FT, THE LONG CHORD BEING S 51 DEG 48' 10" E, 31.20 FT TO THE PC OF A COMPOUND NON-TANGENT CURVE TO THE RIGHT WITH RADIUS OF 587.53 FT; TH ALG THE ARC OF SD CURVE A DIST OF 75.12 FT, THE LONG CHORD BEING S 64 DEG 34' 42" E 75.07 FT TO THE PT OF SD CURVE; TH S 61 DEG 53' 52" E, 5.55 FT TO THE PC OF A CURVE TO THE RIGHT WITH RADIUS OF 94.30 FT; TH ALG THE ARC OF SD CURVE ENTERING THE WLY ROW LINE OF JAMES P COLE BLVD, A DIST OF 104.95 FT, THE LONG CHORD BEING S 30 DEG 02' 03" E, 99.62 FT TO THE PT OF SD CURVE; TH S 02 DEG 02' 06" W 98.42 FT; TH S 71 DEG 22' 00" E, 1.45 FT; TH S 02 DEG 02' 06" W, 300.76 FT TO THE PC OF A CURVE TO THE RIGHT WITH RADIUS OF 1412.54 FT; TH ALG THE ARC OF SD CURVE A DIST OF 736.52 FT, THE LONG CHORD BEING S 16 DEG 58' 15" W, 728.21 FT TO THE PT OF SD CURVE; TH S 31 DEG 54' 21" W, 302.86 FT TO THE PC OF A CURVE TO THE LEFT, WITH RADIUS OF 1183.35 FT; TH ALG THE ARC OF SD CURVE A DIST OF 563.24 FT, THE LONG CHORD BEING S 18 DEG 16' 15" W, 557.94 FT; TH S 04 DEG 38' 00" W, 197.79 FT TO THE PC OF A CURVE TO THE RIGHT WITH RADIUS OF 15.21 FT; TH ALG THE ARC OF SD CURVE A DIST OF 29.05 FT, THE LONG CHORD BEING S 59 DEG 21' 47" W, 24.83 FT TO THE PT OF SD CURVE; TH N 20 DEG 13' 00" E, 10.01 FT; TH N 66 DEG 59' 02" W, 206.45 FT TO A PT ON A CURVE TO THE RIGHT WITH RADIUS OF 24.68

FT; TH ALG THE ARC OF SD CURVE A DIST OF 18.13 FT, THE LONG CHORD BEING N 03 DEG 10' 06" E, 17.73 FT TO THE PT OF SD CURVE; TH N 24 DEG 13' 00" E, 184.72 FT; TH N 17 DEG 35' 25" E, 447.25 FT; TH N 23 DEG 47' 39" E, 32.57 FT TO A BLDG CORNER; TH N 65 DEG 52' 07" W, ALG A BLDG WALL LINE EXT, 169.12 FT TO THE POB. CONT 15.79 ACRES. SPLIT

Parcel B – (Parcel ID: 41-06-452-015)

THAT PART OF VACATED ST JOHN ST AND OTHER VACATED STREETS, PT OF THE OLD RR ROW AND OTHER LANDS DESC AS: COM AT THE SW COR OF LOT 25 OF PLAT OF FLANDERS & HOURANS SUBDIVISION; TH N 24 DEG 13' 00" E, ALG THE ELY ROW LINE OF ST JOHN ST, 211.50 FT TO THE POB; TH N 65 DEG 47' 00" W, 2.35 FT; TH N 64 DEG 31' 55" W, 158.28 FT; TH S 40 DEG 14' 11" E, 1.25 FT; TH N 72 DEG 44' 20" W, 19.17 FT; TH N 17 DEG 08' 12" E, 154.66 FT; TH N 20 DEG 09' 39" E, 288.13 FT; TH N 19 DEG 17' 08" E, 35.22 FT; TH ALG A BLDG WALL LINE EXT S 65 DEG 52' 07" E, 169.12 FT TO A BLDG CORNER; TH S 23 DEG 47' 39" W, 32.57 FT TO A BLDG CORNER; TH S 17 DEG 35' 25" W, 447.25 FT TO THE POB. CONT 1.90 ACRES. SPLIT ON 12/06/2005 FROM 41-06-452-013; 2003 PARCEL DIVISION OF 11-06-452-011-9

Site photographs of the Subject Property and the surrounding area are presented in Appendix C of AKT's Phase I ESA (**Appendix A**).

## **2.2      Property Boundaries**

The location of the Subject Property is shown on **Figure 1**, Subject Property Location Map and the general layout of the Subject Property is shown on **Figure 2**, Site and Surrounding Properties Map.

## **2.3      Site Map**

A scaled site map, showing sample locations, depths is provided as **Figure 3**.

## **2.4      Subject Property Location**

The Subject Property is comprised of two (2) parcels of land, comprising approximately 17.99-acres (Parcel A 16.09 acres and Parcel B 1.90 acres), and is located on the southwest corner of East Hamilton Avenue and James P. Cole Boulevard, north of East Wood Street in the City of Flint, Michigan, and has the following common address:

1809 James P. Cole Boulevard  
Flint (Genesee County), Michigan 48503

## **2.5      Spatial Data**

The Subject Property is located in Sections 6 and 7, Township 7 North, and Range 7 East of the Flint North Quadrangle Map, in Flint, Genesee County, Michigan. A geographic reference point for the Subject Property (Latitude [North]: 43.0324828 - 43° 1' 56.9382", Longitude [West]: 83.684671 - 83° 41' 4.815") was determined by Geosearch as part of the radial search activities and database review performed in support of AKT's Phase I ESA.

## 3.0 Facility Status

### 3.1 Known Contamination

Listings of the contaminants identified at the Subject Property by ECT in excess of the corresponding analytical reporting limits are provided together with the corresponding Chemical Abstract Service Numbers (CAS #) in **Table 3** below.

**Table 3. Contaminants of Concern**

| Contaminants of Concern        | CAS Number | Criteria Exceeded |
|--------------------------------|------------|-------------------|
| Benzene (groundwater)          | 71432      | DW, NRDW, GSI     |
| Isopropylbenzene (groundwater) | 98828      | GSI               |
| Naphthalene (groundwater)      | 91203      | GSI               |
| Trichloroethene (groundwater)  | 79016      | DW, NRDW          |
| Xylenes (groundwater)          | 1330207    | GSI               |
| Arsenic (groundwater and soil) | 7440382    | DW, NRDW, GSI, DC |
| Cadmium (groundwater)          | 7440439    | DW, NRDW, GSI     |
| Chromium (soil)                | 18540299   | GSI               |
| Copper (groundwater)           | 7440508    | GSI               |
| Lead (groundwater)             | 7439921    | DW, NRDW, GSI     |
| Selenium (soil)                | 7782492    | GSI               |

DW: Drinking Water Protection, NRDW: Non-Residential Drinking Water, DC: Direct Contact, GSI: Groundwater Surface Water Interface

The listing of these contaminants is in addition to the contaminants previously documented in prior BEAs that were prepared by others for the Subject Property. See **Appendices D and E** for copies of these reports.

### 3.2 Laboratory Data

Copies of the analytical laboratory reports and chain-of-custody (COC) documentation for the samples collected by ECT on August 20, 2018 are included in **Appendix C**.

## 4.0 BEA Author

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The primary author of this BEA was Ryan P. Higuchi, whose contact information is provided as follows:

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BEA Review and Interpreter of this BEA was John D'Addona, P.E. who is a qualified Environmental Professional (EP) with over 30 years of experience in the environmental industry. His experiences include the management and review of hundreds of Phase I and II ESAs, BEAs, and Due Care Plans. His contact information is as follows:

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## 5.0      ASTM Phase I ESA and AAI Documentation

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A Phase I ESA, completed by AKT, is included as **Appendix A**. The Phase I ESA was completed in general accordance with ASTM Practice E 1527-13. The purpose of ASTM Practice E 1527-13 is to define good commercial and customary practice in the United States of America for conducting an environmental site assessment of commercial real estate properties with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA; 42 U.S.C. §9601) and petroleum products. The objective of Phase I ESAs is to provide all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice as defined at 42 U.S.C. §9601(35)(B) to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability (a.k.a., landowner liability protections). The Phase II ESA investigation was completed in general accordance with ASTM Practice E1903-11, the Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process.

This BEA has been completed pursuant to Section 20126(1)(c) of Part 201 of the Natural Resources and Environmental Protection Act (NREPA) PA 451 of 1994, as amended (Part 201). In the preparation of this BEA, ECT considered hazardous substances as defined by Section 20101(1)(y) and/or regulated substances as defined by Section 21303(g). This BEA follows the suggested format for the "Contents of BEA Report," presented in EQP 4012 (02/2015).

## 6.0 References

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Part 201 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended.

ASTM E 1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

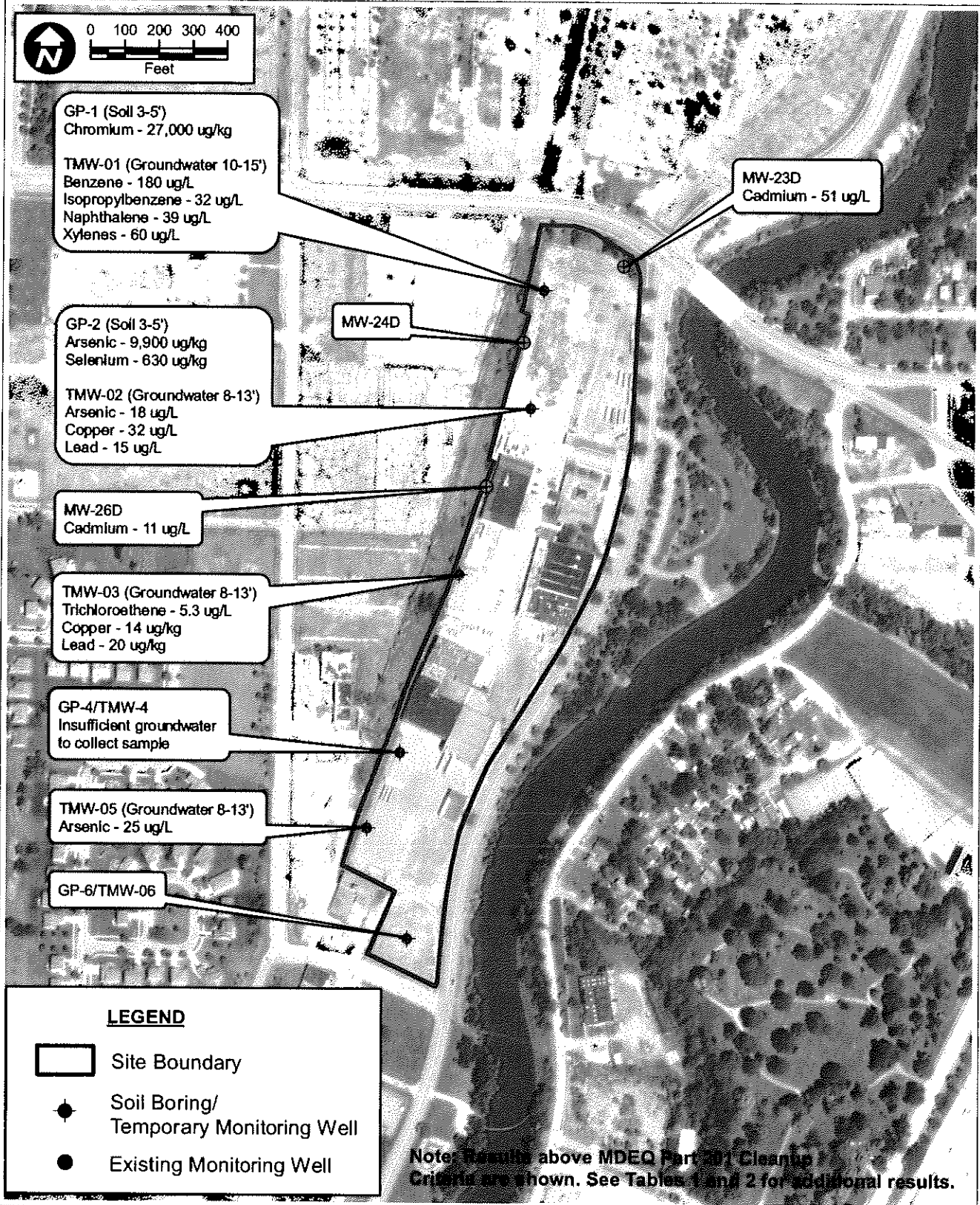
ASTM Practice E1903-11, Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process.

Phase I Environmental Site Assessment, Parcels 41-06-452-014 and 41-06-452-015, City of Flint, Michigan prepared by AKT-Peerless, and dated July 11, 2018.

Baseline Environmental Assessment, Former DuPont Automotive Works Site 1555 James P. Cole Boulevard, Flint, Genesee County, Michigan prepared by AMEC Environment and Infrastructure, Inc. and dated January 4, 2013.

Baseline Environmental Assessment, 1555 James P. Cole Boulevard, Flint, Genesee County, Michigan prepared by Antea Group and dated December 7, 2016.



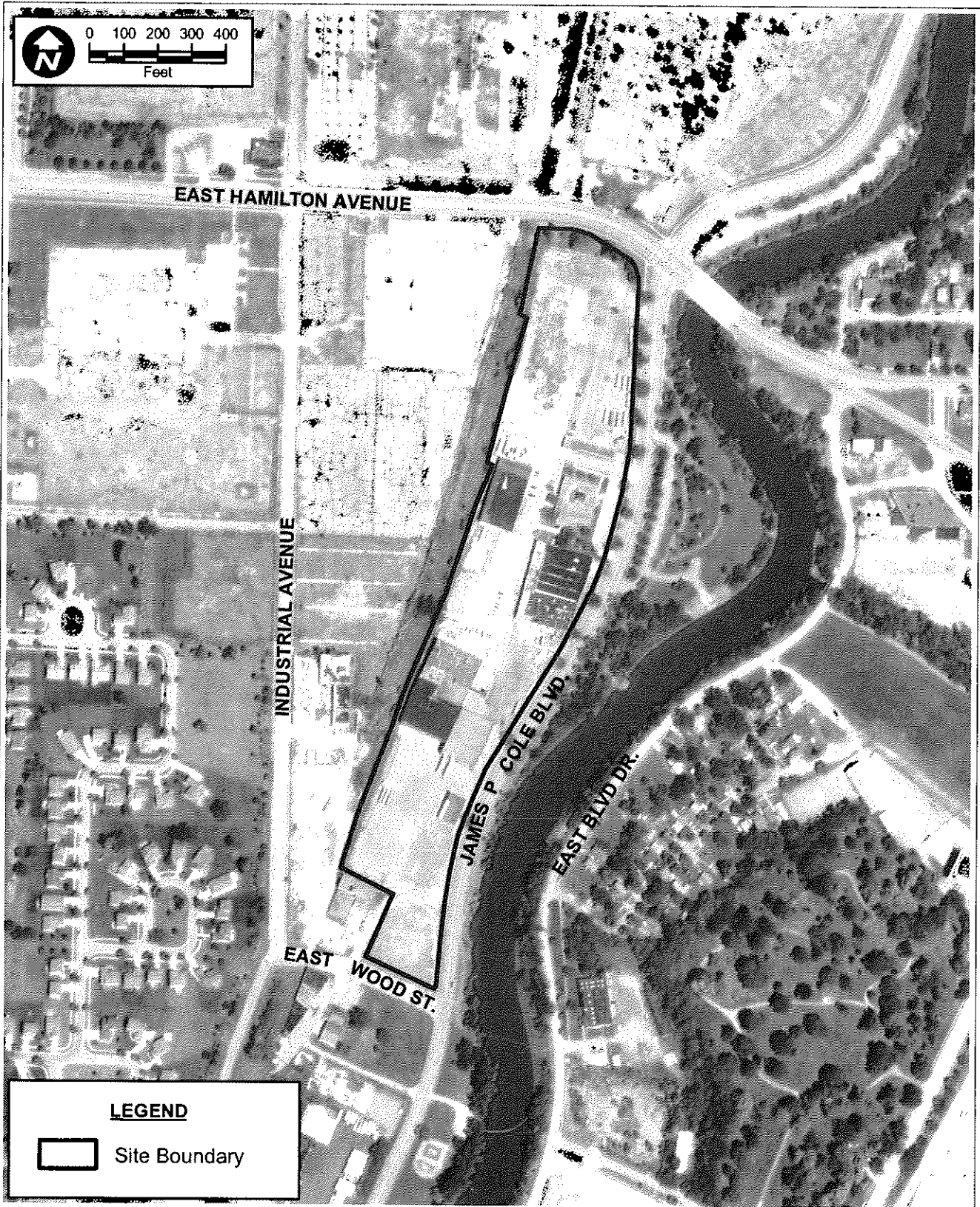


**FIGURE 3.**  
**SAMPLE LOCATION MAP**  
**PARCEL IDs: 41-06-452-014 & 41-06-452-015**  
**FLINT, MI. 48503**

Sources: ECT, 2018.

**ECT** Environmental  
Consulting &  
Technology, Inc.





**FIGURE 2.**  
**SITE AND SURROUNDING PROPERTIES MAP**  
**PARCEL IDs: 41-06-452-014 & 41-06-452-015**  
**FLINT, MI. 48503**

Sources: ECT, 2018.

**ECT** Environmental  
 Consulting &  
 Technology, Inc.

**Table 1. Soil Analytical Summary**  
**Former Dupont Facility**

Matrix: Soil  
 Cleanup Criteria: Residential  
 Page 1 of 1

| Part 201 Cleanup Criteria (December 2013) |                                   |                              |                           |                                     |                                   |  |                |  |                |                          |                          |                           | Sample Location          |  |  |  |  |
|---|-----------------------------------|------------------------------|---------------------------|-------------------------------------|-----------------------------------|--|----------------|--|----------------|--------------------------|--------------------------|---------------------------|--------------------------|--|--|--|--|
| Chemical Abstract Service #               | VOCs, ug/kg - Method 8260         | Residential Criteria         |                           |                                     |                                   |  | Nonresidential |  |                | GP-1<br>(3-5)<br>8/20/18 | GP-2<br>(3-5)<br>8/20/18 | GP-5<br>(8-10)<br>8/20/18 | GP-6<br>(3-5)<br>8/20/18 |  |  |  |  |
|   |                                   | Statewide Default Background | Drinking Water Protection | Groundwater Surface Water Interface | Soil Volatilization to Indoor Air | Infinite Source Volatile Soil Inhalation | Direct Contact | Soil Saturation Concentration Screening Levels | Direct Contact |                          |                          |                           |                          |  |  |  |  |
| 71432                                     | Benzene                           | NA                           | 100                       | 240                                 | 1,600                             | 13,000                                   | 180,000        | 400,000  | 400,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 104518                                    | n-Butylbenzene                    | NA                           | 1,600                     | ID                                  | ID                                | ID                                       | 2,500,000      | 8,000,000                                      | 8,000,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 135988                                    | sec-Butylbenzene                  | NA                           | 1,600                     | ID                                  | ID                                | ID                                       | 2,500,000      | 8,000,000                                      | 8,000,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 107062                                    | 1,2-Dichloroethane                | NA                           | 100                       | 120                                 | 2,100                             | 6,200                                    | 91,000         | 420,000  | 420,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 156592                                    | cis-1,2-Dichloroethene            | NA                           | 1,400                     | 12,000                              | 22,000                            | 180,000                                  | 640,000        | 640,000  | 640,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 156605                                    | trans-1,2-Dichloroethene          | NA                           | 2,000                     | 9,400                               | 23,000                            | 280,000                                  | 1,400,000      | 1,400,000                                      | 1,400,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 100414                                    | Ethylbenzene                      | NA                           | 1,500                     | 360                                 | 87,000                            | 720,000                                  | 140,000        | 140,000  | 140,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 127184                                    | Tetrachloroethene                 | NA                           | 100                       | 220                                 | 11,000                            | 170,000                                  | 88,000         | 88,000   | 88,000         | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 108883                                    | Toluene                           | NA                           | 16,000                    | 5,400                               | 250,000                           | 2,800,000                                | 250,000        | 250,000  | 250,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 71556                                     | 1,1,1-Trichloroethane             | NA                           | 4,000                     | 1,800                               | 250,000                           | 3,800,000                                | 460,000        | 460,000  | 460,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 79016                                     | Trichloroethene                   | NA                           | 100                       | 580                                 | 1,000                             | 11,000                                   | 500,000        | 500,000  | 500,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 526738                                    | 1,2,3-Trimethylbenzene            | NA                           | NA                        | NA                                  | NA                                | NA                                       | NA             | NA   | NA             | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 95636                                     | 1,2,4-Trimethylbenzene            | NA                           | 2,100                     | 570                                 | 110,000                           | 21,000,000                               | 110,000        | 110,000  | 110,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 108678                                    | 1,3,5-Trimethylbenzene            | NA                           | 1,800                     | 1,100                               | 94,000                            | 16,000,000                               | 94,000         | 94,000   | 94,000         | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 75014                                     | Vinyl chloride                    | NA                           | 40                        | 40                                  | 270                               | 4,200                                    | 3,800          | 3,800  | 34,000         | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 1330207                                   | Xylenes                           | NA                           | 5,600                     | 820                                 | 150,000                           | 46,000,000                               | 150,000        | 150,000  | 150,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| Varies                                    | other VOCs                        |                              |                           |                                     |                                   |  |                |  |                | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 83329                                     | PNAs, ug/kg - Method 8270         | NA                           | 300,000                   | 8,700                               | 190,000,000                       | 81,000,000                               | 41,000,000     | 130,000,000                                    | 130,000,000    | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 208968                                    | Acenaphthene                      | NA                           | 5,900                     | ID                                  | 1,600,000                         | 2,200,000                                | 1,600,000      | 5,200,000                                      | 5,200,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 120127                                    | Acenaphthylene                    | NA                           | 41,000                    | ID                                  | 1,000,000,000                     | 1,400,000,000                            | 230,000,000    | 730,000,000                                    | 730,000,000    | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 56553                                     | Anthracene                        | NA                           | NLL                       | NLL                                 | NLL                               | NLV                                      | 20,000         | 80,000   | 80,000         | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 50328                                     | Benz(a)anthracene                 | NA                           | NLL                       | NLL                                 | NLL                               | NLV                                      | 2,000          | 8,000  | 8,000          | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 205992                                    | Benz(b)fluoranthene               | NA                           | NLL                       | NLL                                 | ID                                | ID                                       | 20,000         | 80,000   | 80,000         | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 191242                                    | Benz(g,h,i)perylene               | NA                           | NLL                       | NLL                                 | NLV                               | NLV                                      | 2,500,000      | 7,000,000                                      | 7,000,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 207089                                    | Benz(k)fluoranthene               | NA                           | NLL                       | NLL                                 | NLV                               | NLV                                      | 200,000        | 800,000  | 800,000        | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 218019                                    | Chrysene                          | NA                           | NLL                       | NLL                                 | ID                                | ID                                       | 2,000,000      | 8,000,000                                      | 8,000,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 53703                                     | Dibenz(a,h)anthracene             | NA                           | NLL                       | NLL                                 | NLV                               | NLV                                      | 2,000          | 8,000  | 8,000          | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 206440                                    | Fluoranthene                      | NA                           | 730,000                   | 5,500                               | 1,000,000,000                     | 740,000,000                              | 46,000,000     | 130,000,000                                    | 130,000,000    | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 86737                                     | Fluorene                          | NA                           | 390,000                   | 5,300                               | 580,000,000                       | 130,000,000                              | 27,000,000     | 87,000,000                                     | 87,000,000     | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 193395                                    | Indeno(1,2,3-cd)pyrene            | NA                           | NLL                       | NLL                                 | NLV                               | NLV                                      | 20,000         | 80,000   | 80,000         | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 91576                                     | 2-Methylnaphthalene               | NA                           | 57,000                    | 4,200                               | 2,700,000                         | 1,500,000                                | 8,100,000      | 26,000,000                                     | 26,000,000     | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 85018                                     | Phenanthrene                      | NA                           | 56,000                    | 2,100                               | 2,800,000                         | 160,000                                  | 1,600,000      | 5,200,000                                      | 5,200,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 129000                                    | Pyrene                            | NA                           | 480,000                   | ID                                  | 1,000,000,000                     | 650,000,000                              | 29,000,000     | 84,000,000                                     | 84,000,000     | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 7440382                                   | Metals, ug/kg - Method 6020, 7471 | 5,800                        | 4,600                     | 4,600                               | NLV                               | NLV                                      | 7,600          | 37,000   | 37,000         | 3,200                    | 9,900                    | 1,900                     | 1,400                    |  |  |  |  |
| 7440393                                   | Arsenic                           | 75,000                       | 1,300,000                 | 440,000                             | NLV                               | NLV                                      | 37,000,000     | 130,000,000                                    | 130,000,000    | 12,000                   | 64,000                   | 4,100                     | 8,200                    |  |  |  |  |
| 7440439                                   | Barium                            | 1,200                        | 6,000                     | 3,000                               | NLV                               | NLV                                      | 550,000        | 2,100,000                                      | 2,100,000      | nd                       | 240                      | nd                        | nd                       |  |  |  |  |
| Varies                                    | Cadmium                           | 18,000                       | 30,000                    | 3,300                               | NLV                               | NLV                                      | 2,500,000      | 9,200,000                                      | 9,200,000      | 27,000                   | 14,000                   | 4,000                     | 5,300                    |  |  |  |  |
| 7440508                                   | Chromium (Total)                  | 32,000                       | 5,800,000                 | 75,000                              | NLV                               | NLV                                      | 20,000,000     | 73,000,000                                     | 73,000,000     | 4,000                    | 16,000                   | 3,500                     | 3,100                    |  |  |  |  |
| 7439921                                   | Copper                            | 21,000                       | 700,000                   | 2,500,000                           | NLV                               | NLV                                      | 400,000        | 900,000  | 900,000        | 3,400                    | 11,000                   | 2,000                     | 2,000                    |  |  |  |  |
| Varies                                    | Lead                              | 130                          | 1,700                     | 50                                  | NLV                               | NLV                                      | 160,000        | 580,000  | 580,000        | nd                       | 82                       | nd                        | nd                       |  |  |  |  |
| 7782492                                   | Mercury                           | 410                          | 4,000                     | 400                                 | NLV                               | NLV                                      | 2,600,000      | 9,600,000                                      | 9,600,000      | nd                       | 630                      | 240                       | nd                       |  |  |  |  |
| 7440224                                   | Selenium                          | 1,000                        | 4,500                     | 100                                 | NLV                               | NLV                                      | 2,500,000      | 9,000,000                                      | 9,000,000      | nd                       | nd                       | nd                        | nd                       |  |  |  |  |
| 7440666                                   | Silver                            | 47,000                       | 2,400,000                 | 170,000                             | NLV                               | NLV                                      | 170,000,000    | 630,000,000                                    | 630,000,000    | 16,000                   | 44,000                   | 14,000                    | 19,000                   |  |  |  |  |
| 7440666                                   | Zinc                              | 47,000                       | 2,400,000                 | 170,000                             | NLV                               | NLV                                      | 170,000,000    | 630,000,000                                    | 630,000,000    | 16,000                   | 44,000                   | 14,000                    | 19,000                   |  |  |  |  |

Note:  
 ID = insufficient data to develop criterion  
 na = not analyzed  
 nd = not detected  
 NLL = not likely to leach  
 NLV = not likely to volatilize

Assumptions:  
 hardness estimate for receiving waters = 150 mg/L  
 protective for surface water that is used as a drinking water source

**Table 2. Groundwater Analytical Summary**

Former Dupont Facility

Matrix: Groundwater

Cleanup Criteria: Residential

Page 1 of 1

| Part 201 Cleanup Criteria (December 2013) |                             |                           |                        |                                     |                       |                     |                        |                       |                       |                       |                      |                |                |                |     |     |
|---|-----------------------------|---------------------------|------------------------|-------------------------------------|-----------------------|---------------------|------------------------|-----------------------|-----------------------|-----------------------|----------------------|----------------|----------------|----------------|-----|-----|
|   | Chemical Abstract Service # | Drinking Water Protection | Nonres. Drinking Water | Residential Criteria                |                       |                     | Sample Location        |                       |                       |                       |                      |                |                |                |     |     |
|   |                             |                           |                        | Groundwater Surface Water Interface | Indoor Air Inhalation | Groundwater Contact | TMW-1 (10-15') 8/20/18 | TMW-2 (8-13') 8/20/18 | TMW-3 (9-14') 8/20/18 | TMW-5 (8-13') 8/20/18 | TMW-6 (4-9') 8/20/18 | MW-23D 8/20/18 | MW-24D 8/20/18 | MW-26D 8/20/18 |     |     |
| VOC, ug/L - Method 8260                   |                             |                           |                        |                                     |                       |                     |                        |                       |                       |                       |                      |                |                |                |     |     |
| Acetone                                   | 67,641                      | 730                       | 2,100                  | 1,700                               | 1,000,000,000         | 31,000,000          | 79                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Benzene                                   | 71,432                      | 5.0                       | 5.0                    | 12                                  | 5,600                 | 11,000              | 180                    | nd                    | nd                    | 1.2                   | nd                   | nd             | nd             | nd             | nd  | nd  |
| n-Butylbenzene                            | 104,518                     | 80                        | 230                    | ID                                  | ID                    | 5,900               | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| sec-Butylbenzene                          | 13,598                      | 80                        | 230                    | ID                                  | ID                    | 4,400               | 1.8                    | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| 1,2-Dichloroethane                        | 107,062                     | 5.0                       | 5.0                    | 6.0                                 | 9,600                 | 19,000              | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| cis-1,2-Dichloroethane                    | 15,592                      | 70                        | 620                    | 93,000                              | 200,000               | 200,000             | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| trans-1,2-Dichloroethane                  | 15,605                      | 100                       | 470                    | 85,000                              | 220,000               | 220,000             | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Ethylbenzene                              | 100,414                     | 74                        | 18                     | 110,000                             | 170,000               | 170,000             | 5.6                    | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Isopropylbenzene                          | 98,828                      | 800                       | 2,300                  | 23                                  | 56,000                | 56,000              | 32                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Naphthalene                               | 91,203                      | 520                       | 1,500                  | 11                                  | 31,000                | 31,000              | 39                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| n-Propylbenzene                           | 103,651                     | 80                        | 230                    | ID                                  | ID                    | 15,000              | 26                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Tetrachloroethene                         | 127,184                     | 5.0                       | 5.0                    | 11                                  | 25,000                | 12,000              | nd                     | 2.3                   | nd                    | 1.3                   | nd                   | nd             | nd             | nd             | nd  | nd  |
| Toluene                                   | 108,883                     | 790                       | 790                    | 200                                 | 530,000               | 530,000             | 25                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| 1,1,1-Trichloroethane                     | 71,556                      | 200                       | 200                    | 89                                  | 660,000               | 1,300,000           | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Trichloroethene                           | 79,016                      | 5.0                       | 5.0                    | 29                                  | 2,200                 | 22,000              | nd                     | nd                    | nd                    | 5.3                   | nd                   | nd             | nd             | nd             | nd  | nd  |
| Trichlorofluoromethane                    | 75,684                      | 2,600                     | 7,300                  | NA                                  | 1,100,000             | 1,100,000           | nd                     | nd                    | nd                    | 5.6                   | nd                   | nd             | nd             | nd             | nd  | nd  |
| 1,2,3-Trimethylbenzene                    | 52,678                      | NA                        | NA                     | NA                                  | NA                    | NA                  | 9.1                    | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| 1,2,4-Trimethylbenzene                    | 95,336                      | 63                        | 17                     | 56,000                              | 56,000                | 56,000              | 2.0                    | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| 1,3,5-Trimethylbenzene                    | 108,678                     | 72                        | 72                     | 45                                  | 61,000                | 61,000              | 3.0                    | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Vinyl chloride                            | 75,014                      | 2.0                       | 2.0                    | 1.0                                 | 1,100                 | 1,000               | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Xylenes                                   | 133,027                     | 280                       | 280                    | 41                                  | 190,000               | 190,000             | 60                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Other VOCs                                |                             |                           |                        |                                     |                       |                     | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| PNA, ug/L - Method 8270                   |                             |                           |                        |                                     |                       |                     |                        |                       |                       |                       |                      |                |                |                |     |     |
| Acenaphthene                              | 83,329                      | 1,300                     | 3,800                  | 38                                  | 4,200                 | 4,200               | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Acenaphthylene                            | 208,968                     | 52                        | 150                    | ID                                  | 3,900                 | 3,900               | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Anthracene                                | 120,127                     | 43                        | 43                     | ID                                  | 43                    | 43                  | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Benzo(a)anthracene                        | 56,553                      | 2.1                       | 8.5                    | ID                                  | NLV                   | 9.4                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Benzo(a)pyrene                            | 50,328                      | 5.0                       | 5.0                    | ID                                  | NLV                   | 1.0                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Benzo(b)fluoranthene                      | 205,992                     | 1.5                       | 1.5                    | ID                                  | ID                    | 1.5                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Benzo(g,h,i)perylene                      | 19,124                      | 1.0                       | 1.0                    | ID                                  | NLV                   | 1.0                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Benzo(k)fluoranthene                      | 207,089                     | 1.0                       | 1.0                    | NA                                  | NLV                   | 1.0                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Chrysene                                  | 218,019                     | 1.6                       | 1.6                    | ID                                  | NLV                   | 1.6                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Dibenz(a,h)anthracene                     | 53,703                      | 2.0                       | 2.0                    | ID                                  | ID                    | 2.0                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Fluorene                                  | 206,440                     | 210                       | 210                    | 1.6                                 | 210                   | 210                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Fluorene                                  | 867,37                      | 880                       | 2,000                  | 12                                  | 2,000                 | 2,000               | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Indeno(1,2,3-cd)pyrene                    | 193,395                     | 2.0                       | 2.0                    | ID                                  | NLV                   | 2.0                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| 2-Methylnaphthalene                       | 91,576                      | 260                       | 750                    | 19                                  | 25,000                | 25,000              | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Naphthalene                               | 91,203                      | 520                       | 1,500                  | 11                                  | 31,000                | 31,000              | 39                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Phenanthrene                              | 85,018                      | 52                        | 150                    | 2.0                                 | 1,000                 | 1,000               | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Pyrene                                    | 129,000                     | 140                       | 140                    | ID                                  | 140                   | 140                 | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | na             | nd             | na  | nd  |
| Metals, ug/L - Method 6020, 7470          |                             |                           |                        |                                     |                       |                     |                        |                       |                       |                       |                      |                |                |                |     |     |
| Arsenic                                   | 74,403,82                   | 10                        | 10                     | 10                                  | NLV                   | 4,300               | nd                     | 18                    | nd                    | 25                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Barium                                    | 2,000                       | 2,000.0                   | 670                    | 670                                 | NLV                   | 14,000,000          | nd                     | 150                   | nd                    | 120                   | nd                   | nd             | nd             | nd             | nd  | nd  |
| Cadmium                                   | 74,403,88                   | 5.0                       | 5.0                    | 2.5                                 | NLV                   | 190,000             | nd                     | nd                    | nd                    | nd                    | nd                   | 51             | nd             | nd             | nd  | 11  |
| Chromium (Total)                          | 185,402,99                  | 100                       | 100                    | 11                                  | NLV                   | 460,000             | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | 6.2 | 6.4 |
| Copper                                    | 74,405,08                   | 1,000                     | 1,000.0                | 13                                  | NLV                   | 7,400,000           | nd                     | nd                    | nd                    | 14                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Lead                                      | 74,399,21                   | 4.0                       | 4.0                    | 14                                  | NLV                   | ID                  | nd                     | 32                    | nd                    | 20                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Mercury                                   | 74,399,21                   | 2.0                       | 2.0                    | 0.0013                              | 56                    | 56                  | nd                     | 15                    | nd                    | 3.0                   | nd                   | nd             | nd             | nd             | nd  | nd  |
| Selenium                                  | 77,824,82                   | 50                        | 50                     | 5.0                                 | NLV                   | 970,000             | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Silver                                    | 74,402,24                   | 34                        | 98                     | 0.20                                | NLV                   | 1,500,000           | nd                     | nd                    | nd                    | nd                    | nd                   | nd             | nd             | nd             | nd  | nd  |
| Zinc                                      | 74,406,66                   | 2,400                     | 5,000                  | 170                                 | NLV                   | 110,000,000         | nd                     | nd                    | nd                    | 64                    | nd                   | nd             | 88             | nd             | nd  | nd  |
| PCBs, ug/L - Method 6020, 7471            |                             |                           |                        |                                     |                       |                     |                        |                       |                       |                       |                      |                |                |                |     |     |
| Polychlorinated biphenyls (PCB)           | 133,636,3                   | 0.50                      | 0.50                   | 0.20                                | 45                    | 3.3                 | nd                     | na                    | na                    | na                    | na                   | na             | na             | na             | na  | na  |

Notes:  
ID = insufficient data to develop criterion  
NA = not available  
nd = not detected  
NLV = not likely to volatilize

Assumptions:  
hardness estimate for receiving waters = 150 mg/L  
protective for surface water that is used as a drinking water source

210214.1

**ORDINANCE NO. \_\_\_\_\_**

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, Motor Vehicles and Traffic, Article II, Operation of Vehicles.

**IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:**

**Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, Motor Vehicles and Traffic, Article II, Operation of Vehicles, by the amendment of Sections 28-65 (a) – (d), and the addition of Sections 28-65.2, Definitions, and 28-65.3, Nuisance Prohibited, which shall read in its entirety as follows:**

**§ 28-65 DRAG RACING.**

(a) It shall be unlawful for any person to operate any vehicle upon any highway, or any other place open to the general public, including any area designated for the parking of motor vehicles, within this City, in a speed or acceleration contest or for the purpose of making a speed record, whether from a standing start or otherwise over a measured or unmeasured distance, or in a drag race as herein defined. **SUCH AN ACTIVITY MAY ALSO BE CITED AS A PUBLIC NUISANCE.**

(b) **DRAG RACING** means the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to out-distance each other over a common selected course or where timing is involved or where timing devices are used in a competitive acceleration of speeds by participating vehicles. Persons rendering assistance in any manner to such competitive use of vehicles shall be equally charged as participants. The operation of two or more vehicles either at speeds in excess of prima facie lawfully established speeds or rapidly accelerating from a common standing point to a speed in excess of such prima facie lawful speed is prima facie evidence of drag racing and is

unlawful. **THE USE OF A VEHICLE TO ENGAGE IN RACING UPON PUBLIC STREETS WITHOUT A PERMIT RESULTS NOT ONLY IN UNSAFE TRAFFIC CONDITIONS FOR OTHER VEHICLES, PLAYING CHILDREN, AND PEDESTRIANS, BUT ALSO ATTRACTS ROWDY, UNCIVIL, INTIMIDATING, AND CRIMINAL ACTIVITY TO THE VICINITY OF THE RACING, INCLUDING GAMBLING UPON THE OUTCOME OF THE RACES, WHICH ENGENDERS FEAR AND DISINVESTMENT AMONG NEIGHBORHOOD RESIDENTS AND PREVENTS THE FULL AND PEACEFUL ENJOYMENT OF THE USE OF THEIR PROPERTY, OR OTHERWISE IMPACTS NEGATIVITY ON THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.**

(c) As provided by law, the Police Department may provide for the immediate removal of a vehicle from public or private property to a place of safekeeping at the expense of the registered owner of the vehicle when there is reasonable cause to believe that the vehicle was used in the commission of a crime including, but not limited to, a violation of this section. **SUCH ACTIVITY MAY BE DECLARED TO BE A PUBLIC NUISANCE, WHICH JUSTIFIES TAKING FIRM ACTION TO ABATE THE PUBLIC NUISANCE, INCLUDING IMPOUNDMENT AND FORFEITURE OF THE PROPERTY.**

(d) ~~Violation of this section shall be a misdemeanor, punishable by a fine of not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) or by imprisonment not to exceed ninety (90) days or by both such fine and imprisonment in the discretion of the Court, for each such offense.~~ **AS PROVIDED BY LAW, THE POLICE DEPARTMENT MAY PROVIDE FOR THE IMMEDIATE REMOVAL OF A VEHICLE FROM PUBLIC OR PRIVATE PROPERTY TO A PLACE OF SAFEKEEPING AT THE EXPENSE OF THE REGISTERED OWNER OF THE VEHICLE WHEN THERE IS**



REASONABLE CAUSE TO BELIEVE THAT THE VEHICLE WAS USED IN THE COMMISSION OF A CRIME INCLUDING, BUT NOT LIMITED TO, A VIOLATION OF THIS SECTION.

§ 28-65.2 DEFINITIONS

(A) *EXCESSIVELY HIGH RATES OF SPEED* MEANS ANY SPEED THAT IS 15 MPH OR MORE OVER THE SPEED LIMIT.

(B) *OWNER OF A VEHICLE* INCLUDES A PERSON IN WHOSE NAME THE VEHICLE IS TITLED, AND ANY CHATTEL MORTGAGEE OR ASSIGNEE OR OTHER LIEN-HOLDER WHOSE LIEN HAS BEEN FILED IN THE OFFICE OF THE SECRETARY OF STATE OR THE OFFICE OF THE GENESEE COUNTY REGISTER OF DEEDS PRIOR TO THE COMMENCEMENT OF THE ACTION, AS WELL AS A PERSON WHO IS DEEMED BY LAW TO BE A CONSTRUCTIVE OWNER

(C) *PERMIT* MEANS WRITTEN AUTHORIZATION FROM A GOVERNMENT ENTITY AUTHORIZING A SPECIFIC ACTIVITY IN A DESIGNATED AREA, OR IN THE CASE OF A PRIVATE PAVED SURFACE, THEN WRITTEN AUTHORIZATION FROM THE OWNER AUTHORIZING THE SPECIFIC ACTIVITY IN A DESIGNATED AREA.

(D) *PERSON* INCLUDES ANY INDIVIDUAL, FIRM, PARTNERSHIP, CORPORATION, COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR JOINT VENTURE OR COMBINATION ACTING AS A UNIT, AND THE PLURAL AS WELL AS THE SINGULAR NUMBER, AND INCLUDES ANY TRUSTEE, RECEIVER, ASSIGNEE, OR OTHER

SIMILAR REPRESENTATIVE THEREOF.

(E) *PUBLIC STREETS* MEANS A STREET, FREEWAY, ALLEYWAY, PUBLIC PARKING LOT, OR ANY OTHER PAVED SURFACE, INCLUDING A PRIVATE PAVED SURFACE WHICH IS USED WITHOUT THE OWNER'S PERMISSION, WHICH HAS NOT BEEN SPECIFICALLY DESIGNED FOR RACING VEHICLES.

(F) *RACING* MEANS TO (1) RACE A VEHICLE EITHER AGAINST ANOTHER VEHICLE OR AGAINST A TIME- OR SPEED-MEASURING DEVICE, WHETHER OR NOT THERE IS AN AGREEMENT TO RACE; OR (2) DRIVE A VEHICLE AT EXCESSIVELY HIGH RATES OF SPEED OR ACCELERATION OR IN ANOTHER RECKLESSLY DANGEROUS MANNER IN AN EXHIBITION OR CONTEST OF DRIVING PROWESS, SUCH AS DRIFTING, SLIDING, OR 'DONUTS' (INVOLVING LOSS OF TRACTION AND/OR REPEATEDLY DRIVING THE VEHICLE IN CIRCLES OR FIGURE EIGHTS OR IN A SIDEWAYS MOTION IN CIRCLES OR FIGURE EIGHTS) THAT IS RECKLESSLY DANGEROUS AND COULD CAUSE SERIOUS INJURY OR DEATH AND/OR IS AN IMPEDIMENT TO TRAFFIC.

(G) *RECKLESSLY* MEANS CARELESSLY AND HEEDLESSLY OR WITHOUT DUE CAUTION AND CIRCUMSPECTION, IN WILLFUL AND WANTON DISREGARD OF THE RIGHTS OR SAFETY OF PERSONS OR PROPERTY, OR IN A MANNER SO AS TO ENDANGER OR BE LIKELY TO

ENDANGER ANY PERSON OR PROPERTY.

(H) *VEHICLE* INCLUDES, BUT IS NOT LIMITED TO, EVERY DEVICE IN, UPON, OR BY WHICH ANY PERSON OR PROPERTY IS OR MAY BE TRANSPORTED OR DRAWN UPON PUBLIC STREETS, INCLUDING SELF-PROPELLED DEVICES. VEHICLE DOES NOT INCLUDE DEVICES EXCLUSIVELY MOVED BY HUMAN POWER OR USED EXCLUSIVELY UPON STATIONARY RAILS OR TRACKS OR POWER-DRIVEN MOBILITY DEVICE WHEN THAT POWER-DRIVEN MOBILITY DEVICE IS BEING USED BY AN INDIVIDUAL WITH A MOBILITY DISABILITY.

(I) VIOLATION OF THIS SECTION SHALL BE A MISDEMEANOR, PUNISHABLE BY A FINE OF NOT LESS THAN TWO HUNDRED FIFTY DOLLARS (\$250.00) NOR MORE THAN FIVE HUNDRED DOLLARS (\$500.00) OR BY IMPRISONMENT NOT TO EXCEED NINETY (90) DAYS OR BY BOTH SUCH FINE AND IMPRISONMENT IN THE DISCRETION OF THE COURT, FOR EACH SUCH OFFENSE.

#### § 28-65.3 NUISANCE PROHIBITED

(A) THE CHIEF LEGAL OFFICER MAY MAINTAIN AN ACTION FOR A NUISANCE ABATEMENT EQUITABLE RELIEF IN THE NAME OF THE CITY OF FLINT IN THE GENESEE COUNTY CIRCUIT COURT.

(B) UPON FINDING THAT A PUBLIC NUISANCE EXISTS, THE SEVENTH CIRCUIT COURT MAY RENDER JUDGMENT AND ENTER AN ORDER OF ABATEMENT.

(C) A VEHICLE WHICH HAS BEEN USED FOR RACING UPON THE PUBLIC STREETS, INCLUDING ITS CONTENTS OR ANY TRACTOR OR TRAILER USED TO TRANSPORT THE RACING VEHICLE TO AND FROM THE RACING SITE; OR ANY TOOLS OR EQUIPMENT USED TO SERVICE, MAINTAIN OR REPAIR THE RACING VEHICLE; OR ANY PROCEEDS OF RACING MAY BE IMPOUNDED OR CONTINUE TO BE IMPOUNDED FOR A PERIOD OF UP TO ONE YEAR, ORDERED TO BE SOLD IN THE MANNER PROVIDED FOR THE SALE OF CHATTELS UNDER EXECUTION, OR FORFEITED TO THE SEIZING AGENCY.

(D) UPON THE SALE OF A RACING VEHICLE, OR ITS CONTENTS, OR A TRACTOR OR TRAILER USED TO TRANSPORT THE RACING VEHICLE TO OR FROM THE RACING SITE, OR ANY TOOLS OR EQUIPMENT USED TO SERVICE, MAINTAIN, OR REPAIR THE RACING VEHICLE, THE PROCEEDS SHALL BE DISPOSED OF IN THE FOLLOWING ORDER OF PRIORITY:

(1) TO PAY FOR THE COSTS OF KEEPING THE PROPERTY AND THE EXPENSES OF THE SALE.

(2) TO PAY ALL BONA FIDE SECURED INTERESTS AND LIENS ON THE PROPERTY, PROVIDED THAT THE SECURED PARTY OR LIEN-HOLDER HAD NO KNOWLEDGE OR NOTICE THAT THE PROPERTY WAS BEING USED TO MAINTAIN A PUBLIC NUISANCE.

(3) TO PAY FOR COURT COSTS AND TO REIMBURSE APPROPRIATE UNITS OF GOVERNMENT OR AN INSTITUTING NEIGHBORHOOD ORGANIZATION FOR THE COSTS OF ENFORCING AND PROSECUTING THE ACTION, INCLUDING ANY COSTS OF INCARCERATION NOT OTHERWISE

REIMBURSED WHICH ARE GENERATED DUE TO A CONTEMPT CHARGE AGAINST THE OWNER OR AN AGENT OR EMPLOYEE OF THE OWNER ARISING FROM THE ABATEMENT ORDER.

(4) THE REMAINING BALANCE SHALL BE DEPOSITED IN THE CITY OF FLINT'S GENERAL FUND OR DISTRIBUTED AS ORDERED BY THE COURT.

(E) THE CITY OF FLINT SHALL SEEK FROM A PERSON SENTENCED TO JAIL FOR CONTEMPT, FULL REIMBURSEMENT FOR THE COSTS OF INCARCERATION, AND MAY PLACE A CLAIM WITH THE SEVENTH CIRCUIT COURT FOR A PORTION OF THE PROCEEDS OF ANY SALE OF ANY RACING VEHICLE OR ITS CONTENTS OR ALLIED EQUIPMENT OR TOOLS, WHICH IS SOLD UNDER THE SAME COURT ORDER OR FOR A PORTION OF THE PROCEEDS FROM THE RACING.

(F) THE PROVISIONS, SANCTIONS AND REMEDIES SET FORTH IN THIS CHAPTER ARE IN ADDITION TO THE SANCTIONS AND REMEDIES PROVIDED IN STATE AND OTHER MUNICIPAL LAW, AND ARE NOT INTENDED TO COMPRISE, SUBSTITUTE FOR OR PLACE A LIMITATION UPON THOSE OTHER LAWS.

(G) IF ANY PROVISIONS OF THIS ORDINANCE SHALL BE HELD INVALID, THE REMAINDER OF THE ORDINANCE SHALL NOT BE AFFECTED THEREBY.

Sec. 2. This Ordinance shall become effective this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

FOR THE CITY:

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Sheldon A. Neeley, Mayor

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Inez M. Brown, City Clerk

APPROVED AS TO FORM:

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Angela Wheeler, Chief Legal Officer

210231

ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 24, Housing; Article I, International Property Maintenance Code.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 24, Housing, Article I, International Property Maintenance Code, by addition of Section 24-5 Landlords Removal and Disposal Process Regarding Evictions which shall read in its entirety as follows:

§ 24-5 Landlords Removal and Disposal Process Regarding Evictions:

(A) IT SHALL BE UNLAWFUL FOR A LANDLORD, AGENT OF LANDLORD, COURT OFFICER, SHERIFF, BAILIFF, DEPUTY SHERIFF, OR POLICE OFFICER TO REMOVE, DISPOSE OF OR PLACE A PROPERLY OR LEGALLY EVICTED TENANT(S) PERSONAL PROPERTY FROM THE PREMISES AND PLACE ONTO THE CURB, SIDEWALK, LAWN, YARD, STREET OR IN PUBLIC RIGHT-OF-WAY AND LEAVE UNATTENDED.

(B) A LANDLORD, AGENT OF LANDLORD, COURT OFFICER, SHERIFF, BAILIFF, DEPUTY SHERIFF, OR POLICE OFFICER SHALL PROPERLY REMOVE OR DISPOSE OF TENANT(S) PERSONAL BELONGINGS OR PROPERTY BY NOTIFYING TENANT(S) OF ITS INTENTIONS AND MUST ADVISE TENANT(S) WHEN AND WHERE PERSONAL PROPERTY IS OR WILL BE STORED.

(C) THE LANDLORD SHALL BE RESPONSIBLE FOR COSTS OF TRANSPORTING AND STORING TENANT(S) PERSONAL BELONGINGS AND PROPERTY FOR A REASONABLE TIME, UPON NOTICE TO THE TENANT(S) AND LANDLORD MAY PASS ON COSTS OF TRANSPORTING AND STORAGE FEES TO TENANT(S).

(D) THE LANDLORD, AGENT OF LANDLORD, COURT OFFICER, SHERIFF, BAILIFF, DEPUTY SHERIFF, OR POLICE OFFICER IF CHOOSES TO CONTACT AN APPROPRIATE AGENCY TO COME REMOVE PROPERTY, OR BELONGINGS FROM THE PREMISES THAT WAS PLACED ON THE CURB, SIDEWALK, LAWN, YARD, STREET, OR IN PUBLIC-RIGHT-AWAY, BUT MUST REMAIN AT THE SITE UNTIL ARRIVAL OF THE AGENCY AND LANDLORD SHALL BE RESPONSIBLE FOR ANY PROPERTY, DEBRIS, OR TRASH LEFT BEHIND AND MAY PASS ON COSTS TO THE TENANT(S).

(E) ANY PERSON OR PERSONS WHO VIOLATES THIS CHAPTER IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY A FINE OF NOT MORE THAN \$500 AND/OR IMPRISONMENT UP TO 90 DAYS OR BOTH. SUCH FINE AND/OR IMPRISONMENT MAY BE IMPOSED AT THE DISCRETION OF THE COURT.

(F) IF ANY PROVISION OF THIS ORDINANCE SHALL BE HELD INVALID, THE REMAINDER OF THE ORDINANCE SHALL NOT BE AFFECTED THEREBY.

Sec. 2. This Ordinance shall become effective this \_\_\_\_\_ day of \_\_\_\_\_, 2020, A.D.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020, A.D.

**FOR THE CITY:**

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 9, General Offenses; Article I, In General.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 9, General Offenses; Article I, by amending 9-1 and the addition of Sections 9-1.1 thru 9-1.6 Animals and Fowl which shall read in its entirety as follows:

**§ 9-1 CRUELTY TO ANIMALS PROHIBITED.**

It shall be unlawful for any person to ~~drive or~~ work overwork, torture, torment, cruelly beat, maim, disfigure, or without just cause or excuse kill an animal, or for an owner, possessor, or person who assumes the custody or charge of an animal, to abandon it or cause the animal to be abandoned in any place without making provisions for the animal's adequate care by providing it with sufficient food, water, shelter and medical attention to maintain the animal in a state of good health.

**§ 9-1.1 FOR THE PURPOSE OF THIS SECTION:**

(A) "PHYSICAL CONDITION" SHALL INCLUDE ANY SPECIAL MEDICAL NEEDS OF A DOG OR ANIMAL DUE TO DISEASE, ILLNESS, AGE, BREED, KIND, OR TYPE ABOUT WHICH THE OWNER OR PERSON WITH CUSTODY OR CONTROL OF THE DOG OR ANIMAL SHOULD REASONABLY BE AWARE.

(B) "INCLEMENT WEATHER" SHALL MEAN WEATHER CONDITIONS THAT ARE LIKELY TO ADVERSELY AFFECT THE HEALTH OR SAFETY OF THE DOG OR ANIMAL, INCLUDING BUT NOT

LIMITED TO RAIN, SLEET, ICE SNOW, WIND, OR EXTREME HEAT AND COLD.

(C) "DOGS THAT ARE LEFT OUTDOORS" SHALL MEAN DOGS/ANIMALS THAT ARE OUTDOORS IN INCLEMENT WEATHER WITHOUT READY ACCESS TO, OR THE ABILITY TO ENTER, A HOUSE, AN APARTMENT BUILDING, OFFICE BUILDING, OR ANY OTHER PERMANENT STRUCTURE THAT COMPLIES WITH THE STANDARDS ENUMERATED IN PARAGRAPH (B) OF SUBDIVISION THREE OF THIS SECTION.

(D) "ANIMAL" INCLUDES EVERY LIVING CREATURE EXCEPT A HUMAN BEING. A PERSON WHO OVERDRIVES, OVERLOADS, TORTURES OR CRUELLY BEATS OR UNJUSTIFIABLY INJURES, MAIMS, MUTILATES OR KILLS ANY ANIMAL, OR DEPRIVES ANY ANIMAL OF NECESSARY SUSTENANCE, FOOD, OR DRINK, IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE 93 DAYS, OR BY A FINE OF NOT MORE THAN FIVE-HUNDRED DOLLARS, OR BOTH.

§ 9-1.2 (A) ANY PERSON WHO OWNS OR HAS CUSTODY OR CONTROL OF A DOG, CAT, DOMESTIC PET/COMPANION THAT IS LEFT OUTDOORS SHALL PROVIDE IT WITH SHELTER APPROPRIATE TO ITS BREED, TYPE OR KIND, PHYSICAL CONDITION AND THE CLIMATE. ANY PERSON WHO KNOWINGLY VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A VIOLATION PUNISHABLE BY A FINE NOT LESS THAN \$50.00, NOR MORE THAN \$100.00 FOR A FIRST OFFENSE, AND A FINE OF NOT LESS THAN \$100.00, NOR MORE THAN \$250.00, FOR A SECOND AND SUBSEQUENT OFFENSE. BEGINNING SEVENTY-TWO HOURS AFTER A CHARGE OF VIOLATING THIS SECTION, EACH DAY THAT A DEFENDANT FAILS

TO CORRECT THE DEFICIENCIES IN THE DOG/ANIMAL SHELTER FOR A DOG, PET, ANIMAL THAT HE OR SHE OWNS OR THAT IS IN HIS OR HER CUSTODY OR CONTROL AND THAT IS LEFT OUTDOORS, SO AS TO BRING IT INTO COMPLIANCE WITH THE PROVISIONS OF THIS SECTION SHALL CONSTITUTE A SEPARATE OFFENSE.

§ 9-1.3 MINIMUM STANDARD FOR DETERMINING WHETHER SHELTER IS APPROPRIATE TO A DOG'S/ANIMAL'S BREED. PHYSICAL CONDITION AND THE CLIMATE SHALL INCLUDE:

(A) FOR ALL DOGS/ANIMALS THAT ARE RESTRAINED IN ANY MANNER OUTDOORS, SHADE BY NATURAL OR ARTIFICIAL MEANS TO PROTECT THE DOG/ANIMAL FROM DIRECT SUNLIGHT AT ALL TIMES WHEN EXPOSURE TO SUNLIGHT IS LIKELY TO THREATEN THE HEALTH OF THE DOG/PET/ANIMAL.

(B) FOR ALL DOGS/PETS/COMPANION ANIMALS THAT ARE LEFT OUTDOORS IN INCLEMENT WEATHER, A HOUSING FACILITY, WHICH MUST: (1) HAVE A WATERPROOF ROOF; (2) BE STRUCTURALLY SOUND WITH INSULATION APPROPRIATE TO LOCAL CLIMATIC CONDITIONS AND SUFFICIENT TO PROTECT THE DOG/ANIMAL FROM INCLEMENT WEATHER; (3) BE CONSTRUCTED TO ALLOW EACH DOG/ANIMAL ADEQUATE FREEDOM OF MOVEMENT TO MAKE NORMAL POSTURAL ADJUSTMENTS, INCLUDING THE ABILITY TO STAND UP, TURN AROUND, AND LIE DOWN WITH LIMBS OUTSTRETCHED; AND (4) ALLOW FOR EFFECTIVE REMOVAL OF EXCRETIONS, OTHER WASTE MATERIALS, DIRT AND TRASH. THE HOUSING FACILITY AND THE AREA IMMEDIATELY SURROUNDING IT

SHALL BE REGULARLY CLEANED TO MAINTAIN A HEALTHY AND SANITARY ENVIRONMENT AND TO MINIMIZE HEALTH HAZARDS.

§ 9-1.4 INADEQUATE SHELTER MAY BE INDICATED BY THE APPEARANCE OF THE HOUSING FACILITY ITSELF, INCLUDING BUT NOT LIMITED TO SIZE, STRUCTURAL SOUNDNESS, EVIDENCE OF CROWDING WITHIN THE HOUSING FACILITY, OR BY THE APPEARANCE OR PHYSICAL CONDITION OF THE DOG OR ANIMAL. FURTHERMORE, NO ANIMAL SHALL BE LEFT OUTSIDE LONGER THAN 15 MINUTES WHEN WEATHER TEMPERATURES ARE/REACH ZERO OR SUB-ZERO DEGREES.

§ 9-1.5 UPON A FINDING OF ANY VIOLATION OF THIS SECTION, ANY DOG(S)/ANIMAL(S) SEIZED PURSUANT TO THE PROVISIONS OF THIS ARTICLE THAT HAVE NOT BEEN VOLUNTARILY SURRENDERED BY THE OWNER OR CUSTODIAN OR FORFEITED PURSUANT TO COURT ORDER SHALL BE RETURNED TO THE OWNER OR CUSTODIAN ONLY UPON PROOF THAT APPROPRIATE SHELTER AS REQUIRED BY THIS SECTION IS BEING PROVIDED.

§ 9-1.6 NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFECT ANY PROTECTIONS AFFORDED TO DOGS OR OTHER ANIMALS UNDER ANY OTHER PROVISIONS OF THIS ARTICLE.

(A) ANY PERSON WHO VIOLATES THIS CHAPTER IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY A FINE OF NOT MORE THAN \$500 AND/OR IMPRISONMENT UP TO 90 DAYS AND MUST COMPLETE 40 HOURS OF COURT ORDERED COMMUNITY SERVICE RELATED, AFFILIATED OR CONNECTED TO THE HUMANE AND

**PROPER CARE, GROOMING, RAISING  
AND/OR TREATMENT TO ANIMALS.**

**Sec. 2. This Ordinance shall become  
effective this \_\_\_\_\_ day of \_\_\_\_\_,  
2021, A.D.**

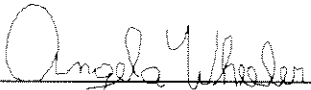
**Adopted this \_\_\_\_\_ day of  
\_\_\_\_\_, 2021, A.D.**

**FOR THE CITY:**

\_\_\_\_\_  
**Sheldon A. Neeley, Mayor**

\_\_\_\_\_  
**Inez M. Brown, City Clerk**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**Angela Wheeler, Chief Legal Officer**



ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, Motor Vehicles and Traffic, by the addition of Section 28-95, Loitering In Or About A Motor Vehicle.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, Motor Vehicles and Traffic, by the addition of Section 28-95, Loitering In Or About A Motor Vehicle, which shall read in its entirety as follows:

**§ 28-95. LOITERING IN OR ABOUT A MOTOR VEHICLE**

**(A) PURPOSE**

THE PURPOSE OF THIS ORDINANCE IS TO PROHIBIT ANY PERSON FROM LOITERING IN OR ABOUT A MOTOR VEHICLE IN SUCH A MANNER AS TO IMPEDE THE FREE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC, TO DISTURB THE PUBLIC PEACE, OR TO CREATE A NOISE DISTURBANCE; TO FURTHER PROHIBIT ANY PERSON FOUND LOITERING IN OR ABOUT A MOTOR VEHICLE IN VIOLATION OF THIS ORDINANCE FROM REFUSING A POLICE OFFICER'S REASONABLE ORDER TO DISPURSE AND/OR MOVE ON; TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION OF THIS ORDINANCE; TO DECLARE THE ACT OF LOITERING IN OR ABOUT A MOTOR VEHICLE A PUBLIC NUISANCE; TO PROVIDE FOR THE SEIZURE, IMPOUNDMENT AND FORFEITURE OF ANY MOTOR

VEHICLE USED IN VIOLATION OF THIS ORDINANCE OR WHICH FACILITATES A VIOLATION OF THIS ORDINANCE; AND TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE WHICH HAS BEEN FORFEITED UNDER THIS ORDINANCE.

**(B) DEFINITIONS**

AS USED IN THIS ORDINANCE THE TERM "FACILITATE" MEANS TO AID, HELP, MAKE POSSIBLE OR BRING ABOUT.

AS USED IN THIS ORDINANCE THE TERM "LOITER" MEANS TO STOP, STAND, IDLE, PARK OR REMAIN PARKED IN OR ABOUT A MOTOR VEHICLE LOCATED IN OR AT A PUBLIC PLACE OR A PLACE OPEN TO THE PUBLIC. THE TERM "LOITER" ALSO MEANS TO COLLECT, GATHER, CONGREGATE OR BE A MEMBER OF A GROUP OR CROWD OF PEOPLE WHO ARE GATHERED TOGETHER IN OR ABOUT A MOTOR VEHICLE OR MOTOR VEHICLES, IN ANY PUBLIC PLACE OR PLACE OPEN TO THE PUBLIC.

AS USED IN THIS ORDINANCE THE TERM "PUBLIC PLACE" MEANS ANY PUBLIC STREET, ROAD OR HIGHWAY, ALLEY, LANE, SIDEWALK, CROSSWALK, OR OTHER PUBLIC WAY, PUBLIC RESORT, PLACE OF AMUSEMENT, PARK, PLAYGROUND, PUBLIC BUILDING OR GROUNDS APPURTENANT THERETO, SCHOOL BUILDING OR SCHOOL GROUNDS, PUBLIC PARKING LOT, OR ANY VACANT LOT.

AS USED IN THIS ORDINANCE THE TERM "*PLACE OPEN TO THE PUBLIC*" MEANS ANY PLACE OPEN TO THE PUBLIC OR ANY PLACE TO WHICH THE PUBLIC IS INVITED, INCLUDING ANY PRIVATELY OWNED PLACE OF BUSINESS, PRIVATE PARKING LOT, OR PRIVATE INSTITUTION, INCLUDING PLACES OF WORSHIP, CEMETARIES, OR ANY PLACE OF AMUSEMENT AND ENTERTAINMENT WHETHER OR NOT A CHARGE OF ADMISSION OR ENTRY THERETO IS MADE, INCLUDING THE GROUNDS, OPEN AREAS AND PARKING LOT OF ANY STORE, OFFICE OR APARTMENT BUILDING OPEN TO THE PUBLIC

AS USED IN THIS ORDINANCE THE TERM "*OWNER*" INCLUDES A PERSON IN WHOSE NAME THE MOTOR VEHICLE IS TITLED AND/OR REGISTERED, AND/OR ANY LIENHOLDER WHOSE LIEN HAS BEEN FILED WITH THE SECRETARY OF STATE PRIOR TO THE COMMENCEMENT OF A NUISANCE ABATEMENT ACTION REGARDING THE MOTOR VEHICLE, AS WELL AS A PERSON WHO IS DEEMED BY LAW TO BE A CONSTRUCTIVE OWNER.

**(C) PROHIBITED CONDUCT**

(1) IT SHALL BE UNLAWFUL FOR ANY PERSON TO LOITER IN OR AT PUBLIC PLACE, OR TO LOITER IN OR AT A PLACE OPEN TO THE PUBLIC, AND:

(a) IMPEDE, INTERFERE OR OTHERWISE OBSTRUCT IN ANY MANNER THE FREE PASSAGE OF PEDESTRIAN AND/OR VEHICULAR

TRAFFIC TO, FROM AND/OR THROUGH THE PUBLIC PLACE OR PLACE OPEN TO THE PUBLIC; OR

(b) DISTURB THE PUBLIC PEACE IN ANY MANNER DESCRIBED IN SECTION 31-10 OF THE FLINT CITY CODE OF ORDINANCES, INCLUDING BUT NOT LIMITED TO ENGAGING IN LOUD OR AGGRESSIVE CONDUCT, ENGAGING IN CONDUCT WHICH IS INTENDED TO AND DOES CAUSE ANOTHER PERSON TO FEEL ANGRY, FRIGHTENED, INTIMIDATED, EMBARRASSED OR HARRASSED, ENGAGING IN CONDUCT WHICH INFLECTS INJURY OR INCITES AN IMMEDIATE BREACH OF THE PEACE, AND/OR ENGAGING IN CONDUCT WHICH INTENTIONALLY MAKES OR CAUSES TO BE MADE ANY OPEN EXPOSURE OF THE HUMAN MALE OR FEMALE GENITALS, PUBIC AREA, BUTTOCKS OR THE FEMALE BREASTS, INCLUDING BUT NOT LIMITED TO URINATING OR DEFECATING IN PUBLIC; OR

(c) CREATE A NOISE DISTURBANCE AS DESCRIBED IN SECTION 31-53 OF THE FLINT CITY CODE OF ORDINANCES, INCLUDING BUT NOT LIMITED TO PLAYING A RADIO, MUSICAL INSTRUMENT OR OTHER DEVICE WHICH REPRODUCES AND AMPLIFIES SOUND IN SUCH A MANNER AS TO CREATE A NOISE DISTURBANCE ACROSS A REAL PROPERTY BOUNDARY, OR PLAYING A RADIO, MUSICAL INSTRUMENT OR OTHER DEVICE WHICH REPRODUCES AND AMPLIFIES SOUND IN SUCH A MANNER AS TO CREATE A NOISE DISTURBANCE AT 50 FEET (15 METERS) FROM A MOTOR VEHICLE.

**(2) IT SHALL BE UNLAWFUL FOR ANY PERSON TO:**

**(a) LOITER IN OR AT A PUBLIC PLACE IN VIOLATION OF THIS ORDINANCE, OR TO LOITER IN OR AT A PLACE OPEN TO THE PUBLIC IN VIOLATION OF THIS ORDINANCE; AND**

**(b) FAIL TO OBEY THE REASONABLE ORDER OF A UNIFORMED POLICE OFFICER OR PROPERLY IDENTIFIED POLICE OFFICER WHO IS NOT IN UNIFORM TO DISBURSE AND/OR MOVE ON FROM THE PUBLIC PLACE AND/OR THE PLACE OPEN TO THE PUBLIC.**

**D. PENALTY**

**(1) A VIOLATION OF THIS ORDINANCE SHALL BE A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN NINETY (90) DAYS IN JAIL OR A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00), OR BOTH.**

**E. DECLARATION OF PUBLIC NUISANCE**

**(1) LOITERING IN OR ABOUT A MOTOR VEHICLE IN ANY MANNER WHICH VIOLATES THIS ORDINANCE IS DECLARED A PUBLIC NUISANCE.**

**(2) ANY MOTOR VEHICLE USED IN VIOLATION OF THIS ORDINANCE, OR ANY MOTOR VEHICLE WHICH IS USED TO FACILITATE, IN ANY MANNER, A VIOLATION OF THIS ORDINANCE, IS**

**DECLARED A PUBLIC NUISANCE, AND MAY BE SEIZED, IMPOUNDED AND FORFEITED AS PROVIDED BY THIS ORDINANCE.**

**F. SEIZURE, IMPOUNDMENT AND FORFEITURE OF MOTOR VEHICLE**

**(1) A POLICE OFFICER WHO HAS REASONABLE CAUSE TO BELIEVE A MOTOR VEHICLE HAS BEEN USED IN VIOLATION OF THIS ORDINANCE, OR HAS BEEN USED TO FACILITATE, IN ANY MANNER, A VIOLATION OF THIS ORDINANCE, MAY SEIZE THE MOTOR VEHICLE AND IMPOUND IT AS PROVIDED BY LAW.**

**(2) A MOTOR VEHICLE WHICH HAS BEEN SEIZED AND IMPOUNDED AS PROVIDED BY THIS ORDINANCE IS SUBJECT TO FORFEITURE AS PROVIDED BY THIS ORDINANCE.**

**(3) WITHIN THIRTY (30) DAYS OF RECEIVING ACTUAL OR CONSTRUCTIVE NOTICE THAT A MOTOR VEHICLE HAS BEEN SEIZED AS PROVIDED BY THIS ORDINANCE, THE OWNER OF THE MOTOR VEHICLE MAY PROVIDE WRITTEN NOTICE TO THE CHIEF LEGAL OFFICER OF THE CITY OF FLINT, OR HIS OR HER DESIGNEE, THAT THE OWNER IS CONTESTING THE FORFEITURE AND DEMAND THAT THE CHIEF LEGAL OFFICER OR HIS OR HER DESIGNEE, FILE A COMPLAINT TO ABATE A PUBLIC NUISANCE IN THE GENESEE COUNTY CIRCUIT COURT, AND HAVE THE MOTOR VEHICLE DECLARED FORFEITED TO THE CITY OF FLINT. IF THE OWNER DOES NOT PROVIDE**

WRITTEN NOTICE TO THE CHIEF LEGAL OFFICER, OR HIS OR HER DESIGNEE, WITHIN THIRTY (30) DAYS OF THE DATE THE OWNER RECEIVES ACTUAL OR CONSTRUCTIVE NOTICE THE MOTOR VEHICLE HAS BEEN SEIZED, THE MOTOR VEHICLE SHALL BE ADMINISTRATIVELY FORFEITED TO THE CITY OF FLINT.

**G. ABATEMENT OF PUBLIC NUISANCE BY FORFEITURE**

(1) THE CHIEF LEGAL OFFICER OF THE CITY OF FLINT, OR HIS OR HER DESIGNEE, MAY MAINTAIN AN ACTION IN THE GENESEE COUNTY CIRCUIT COURT TO ABATE, BY FORFEITURE, THE PUBLIC NUISANCE OF A MOTOR VEHICLE USED IN VIOLATION OF THIS ORDINANCE, OR WHICH HAS BEEN USED TO FACILITATE, IN ANY MANNER, A VIOLATION OF THIS ORDINANCE..

(2) THE ACTION TO ABATE THE NUISANCE MAY BE FILED WITHIN FOURTEEN (14) DAYS OF THE DATE THE CHIEF LEGAL OFFICER OF THE CITY OF FLINT, OR HIS OR HER DESIGNEE, RECEIVES WRITTEN NOTICE THAT THE OWNER OF THE MOTOR VEHICLE IS CONTESTING THE FORFEITURE.

(3) UPON A FINDING THAT THE MOTOR VEHICLE HAS BEEN USED IN VIOLATION OF THIS ORDINANCE, OR HAS BEEN USED TO FACILITATE, IN ANY MANNER, A VIOLATION OF THIS ORDINANCE, THE GENESEE COUNTY CIRCUIT COURT SHALL DECLARE THE MOTOR VEHICLE FORFEITED TO

THE CITY OF FLINT, AND ORDER THE MOTOR VEHICLE BE DISPOSED AS PROVIDED BY THIS ORDINANCE.

(4) PROOF THE OWNER KNEW THE MOTOR VEHICLE HAD BEEN USED IN VIOLATION OF THIS ORDINANCE, OR KNEW THE MOTOR VEHICLE HAD FACILITATED A VIOLATION OF THIS ORDINANCE IN ANY MANNER, SHALL NOT BE REQUIRED.

(4) IF THE COURT FINDS THE MOTOR VEHICLE HAS NOT BEEN USED IN VIOLATION OF THIS ORDINANCE, OR HAS NOT BEEN USED TO FACILITATE, IN ANY MANNER, A VIOLATION OF THIS ORDINANCE, ,OR THE CHIEF LEGAL OFFICER OF THE CITY OF FLINT, OR HIS OR HER DESIGNEE, DOES NOT FILE AN ACTION TO ABATE, BY FORFEITURE, THE NUISANCE OF THE MOTOR VEHICLE, THE MOTOR VEHICLE SHALL BE PROMPTLY RETURNED TO THE OWNER.

**(H) DISPOSITION OF FORFEITED VEHICLE**

(1) A MOTOR VEHICLE WHICH HAS BEEN FORFEITED PURSUANT TO THIS ORDINANCE MAY BECOME THE PROPERTY OF THE CITY OF FLINT, OR MAY SOLD BY THE CITY OF FLINT IN THE SAME MANNER PROVIDED FOR THE SALE OF CHATTELS UNDER EXECUTION.

(2) UPON THE SALE OF A MOTOR VEHICLE PURSUANT TO THIS ORDINANCE, THE PROCEEDS OF THE SALE SHALL BE DISTRIBUTED IN THE FOLLOWING ORDER OF PRIORITY:

(a) TO PAY FOR THE COST OF IMPOUNDING THE MOTOR VEHICLE AND THE EXPENSES OF THE SALE;

(b) TO PAY ALL BONA FIDE SECURED INTERESTS AND LIENS ON THE MOTOR VEHICLE, PROVIDED THAT THE SECURED PARTY OR LIEN HOLDER HAD NO KNOWLEDGE THE MOTOR VEHICLE WAS HAD BEEN USED IN VIOLATION OF THIS ORDINANCE, OR HAD FACILITATED A VIOLATION OF THIS ORDINANCE IN ANY MANNER;

(c) TO PAY FOR COURT COSTS AND REIMBURSE THE CITY OF FLINT FOR THE COST OF ENFORCING AND PROSECUTING THIS ORDINANCE;

(d) THE REMAINING BALANCE SHALL BE DEPOSITED IN THE CITY OF FLINT'S GENERAL FUND OR DISTRIBUTED AS ORDERED BY THE COURT.

(I) THE PROVISIONS, SANCTIONS AND REMEDIES SET FORTH IN THIS ORDINANCE ARE IN ADDITION TO ANY OTHER PROVISIONS, SANCTIONS AND/OR REMEDIES AVAILABLE TO THE CITY OF FLINT UNDER STATE, FEDERAL AND LOCAL LAW, AND ARE NOT INTENDED TO COMPROMISE, SUBSTITUTE, OR PLACE ANY LIMITATION UPON THOSE OTHER PROVISIONS, SANCTIONS OR REMEDIES IN ANY MANNER WHATSOEVER.

(J) IF ANY PROVISION OF THIS ORDINANCE SHALL BE HELD

INVALID, THE REMAINDER OF THE ORDINANCE SHALL NOT BE EFFECTED THEREBY.

FOR THE CITY:

---

Sheldon A. Neeley, Mayor

---

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

  
Angela Wheeler, Chief Legal Officer

210378

ORDINANCE NO. \_\_\_\_\_

A Proposed ordinance to amend Chapter 50 of the Code of the City of Flint has been requested by Shaltz Acquisitions LLC (PC 21-408) for a rezoning change for the property of 448 S. Saginaw St. (Parcel ID# 41-18-107-019) from D-4 to D-5.

The Planning Commission recommends **DENIAL** of a Zoning Ordinance map amendment concerning this property located in WARD 5.

**IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:**

Sec. 1. That the code of the City of Flint is hereby amended to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows:

448 S. Saginaw St., parcel #41-18-107-019  
legally described as VILLAGE OF FLINT  
NLY 20 FT OF SLY 28 FT OF LOT 7,  
BLK 3 from "D-4" Metropolitan Business  
District and future zoned "DC-Downtown  
Core" to "D-5" Metropolitan Commercial  
Service Business District.

Sec. 2. This ordinance shall take effect on  
the \_\_\_ day of \_\_\_\_\_, 2021 A.D.

Approved this \_\_\_ day of \_\_\_\_\_,  
2021 A.D.

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler  
Angela Wheeler, Chief Legal Officer

CITY COUNCIL:

\_\_\_\_\_  
Kate Fields, City Council President

210397

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the Code of the City of Flint by amending Chapter 18, Taxation; Funds; Purchasing; Article I, In General; Section 18-4.1, Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons.

IT IS HEREBY ORDAINED BY PEOPLE OF THE CITY OF FLINT:

Sec. 1. That the provisions of Chapter 18, Taxation; Funds; Purchasing; Article I, In General; Section 18-4.1, Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons, shall be amended by adding subsection (CC), which shall read in its entirety as follows:

(CC) THE CITY ACKNOWLEDGES THAT **THE GRAND FLINT LIMITED DIVIDEND HOUSING ASSOCIATION, LP, A MICHIGAN LIMITED PARTNERSHIP** (THE "OWNER") HAS OFFERED, SUBJECT TO RECEIPT OF AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE LOAN AND/OR ALLOCATION OF LOW INCOME HOUSING TAX CREDITS FROM THE MICHIGAN STATE HOUSING AND DEVELOPMENT AUTHORITY ("MSHDA"), TO OWN AND OPERATE A HOUSING PROJECT IDENTIFIED AS "THE GRAND" (THE "PROJECT") ON CERTAIN PROPERTY LOCATED IN THE CITY TO SERVE PERSONS AND FAMILIES OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF AD VALOREM TAXES.

THE CITY ACKNOWLEDGES THAT THE SPONSOR SHALL BE AFFORDED TAX BENEFITS OF PAYING A SERVICE CHARGE

IN LIEU OF AD VALOREM TAXES (BUT NOT IN LIEU OF PAYMENT OF SPECIAL ASSESSMENTS INCLUDING, BUT NOT LIMITED TO, THE STREET LIGHTING SPECIAL ASSESSMENT). THE CITY FURTHER ACKNOWLEDGES THAT THE SPONSOR FITS WITHIN THE CLASS AS DESCRIBED IN §18-4.3 BELOW. THE ANNUAL SERVICE CHARGE FOR THE CLASS OF PERSONS OF LOW AND MODERATE INCOME SHALL BE EQUAL TO **FOUR PERCENT (4%)** OF THE ANNUAL SHELTER RENTS, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS, INCLUDING THE PORTION OF RENT PAYABLE UNDER ANY GOVERNMENTAL SUBSIDY. NOTWITHSTANDING THE FOREGOING, THE ANNUAL SERVICE CHARGE SHALL NOT EXCEED AD VALOREM PROPERTY TAXES THAT WOULD BE ASSESSED OR PAID ABSENT THIS TAX EXEMPTION.

Sec. 2. This ordinance shall become effective immediately upon publication.

Adopted this \_\_\_\_\_ day of

\_\_\_\_\_, 2021 A.D.

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

**ORDINANCE REVIEW FORM**

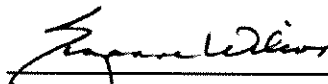
**FROM:** Planning and Development  
Department

NO. 21-  
Law Office Login #

**ORDINANCE NAME:** RESUBMISSION OF PILOT ORDINANCE RESOLUTION TO GRANT A FOUR (4%) PAYMENT IN LIEU OF TAXES (PILOT) TO PROJECT AT 422 W UNIVERSITY, TO BE CALLED "THE GRAND", PROVIDING 48 UNITS OF AFFORDABLE HOUSING TO LOW AND MODERATE INCOME RESIDENTS. DEVELOPER OWNS PROPERTY AS OF THIS REQUEST.

**1. ORDINANCE REVIEW - DEPARTMENT DIRECTOR**

The attached ORDINANCE is approved by the Director of the affected Department. By signing, the Director approves this ordinance to be processed for signatures and fully executed.

By: Director   
Suzanne Wilcox, Director

DATE: July 12, 2021

**2. ORDINANCE REVIEW - LAW DEPARTMENT**

The attached ORDINANCE is submitted to the Legal Department for approval. By signing, the Legal Department approves this ordinance to be processed for signatures and fully executed.

By: \_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

DATE: \_\_\_\_\_

**3. ORDINANCE REVIEW-FINANCE DEPARTMENT**

The attached ORDINANCE is submitted to the Finance Department for approval. By signing, the Finance

By: \_\_\_\_\_  
Amanda Trujillo, Chief Financial Officer

DATE: \_\_\_\_\_

**4. ORDINANCE REVIEW-MAYORS OFFICE**

The attached ORDINANCE is submitted to the Mayors Office for approval. By signing, the Mayor's office

By: \_\_\_\_\_  
Clyde Edwards, City Administrator

DATE: \_\_\_\_\_



**PAYMENT IN LIEU OF TAXES  
(PILOT)  
APPLICATION**



**CITY OF FLINT**

1101 S SAGINAW ST.  
FLINT, MI 48502  
TEL: 810-766-7436

## **PURPOSE**

To administer the City of Flint Code of Ordinances 18-4.1 to 18-4.8, establishing a class of housing developments pursuant to the State Housing Development Authority Act of 1966, known as Act 436 of the Acts of 1966, being MCLA §§ 125.1401 et seq. , as amended, which are exempt from property taxes, paying instead a service charge to be paid in lieu of taxes (PILOT) by any or all classes of housing exempt from taxation under this Act at any amount it chooses, but not to exceed the taxes that would be paid for if not for this Act.

The City acknowledges that serving persons of low income is a public necessity, and as such the City of Flint will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose. The applicant for a PILOT is affirming that the economic feasibility of this housing development is reliant on this requested tax exemption.

Furthermore, in considering this application for PILOT, the evaluators of such request shall consider that the community shall be developed in a manner consistent with the adopted Master Plan and Consolidated Action Plan. Evaluation of the application should take into consideration maintaining the overall goals and objectives set forth in these plans.

## **ELIGIBILITY**

- 1) Applicant must be a nonprofit housing corporation, consumer housing cooperative, limited dividend housing corporation, mobile home park cooperative or mobile home park association, and must be financed with a federally-aided or Michigan State Housing Development Authority (MSHDA) aided mortgage or advance or grant from MSHDA.
- 2) PILOT has been requested during the planning stage of the project; any development project under construction at the time of application is not eligible to apply for, or to receive, a PILOT.
- 3) The applicant must own the property or have an option or other right to purchase the property under consideration and provide in application.
- 4) Housing development must contain a minimum of 51% affordable units.
- 5) Project includes a Low Income Housing Tax Credit (LIHTC) allocation.
- 6) The property is not designated as a Brownfield or 5/50 property.
- 7) All parcels that are separate have been combined through proper City channels.

## **PROCESS**

**1) Mandatory Pre-Application Conference:** This will be a meeting of all applicable City Departments to include:

- City Administrator
- City Planner
- City Engineer
- City Treasurer
- City Assessor
- Chief Building Official
- Community and Economic Development Staff
- Representatives of applicant development team

This meeting will serve to familiarize all parties with the scope of the project and any issues that may exist. The applicant will also be familiarized with the PILOT process and policies.

**2) Submission of Application:** Application form must be complete and packet of required supporting documentation assembled based upon requirements set forth in the application. Any additional concerns or items that were discussed in the Pre-Application Conference should also be addressed. Application forms are available on both the City of Flint website and in the Department of Community and Economic Development.

One original and one electronic copy shall be submitted no later than seven (7) weeks before the Regular City Council meeting, which are typically held on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month.

**3) Internal (Administrative) Review:** An internal review will occur, resulting in either Administrative approval within three (3) weeks or return to the applicant for corrections.

Applications will be scored on a scoring matrix as attached in this application.

Administrative approval will move the application forward to an ordinance amendment that will be placed on the Government Operation Committee meeting agenda.

**4) Council Committee Review:** Meetings are held the Wednesday prior to the Regular City Council meeting. The developer is required to be in attendance at this meeting to answer any questions the committee may have.

**5) Review by City Council:** Once committee approval is obtained, the ordinance amendment will proceed to the following Regular City Council Meeting (the Monday following committee). The developer is required to be in attendance at this meeting.

**6) Approval:** If the PILOT application is approved by resolution of the City Council, a certified copy of the resolution and a copy of the minutes will be provided to the applicant. Additionally, digital copies will be provided to all applicable City Departments.

***\*Note: All applicants are required to file their MISDA affidavit with the City Assessor by November 1 of the year before the PILOT is to take effect.***

## **APPLICATION REQUIREMENTS**

1) Completed Application Form

2) Narrative:

a. Background information:

i. Development experience of team

Please see attached resumes for Communities First, Inc. and RAD Conversion Specialists, LLC.

ii. Describe the corporate partnership structure

Please see attached proposed organization chart.

b. Describe the proposed Project (include the following sections): We are requesting a 4% PILOT.

i. **Intended usage/target market** – Low and moderate income individuals and families in Genesee County.

ii. **Economic impact** –We expect to invest approximately \$14.8 million in the neighborhood with a large multiplier effect from construction and long term economic impact to local businesses in the immediate walking area (Carriage Town and University Avenue Corridor). Additionally, the project will likely create hundreds of construction jobs and additional jobs for property a management office and maintenance staffing and contracts.

iii. **Environmental impact (to include any mitigation actions taken)** -The property is contaminated with tetrachloroethylene; likely from a previous dry-cleaning business. Additionally, the western adjoining property operating as a gasoline filling station and meets the definition of a facility. The environmental contamination will be mitigated with either a vapor barrier or removing contaminated soils.

iv. **Impact on City infrastructure (transportation and utilities)** -We expect residents to utilize local public transit and walk for majority of transportation needs (We expect this project to increase the walkability of the area though increasing density and demand for local amenities). We plan to utilize public utilities. This project will help make Flint more attractive for business investment and people by emphasizing a live, work, and play atmosphere due to its location near downtown and local amenities.

v. **Impact on City services (police, fire, EMS, code enforcement)** -We expect the local area to be much safer and to incentivize investment by homeowners and business owners in the neighborhood. Increasing the density will help activate the area with more residents to deter nearby criminal activity and utilize local businesses and other amenities. We expect nearby property values to increase and more local investment and activity, enlarging the tax base and providing more resources for City services.

vi. **Square footage of the building and land to be renovated** Building is new construction and total square footage has not been determined.

vii. **Architectural renderings to include the number and type of units** – Planned unit mix – twenty (20) one-bedroom units; twenty-one (21) two-bedroom units; and seven (7)

(forty-eight (48) total units); See attached site concept plan.

**viii. Any other information to fully explain the project**

**c. Describe the marketing of the project, clearly identifying the intended market. If the project is speculative, how long is full occupancy expected to take and who will be the property manager?**

The Project will be marketed through local media advertising, as well as word of mouth. Given current demand for housing in Flint, we expect full occupancy to take approximately 4 to 6 months.

**d. Briefly describe the ownership and tax information for this project:**

**i. State the location or the proposed project to include street address, parcel ID, and the legal description.**

Address: 422 W. University Ave.; Parcel ID: 40-12-457-008; Legal Description: MCFARLAN & CO'S WESTERN ADDITION LOTS 5, 8, 10, 13 AND 14; ALSO SLY 33 FT OF LOTS 6 AND 11; ALSO WLY  $\frac{1}{2}$  OF LOTS 7 AND 9. BLK 38

**ii. Name of the property owner at the time of application.**

**iii. If the applicant is not the current owner of record, attach a valid option to purchase.**

Communities First, Inc. owns a majority of the general partner of the owner, The Grand Flint LDHA LP.

**iv. Describe any and all financing, options, and liens on the property -** We are not aware of any liens on the property. We have received a tax credit reservation from the Michigan State Housing Development Authority and Affordable Housing Program Grant funds to help finance the development. Additionally, sources of funds include grant dollars and deferred developer fee.

**v. State the current assessed value of the property.**

**vi. Are any assessments currently under appeal? If yes, describe.**

We are not aware of any assessment appeals.

**e. Provide a detailed development pro forma outlining proposed hard, soft and financing costs associated with the development. Pro forma must also identify all sources of financing and terms, including Applicant equity, construction, and permanent financing, as well as any government assistance. Proposals must contain detailed cost breakdowns. Please see attached sources and uses of funds and MSHDA tax credit reservation and AHP Award Letter.**

**f. Provide a detailed operating pro forma. This must include all anticipated major revenues and expenses for the full term of the requested PILOT. Please see attached 15-year operating proforma. A longer term forecast proforma can be provided upon request.**

**g. Provide a detailed schedule of rents and income limits of lessees- Please see attached rent schedule with income targeting and unit mix.**

**h. Provide housing market data to show demand.**

See Imagine Flint Master Plan. We have not done a market study but given current demand for rental units in the area and Flint, there is adequate demand for the multifamily apartments, especially near downtown Flint.

i. State a proposed timeline for the Project to include:

- i. Closing of the loan or contributing financing June 2021
- ii. First expenditure of funds with regards to the project January 2019
- iii. Anticipated date construction will begin June 2021
- iv. Anticipated date of completion August 2022

j. Describe any potential conflicts of interest the applicant or any guarantor may have with any City Personnel or City Council members. We are not aware of any conflicts of interest.

k. To receive application bonus points, address the following:

i. **Mixed use (PILOT ONLY applies to housing- not commercial SF)** The proposed project is mixed use with commercial space dedicated to resident services and is expected to contain almost 3,300 square feet of commercial space fronting Grand Traverse St. (along with 48 residential apartment units).

ii. **Energy efficiency and green practices** Project will be certified by NGBS.

iii. **Neighborhood and block club outreach (Full list of outreach done)**

We have had several meetings with neighborhood residents and the neighborhood association, including attendance at a board meeting and solicited feedback regarding project design and characteristics. Additionally, we have modified the design considerably since the first proposal, incorporating different materials, scale, and building size and number. More recently, we have held two video conference calls with residents regarding design concept and project details.

iv. **External amenities (walk score, proximity to transit, jobs, etc.)**

The property's walkscore is 65, however it is within 1/3 of mile of an 81 walkscore and downtown Flint, and just under ½ mile from Hurley Hospital. Additionally, we expect the walkscore to increase dramatically once the property is placed in service. The property is located in the Carriage Town Historic District, one block away from Factory 1.

l. Include a copy of the completed MSHDA application for Low Income Housing Tax Credits (LIHTC) within thirty (30) days of submittal to MSHDA.



(APPLICATION FORM ON NEXT PAGE- ATTACH APPLICATION FORM TO THE REQUIRED NARRATIVES AND SUPPORTING DOCUMENTS)

**PAYMENT IN LIEU OF TAXES (PILOT) APPLICATION**  
**CITY OF FLINT**

**APPLICANT INFORMATION**

|                             |  |
|-----------------------------|--|
| <b>ENTITY NAME</b>          | Communities First, Inc. on behalf of The Grand Flint LDHA LP |
| <b>REPRESENTATIVES NAME</b> | Glenn A. Wilson  |
| <b>ADDRESS</b>              | 415 West Court Street, Flint, MI 48503                       |
| <b>TELEPHONE NUMBER</b>     | 810 422 5358   |
| <b>E-MAIL ADDRESS</b>       | gwilson@communitiesfirstinc.org                              |

**GUARANTORS INFORMATION**

|                         |  |
|-------------------------|--|
| <b>ENTITY NAME</b>      | Communities First, Inc.                |
| <b>ENTITY PRINCIPAL</b> |  |
| <b>ADDRESS</b>          | 415 West Court Street, Flint, MI 48503 |
| <b>TELEPHONE NUMBER</b> | 810 422 5358                           |
| <b>E-MAIL ADDRESS</b>   | gwilson@communitiesfirstinc.org        |

|                         |  |
|-------------------------|--|
| <b>ENTITY NAME</b>      | RAD Conversion Specialists, LLC.               |
| <b>ENTITY PRINCIPAL</b> | Eric Gold                                      |
| <b>ADDRESS</b>          | 32500 Telegraph, #222, Bingham Farms, MI 48025 |
| <b>TELEPHONE NUMBER</b> | 248 203 0011                                   |
| <b>E-MAIL ADDRESS</b>   | egold@slavikenterprises.com                    |

## **PROJECT INFORMATION**

|                           |  |
|---------------------------|--|
| <b>PROJECT NAME</b>       | <b>The Grand on University</b>   |
| <b>ADDRESS OF PROJECT</b> | 422 W. University Ave.   |
| <b>PARCEL ID</b>          | 40-12-457-008  |
| <b>LEGAL DESCRIPTION</b>  | McFARLAN & CO'S WESTERN ADDITION LOTS 5, 8, 10, 13 AND 14; ALSO SLY 33 FT OF LOTS 6 AND 11; ALSO WLY ½ OF LOTS 7 AND 9. BLK 38<br><br>Parcel ID: 40-12-457-008 |

## **DEVELOPMENT TEAM**

|   |                                |
|---|--------------------------------|
| <b>APPLICANT PRIMARY POINT OF CONTACT</b> | Communities First, Inc.        |
| <b>ARCHITECTURAL FIRM</b>                 | Sedgewick + Ferweda Architects |
| <b>CONSTRUCTION PROJECT MANAGER</b>       | TBD                            |
| <b>GENERAL CONTRACTOR FOR PROJECT</b>     | TBD                            |

*Applicant is to attach items a-l as required in the narrative portion of the application.*

- a. Background information See Above
- b. Project description See Above
- c. Project marketing/target market See Above
- d. Ownership description/tax information See Above
- e. Detailed development pro forma Attached
- f. Operating pro forma Attached
- g. Schedule of rents/income levels Attached
- h. Housing market data supporting demand See Above
- i. Proposed project timeline See Above
- j. Conflicts of interest See Above
- k. Application bonus point items See Above
- l. MSHDA application for LIHTC credits



EMPOWERING PEOPLE.  
BUILDING COMMUNITIES.

## QUALITY OF LIFE STARTS WITH COMMUNITY.



COMMUNITIESFIRST, INC.  
*Empowering People. Building Communities*

Communities First, Inc. is a nonprofit community development corporation that creates economic development opportunities, provides affordable housing, fosters access to the arts and cultural activities, and educates families and businesses about the environment.

Our holistic approach to building sustainable communities is fueled by a culture of innovation, equity and creative problem solving. Our leadership team and collaborative partners have a spirit of trust, engagement and a contagious passion to make an authentic difference in the communities we serve.

By looking beyond conventional community solutions, we take a strategic approach that challenges the status quo to empower people and build communities.

If you believe in the power of community like we do, we welcome you to learn more and join us in making a difference.

810.422.5358 | [COMMUNITIESFIRSTINC.ORG](http://COMMUNITIESFIRSTINC.ORG)





## ***Communities First, Inc. Overview***

Communities First, Inc. (CFI) is a Michigan nonprofit 501c3 whose mission is to build healthy, vibrant communities through economic development, affordable housing and innovative programming. The organization is focused on providing safe, quality affordable housing, increasing economic opportunities, and improving quality of life. The motto of Communities First, Inc. is "Empowering People. Building Communities", which speaks to a desire to create social equity, improve quality of life for residents and to improve the built environment.

### **Affordable Housing**

In Flint, Michigan, CFI is the developer of Oak Street Senior Apartments. The \$5.1 million project provides 24 units of safe, affordable housing for low income seniors in the downtown Flint area. Oak School was originally built in 1898 and has been preserved and repurposed. This project is energy efficient, sustainable and is Enterprise Green Communities certified. Communities First, Inc. is also developer of the historic Swayze Apartments in Flint. This vacant and blighted building was renovated into 36 apartments for people who are homeless, at risk of homelessness or who have special needs. This \$8.1 million project has been funded by the Michigan State Housing Development Authority, City of Flint and others.

Coolidge Park Apartments is the most recent housing development undertaken by the organization. Coolidge School was closed in 2011 due to declining enrollment and Communities First, Inc. has secured the bulk of the funding to begin the redevelopment of the site. When complete, the Coolidge development will consist of 54 units (both market rate and affordable), a community center in the gymnasium and more than 8,000 square feet of commercial space.

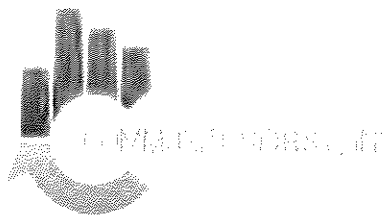
### **Economic Development**

Communities First, Inc. recognizes that it is important for residents of distressed communities to have increased employment opportunities. The housing that CFI has developed created more than 200 well-paying jobs for local workers, some of whom have barriers to employment, were low income and/or minorities. CFI has been successful in securing more than \$30 million in federal, state and local grant funds for projects in the Flint community. Mixed use projects and other programs are being planned to provide further opportunities for economic development.

Communities First, Inc. participated in a pilot HUD program and became a SPI-HUD Accredited Green Organization. This accreditation is a reflection of CFI's commitment to green building practices and operations. Each of the development projects that Communities First, Inc. is a part of will be designed, constructed and operated with sustainability and environmentally friendly practices in mind. It is the opinion of the organization that this

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|                         |                  |                |                |
|-------------------------|------------------|----------------|----------------|
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| COMMUNITIESFIRSTINC.ORG | FLINT MI 48503   | FLINT MI 48501 | F 810-519-4844 |



approach is responsible, cost effective and progressive. Additionally, the office operations of Communities First, Inc. minimize excess usage of paper, energy and water.

Initially involved in economic development and affordable housing, Communities First, Inc. is further realizing its mission of improved quality of life for distressed communities by establishing additional opportunities to engage those that it serves. The organization has established two programs, Green Life Community Education Program and Culture Shock, to meet additional community needs.

#### Green Life Community Education Program

Green Life addresses several important topics in that make residents and businesses more aware of their impact on the environment. The program encourages individual and corporate responsibility through resident and business forums. Examples of the topics that are covered include: energy saving and water conservation methods, education about climate change, recycling, the use of public transportation and reducing your carbon footprint.

#### Culture Shock

Culture Shock, as its name suggests, provides cultural experiences that provoke, surprise and stimulate. By altering and enhancing perceptions of arts and culture--in partnership with other community groups and businesses--individuals and families can expand their horizons, broaden their tastes and deepen their understanding of the world around them. The program provides exposure to arts, music, food, sporting events and various cultures to diversify the experience of residents of low to moderate income communities. Culture Shock eliminates barriers like cost and transportation to increase access and opportunity. This innovative program impacts about 16,000 per year and has received national media coverage.

#### The Essence of Communities First, Inc.

Communities First, Inc. is committed to the creation of sustainable and equitable communities. By focusing on affordable housing, economic development arts and culture outreach and environmental education, CFI is transforming neighborhoods and lives. The organization utilizes a holistic and proactive approach to community development, which looks at the entire person and examines the complexity of community issues. Equity permeates every aspect of the work of the organization, engaging residents in the planning and execution of projects. CFI is well versed in creative placemaking, involving stakeholders throughout the process to produce changes to the built environment and quality experiences for residents.

CFI has a knack for connecting needs with resources to provide viable solutions to social, economic and environmental problems. These efforts require both collaboration and coordination with community stakeholders to effect true change. The support of community partners, dedicated volunteers and generous funders allows Communities First, Inc. to

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leverage federal, state and local resources to operate as a catalyst for positive change in distressed communities. The success of CFI in Flint has led to plans for expansion into other cities throughout Michigan with similar needs.

The efforts of CFI have been recognized nationally by MSNBC's Morning Joe, Nonprofit Quarterly and Affordable Housing Finance magazine.

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## **Glenn Wilson** **President/CEO**

As co-founder and President/CEO, Glenn Wilson leads the organization as it response to the great need that distressed communities face in regards to economic development and affordable housing. The organization has secured more than \$30 million in funding, primarily for real estate development projects and provided jobs to more than 200 people in just seven years, due to Mr. Wilson's leadership. Glenn has expansive knowledge of real estate and community development, serving as the primary lead for these activities since the organization's inception in 2010. His background in healthcare, real estate, business, marketing and entrepreneurship has translated well to his real estate development work.

Glenn currently serves on the Michigan Housing Council Board of Directors, Michigan Housing Council Finance and Development Committee and the Community and Economic Development Association of Michigan Board of Directors (Board Chair). He also serves on the boards of the Mass Transportation Authority and Hurley Foundation and is a member of the Federal Home Loan Bank of Indianapolis Advisory Board. Glenn participates in committees at the Flint Institute of Arts and Flint Institute of Music and has a special interest in increasing equity in the arts. He has strong relationships with governmental entities, politicians, foundations and community groups throughout the state of Michigan.

Glenn is the recipient of the American Express Aspire Award from the National Trust for Historic Preservation, the Young Professional Award from the Flint and Genesee Chamber of Commerce, the Michigan Chronicle's 40 Under 40 award, and is a 2017 Next City Vanguard.

## **Essence Wilson** **Chief Strategy Officer**

Essence Wilson is co-founder and Chief Strategy Officer for the organization. Her responsibilities include writing grants, improving organizational efficiency and organizing community engagement efforts.

Essence has a bachelor's degree in mechanical engineering from Kettering University and a master's degree in management, strategy and leadership at Michigan State University. This education and prior experience working at General Motors helped her develop as a leader and innovator, which has served her well in the nonprofit arena. A

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natural planner and logistical thinker, she is often responsible for translating vision to action while producing tangible results.

Her community involvement includes serving on the Flint Institute of Music Board of Directors, participating in committees at Flint Institute of Arts and Flint Institute of Music and recently initiating a successful pilot project to incorporate Montessori Education in Flint Community Schools.

In 2015, Essence was named to the Michigan Chronicle's 40 Under 40 list and in 2016 she was the recipient of the Claire M. White Award presented by the Flint & Genesee Chamber of Commerce.

### **Michael E. Wright**

#### **Real Estate Development Director**

Michael obtained his Master's degree in Public Administration with an emphasis in urban and regional policy and planning and Bachelors of Arts degrees in political science and philosophy from Grand Valley State University. Michael has 9 years of real estate development experience as a consultant and developer, specializing in both for-profit and non-profit real estate finance and development. Michael has utilized low income housing, historic, and new markets tax credits, HOME funds, tax increment financing, conventional and HUD insured (221(d)4 and 223(f)) debt, and grants to close various projects in Michigan, Ohio, and Oklahoma. Michael's service ethic is demonstrated by his prior work as a member with LISC/AmeriCorps, Neighborhood Ventures in Grand Rapids and the Wyoming Downtown Development Authority.

### **Lisa Mauzey**

#### **Financial Management Consultant**

For the past 25 years, Lisa Mauzey has worked in the accounting fields for both for-profit and non-profit organizations. During this time she has developed strong accounting skills and refined her skills in full-service corporate, real estate, and construction accounting; as well as, administrative skills including human resources. She has worked on projects that assisted neighborhood development organizations building housing in Detroit and Flint by using her abilities to budget, complete construction draws, and organize a build schedule. Lisa earned her Associates of Arts in Accounting from the University of Phoenix in December 2008 and her Bachelors of Business Administration in Innovative Organization from the University of Phoenix in May 2011.

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## Project: Oak Street Senior Apartments



**Project Overview:** Communities First, Inc. is the sponsor/developer of Oak Street Senior Apartments. Oak Street Senior Apartments is a U.S. Department of HUD Section 202 Supportive Housing for the Elderly development. The project consists of 24 units of safe, affordable housing for low income seniors in the downtown Flint area. The historic Oak School was originally built in 1898 and has been preserved according to historic standards. The resulting development is Enterprise Green Communities certified and winner of the Association of General Contractors of Michigan.

**Project Type:** Permanent Supportive Housing for Elderly

**Unit Mix:** 24 Units Permanent Supportive Housing

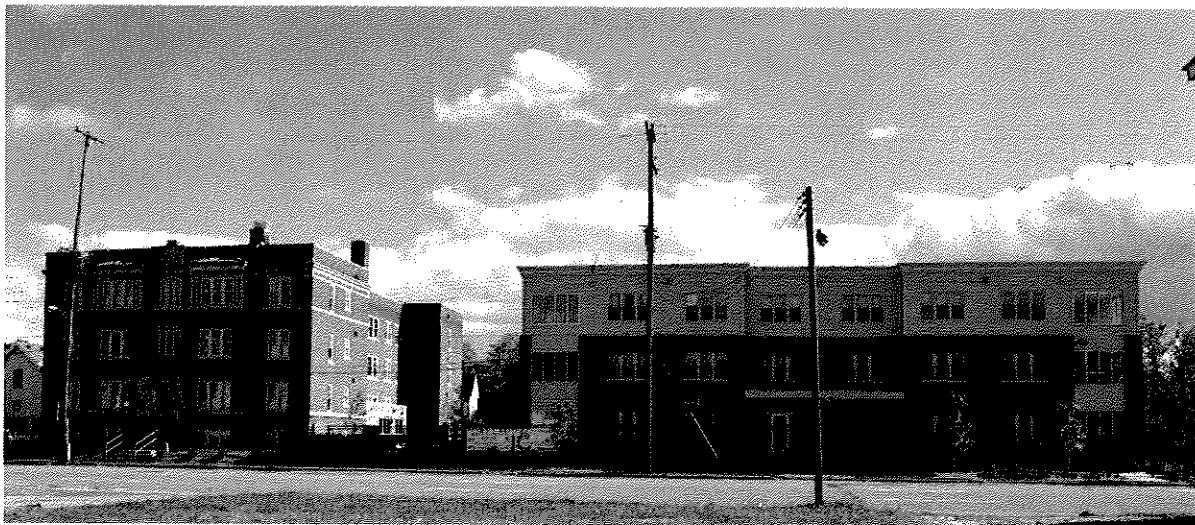
**Year of Completion:** 2014

**Funding Sources:** Oak Street Senior Apartments was funded primarily through a U.S. Department of HUD Section 202 Supportive Housing for the Elderly grant and a MSHDA Housing Development Funds grant. Additional sources of funding came from the City of Flint, Genesee County Land Bank Authority and Michigan LISC.

**Total Project Cost:** \$5.1 Million

**Additional Details:** Please visit [https://www.youtube.com/watch?v=Velpu15\\_184](https://www.youtube.com/watch?v=Velpu15_184) for a video of the ribbon cutting ceremony and [https://www.youtube.com/watch?v=c6W\\_DO\\_WNXA](https://www.youtube.com/watch?v=c6W_DO_WNXA) for more information.

## Project: Swayze Court Apartments



**Project Overview:** Communities First, Inc. is the sponsor/developer of Swayze Court Apartments. This project involved the rehabilitation of the historic Swayze Apartments and the construction of a new building on the property. Swayze Court Apartments is a 36 unit permanent supportive housing project for individuals that are homeless, at risk of homelessness or have special needs. Swayze Court Apartments provided more than 100 well-paying construction jobs for the local community and was certified as an Enterprise Green Community.

**Project Type:** Permanent Supportive Housing (PSH) for Homeless, At Risk of Homelessness, and Special Needs

**Unit Mix:** 28 PSH Units, 8 Units Mixed Affordable

**Year of Completion:** 2016

**Funding Sources:** Swayze Court Apartments was funded with MSHDA LIHTC, Federal Historic Tax Credits, MSHDA HOME and City of Flint HOME.

**Total Project Cost:** \$8.3 Million

**Additional Details:** Please visit <https://www.youtube.com/watch?v=ovfMPJBriNs&t=21s> for a video of the ribbon cutting ceremony.



## Project: Coolidge Park Apartments



**Project Overview:** Communities First, Inc. is the sponsor/developer of Coolidge Park Apartments. Funding has been secured and construction is scheduled to begin in late 2017/early 2018. The project involves the historic rehabilitation of Coolidge Elementary School and the construction of a new mixed use building on the site. The development includes market rate units, affordable units and 9,000 square feet of commercial space.

**Project Type:** Low Income Housing Tax Credits (LIHTC)

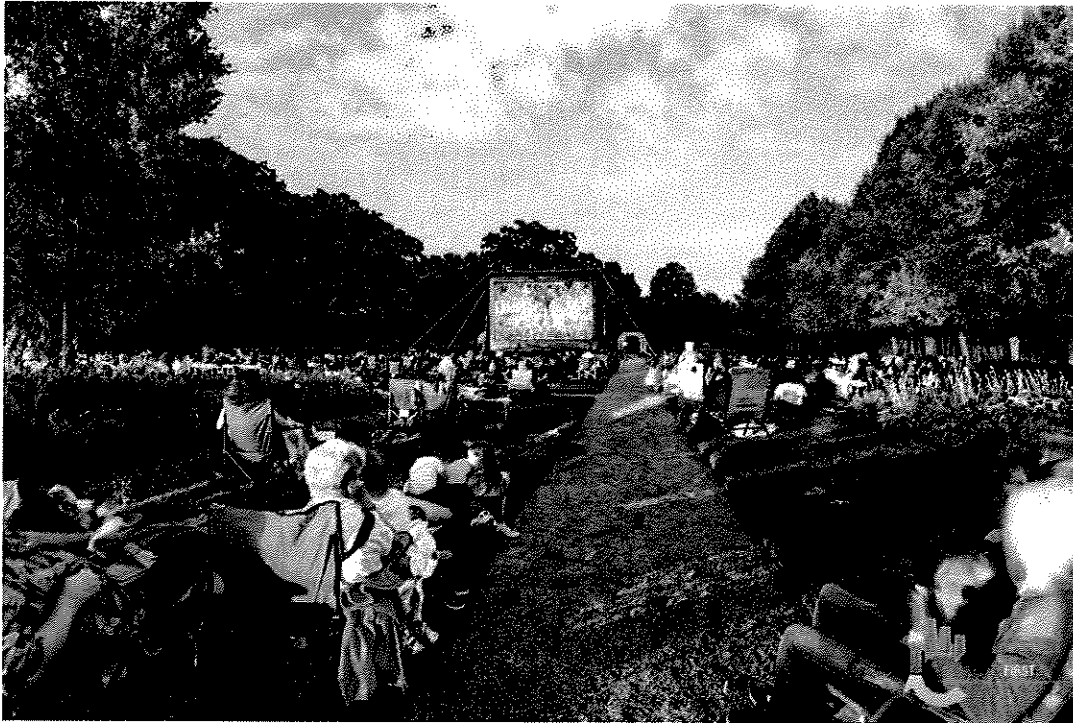
**Unit Mix:** 54 LIHTC Units, 9 market rate units, 9,000 sq. feet commercial space

**Estimated Year of Completion:** Early 2019

**Funding Sources:** Coolidge Park Apartments is funding with MSHDA LIHTC, Federal Historic Tax Credits, City of Flint HOME, foundation grants.

**Total Project Cost:** \$16.3 Million

## **Event: Movies Under the Stars**



**Event Overview:** Communities First, Inc. has four major programs, one of which is called Culture Shock. This program offers families the opportunity to engage with arts and culture activities. The purpose is to build community and to utilize creative means to introduce families to the performing and visual arts. One such activity of this program is Movies Under the Stars, an outdoor movie event that draws thousands of families each year. This summer was the fourth season for the series which has now expanded to include both Flint and Saginaw.

**Program Outcomes:** Community building and engagement, arts and culture exposure

**Program Years:** 2014-2017

## Project: Flint Artist Market



**Project Overview:** Communities First, Inc. is exploring the idea of transforming the former Flint Farmer's Market into an artist market. An important component of this process was to solicit feedback from the community. This community engagement work began early in the process to assess community needs and desires for the space.

**Community Engagement Outcomes:** More than 100 people came to the first engagement session to reminisce about the space and to offer their thoughts about the future use. Communities First, Inc. trained 5 local facilitators to assist in gathering information. In total, more than 200 people completed surveys or offered their input. This data was analyzed and put into a realistic, yet ambitious plan for future development work at the site. The plan was then presented to the community at another engagement session to determine if their ideas were carried over into the plan effectively. The support for the proposed plans was overwhelmingly positive and supportive of the proposed project.

**Community Engagement Timeframe:** Two community engagement events in 2016.

**RAD CONVERSION SPECIALISTS, LLC**  
**32500 Telegraph, #222**  
**Bingham Farms, Michigan 48025**  
**(248) 203-0011**

RAD Conversion Specialists, LLC (RCS) combines the management, consulting and operations experience of Premier Property Management, LLC ("Premier") and its Principal, Robert Beale, with the development, construction, ownership and financing experience of The Slavik Company ("Slavik") and its principals. RCS was formed for the specific purpose of sharing 85 years of combined affordable housing experience with Affordable Housing decision-makers and assisting them to navigate the path towards successful development of affordable housing communities.



Premier and Slavik first combined efforts in 1999 to respond to a Request for Proposals from the Detroit Housing Commission to redevelop its Jeffries Homes Public Housing Project under HUD's HOPE VI Program. Our group was ultimately selected as Master Developer and we have spent the past 14 years planning and implementing the \$98.2 million transformation of two of Detroit's worst public housing projects into new and vibrant communities of mixed-income rental units, for-sale single-family homes and townhomes, parks, community open space and community centers (shown below). Like most of the other projects we have completed, this project required stakeholder input and feedback, coordinating the activities of market analysts, environmental consultants, CNA consultants, lenders, tax credit investors, architects, engineers, general contractors and others.



This experience provides RCS with the unique ability to assist in all phases of affordable housing development -- Assessment, Application and Implementation. The Assessment Phase includes an analysis of the financial feasibility of potential projects, including the investigation of various sources of funds. The Application Phase requires, among other things, detailed development and operating pro-formas and an evaluation of the likelihood of obtaining low-income housing tax credits. While RCS has the experience and ability to guide affordable housing agencies through these phases, the Implementation Phase is where RCS can provide the most value. Our proven financial acumen and experience with low-income housing tax credits, FHA loans, HOME Funds, Replacement Housing Factor (RHF) Funds, as well as our connections with lenders and tax credit investors, will expedite the Implementation Phase and can lead to a very successful development.

RAD Conversion Specialists, LLC combines the real-world success of its principals with a demonstrated ability to work cooperatively and efficiently in public-private partnerships with agencies of varying sizes and competence. Our successful planning, development, construction and efficient management of affordable housing clearly demonstrates our ability to get the job done and sets us apart from other "consultants".



# Making Public-Private Partnerships Work

RAD Conversion Specialists, LLC looks to preserve and revitalize public housing

The executives of two companies behind RAD Conversion Specialists, LLC see opportunity to address deferred maintenance at public housing communities in urban and rural areas, and look to expand on their successful completion of two signature developments in Detroit.

In 1999, Scripps Park Associates, LLC was formed by The Slavik Company, Premier Property Management, LLC, Herb Strather and the Rosenberg Housing Group, Inc. to respond to a Request for Proposals from the Detroit Housing Commission to redevelop its Jeffries Homes housing projects – long considered among the City's worst – under HUD's Hope VI program.

The company was ultimately selected as Master Developer for the sites and has spent the past 15 years planning and completing the \$98 million showcase communities that include mixed-income rental units, for-sale single-family homes and townhomes, open-space and community centers.

"When we started, the concept of mixed-income, mixed-use style housing was new," says Robert Beale, President of Premier Property Manager. "The degree to which we embraced it was pretty unique in this country, but we were still concerned about whether or not it would work. We were counting on it to be successful, and it has been. Over the last ten years of occupancy, the communities have remained stable."



**RAD Conversion Specialists**

Principals: R. Beale, Herb Strather | Location: Detroit, Michigan



### SHOWCASE COMMUNITIES

Woodbridge Estates consists of 327 rental units, 100 senior assisted living units and 51 occupied single family homes and town houses with a mix of incomes. Earlier this year, construction began on the sixth and final phase of 46 additional apartments across 12 buildings to be completed by year end.

Supplementing the final phase of apartment construction are 16 remaining single-family home sites. The completed home prices range from \$215,000 for a 1,516 square foot three-bedroom home to \$285,000 for a 2,241 square foot four-bedroom home. Forgivable loans of up to \$75,000 per home are available to qualified buyers under HUD's HOPE VI program.

The only remaining portion of the previous public housing site is now referred to as Woodbridge Senior Village – three high-rise buildings that offer one- and two-bedroom apartments, with rents based on 30 percent of the average median income (AMI) which were partially renovated by Scripps Park Associates, LLC.

Cornerstone Estates, also a multiphase effort, totals 180 rental units in 30 buildings consisting of duplexes and town houses. Rental construction began in October 2010, and the first units were available just one year later.

Although HOPE VI was a relatively new program at the time, navigating HUD's requirements wasn't as difficult as projected, according to John Frasco, Vice President of The Slavik Company.

"It's more of a challenge for the public housing agencies because tax credits and financing are a whole new ballgame for them," he says. "The key is having patience and developing relationships."

Units in both communities are limited to households earning no more than 60 percent of AMI, or \$42,600 for a family of four in Wayne County.

However, public housing assisted units are expected to rent to households making considerably less than that maximum, according to the Detroit Housing Commission.

Vacancy rates at Woodbridge Estates and Cornerstone Estates have remained very low, even during and immediately after the economic downturn of 2008.

"Vacancy has been just 2 percent over the 10 years, even though the economy has seen some hard times," Beale says. "We didn't set out to just build housing, but rather a community. We're pleased with the quality of the housing, the people and the residents."

Developments as successful as these don't go unnoticed by your peers. The company has just been made recipient of the 2014 Excellence in Real Estate Development award from LISC and the Community Development Advocates of Detroit, in association with the Masco Corporation Foundation.

### RAD PROGRAM

"The deals were successful for Bob's company and ours," Frasco says. "When we teamed up on the joint venture, we had worked with state agencies and HUD, but not directly with public housing agencies. It's a whole new market with the RAD program, and we hope this experience gives our new venture a leg up on the competition."

RAD is HUD's new Rental Assistance Demonstration program – a pilot program that allows public housing agencies to convert units to a project-based Section 8 platform and will help preserve affordable units in danger of obsolescence. According to HUD, the 1.2 million units in its program have combined capital needs of nearly \$26 billion.

The new venture Frasco referred to is RAD Conversion Specialists, LLC – a joint venture between The Slavik Company and Premier





Property Management – that will allow them to share their combined 85 years of experience in affordable housing with public housing directors deciding whether or not the RAD program is right for their agencies. The joint venture meshes the consulting and operations experience of Premier Property Management with the investment, development, construction and financing acumen of The Slavik Company.

“Our joint venture is a natural progression,” said Frasco. “We brought the development and construction experience and Premier has significant experience managing all types of multifamily housing, including public housing and tax credit communities. We touch on all phases of development and are able to bring the full spectrum to the table.”

The RAD program enables housing agencies to obtain funding to complete deferred maintenance, modernize residential units and mechanical systems and fund replacement reserves, thus reducing future operating and maintenance expenses.

“The RAD program is really an opportunity for public housing agencies to take advantage of what private development has done for years,” says Robert Beale, also an executive director of a small housing agency in metropolitan Detroit. “Specifically, we can help identify where public housing agencies can achieve their goals by utilizing programs that are old to us but new to them.”

RAD Conversion Specialists begins with an assessment phase, in which it analyzes the potential upside and downside of a RAD conversion, including a determination of whether to convert public housing units using project-based vouchers (PBV) or project-based rental assistance (PBRA).

If a conversion is determined to be advantageous and feasible, an application is submitted to HUD following Board approval and two meetings with residents to explain the agency’s plan.

The implementation phase is where Beale says the partnership provides the most value. He cites its experience with low-income tax credits,

Federal Housing Administration loans, Home Funds, and Replacement Housing Factor (RHF) funds – as well as its previous success with their HOPE VI projects, which gave them the opportunity to demonstrate their respective talents, knowledge and experience.

RAD Conversion Specialists works cooperatively with housing agencies of varying sizes and capabilities.

“We are absolutely not looking for a controlling interest,” Beale says. “We’re looking to help public agencies operate their communities and possibly expand their role as local affordable housing owners and developers. That approach really sets us apart.”

The City of Detroit filed for bankruptcy in federal court in July 2013. The \$18 billion worth of debt it reported in its Chapter 9 filing made it the largest bankruptcy in the country. Addressing the serious problem of blight is a major priority for the city’s emergency manager, Kevyn Orr.

According to Reuters, the 78,000 structures the city characterizes as abandoned and blighted total about one-fifth of its housing stock and covers approximately 139 square miles.

Beale and Frasco, however, envision creative opportunities for recovery in a city long seen as a symbol of Rust Belt decay.

“I see Detroit coming out of bankruptcy a better city,” Frasco says. “In becoming that, there’s the potential for riding the course with private demand and real dollars.”

RAD Conversion Specialists also sees itself riding the growth of public-private partnerships, which had been lagging in certain regions of the country and business sectors.

“Certainly, there’s more acceptance of public-private partnerships. We have built on relationships and we’re still building,” Beale says. “All of this brings some level of uncertainty to Public Housing Agencies, I suppose, but because of the opportunities that RAD brings to public housing, there’s definitely a high level of curiosity and willingness to investigate the program further.”



**RAD Conversion Specialists, LLC ("RCS")** was formed for the specific purpose of sharing 85 years of combined affordable housing experience with PHA decision makers and assisting them navigate the path towards the successful redevelopment of their public housing portfolios.

RCS combines the management, consulting and operations experience of Premier Property Management, LLC ("Premier") and its principal, Robert Beale, with the development, construction, ownership and financing experience of The Slavik Company ("Slavik") and its principals. These two firms have over 85 years of combined experience developing, constructing, managing and owning affordable housing. Most recently, they have worked in partnership with the Detroit Housing Commission to redevelop two of Detroit's worst public housing projects into new and vibrant communities. These two developments, Woodbridge Estates and Cornerstone Estates, represent an investment of over \$98 million and includes the construction of 507 multi-family, mixed-income apartment units (including 238 public housing units), 60 for-sale homes and a 100-unit senior congregate apartment community (including 50 public housing units and 50 project-based Section 8 units). Each neighborhood includes open space, parks and a leasing/community center.

Like most of the other projects we have completed, this project required stakeholder input and feedback, coordinating the activities of the market analysts, environmental consultants, CNA consultants, lenders, tax credit investors, architects, engineers, general contractors and others.

Since its formation in 1999, Premier has provided management and/or consulting services for 100 affordable housing communities, and currently manages 2,000 units of affordable or mixed-income housing, including 1,000 public housing units. In addition, Mr. Beale has been appointed as Executive Director/Management Agent for the South Lyon Housing Commission (from 2005 through present), the Ecorse Housing Commission (from 2006 through 2011) and the Clinton Township Housing Commission (from 2010 through 2012). Mr. Beale was responsible for turning all three troubled agencies into standard and/or high performers.

Slavik was formed in 1955 and continues its focus on providing high-quality, affordable housing throughout metropolitan Detroit. Since the early 1960's, Slavik has developed almost 3,000 subsidized senior apartment units and over 1,200 low-income or mixed-income multi-family rental units, including the construction of 238 public housing units at Woodbridge Estates and Cornerstone Estates.

RCS is currently providing consulting services to the Lapeer Housing Commission, Bay City Housing Commission and Marion Indiana Housing Authority to assist them through the RAD conversion process. We are development partners with the Paw Paw Housing Commission, Clinton Township Housing Commission and the Housing Authority of the City of Fayetteville Arkansas and are currently working with these housing agencies to rehabilitate, modernize and/or reconstruct their portfolios.

All of these efforts include the experience and knowledge of our affiliate general contractor, Slavik Building and Development, LLC. Steve Slavik has been in the construction and

apartment industries since he began working with his father as a teenager. Howard Katzman brings over twenty years of construction experience, including 226 units of affordable housing at Woodbridge Estates and Cornerstone Estates. All of these projects exceed the Enterprise Green Communities minimum standards and requirements.

### **Recent Experience**

#### **Cornerstone Estates – Phase III**

Location: Detroit, MI  
# Units: 62 family rental units, including 39 public hsg. (new construction)  
Total Development Costs: \$10,477,727  
Total Construction Costs: \$7,574,638  
Sources: Hope VI Loan - \$2,863,593; LIHTC Equity - \$7,046,181;  
Brownfield Tax Credit Equity - \$567,953  
Project Duration: October 2010 – October 2012  
Owner: The Detroit Housing Commission  
2211 Orleans  
Detroit, Michigan 48207  
Attn: Teanisha Eli, Director of Development  
313.877.8812

#### **Woodbridge Estates – Phase VI**

Location: Detroit, MI  
# Units: 46 family rental units, including 14 public hsg. (new construction)  
Total Development Costs: \$10,579,371  
Total Construction Costs: \$7,840,233  
Sources: Hope VI Loan - \$3,363,126; LIHTC Equity - \$6,603,461;  
Brownfield Tax Credit Equity - \$216,533  
Project Duration: January 2012 – November 2014  
Owner: The Detroit Housing Commission  
2211 Orleans  
Detroit, Michigan 48207  
Attn: Teanisha Eli, Director of Development  
313.877.8812

#### **Bridgeport Apartments**

Location: Allegan, MI  
# Units: 49 family rental units (acquisition/rehab)  
Total Development Costs: \$6,289,764  
Total Construction Costs: \$2,445,942  
Sources: FHA Loan - \$2,265,000; LIHTC Equity - \$3,935,000;  
Project Duration: July 2013 – December 2015  
Owner: Bridgeport Community LDHA, LLC  
(entity related to RCS)

**Paw Paw Housing Commission**

Location: Paw Paw, MI  
# Units: 81 public housing, senior apartments (RAD Conversion and rehab)  
Total Development Costs: \$7,342,429  
Total Construction Costs: \$3,016,630  
Sources: LIHTC Equity - \$5,145,823; PHA Funds - \$2,196,606  
Project Duration: June 2015 - current (expected completion October 2017)  
Owner: Paw Paw Housing Commission  
205 Miller Court  
Paw Paw, Michigan 48079  
Attn: Patricia Winston, Executive Director  
269.657.4776

**Swayze Court Apartments**

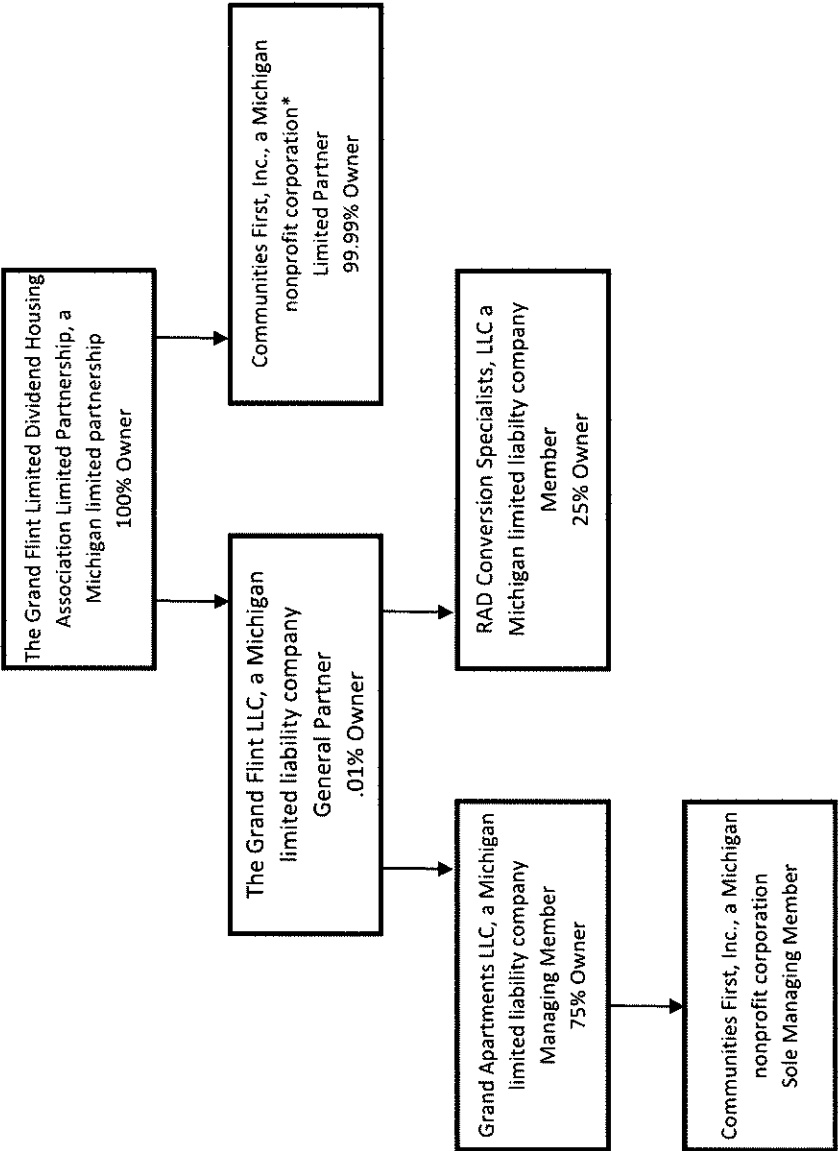
Location: Flint, MI  
# Units: 36 family rental units (historic rehab and new construction)  
Total Development Costs: \$8,529,691  
Total Construction Costs: \$5,923,720  
Sources: LIHTC & Historic Equity - \$6,643,893; Flint HOME Funds - \$670,973; MSHDA HOME Funds - \$850,000; AHP Loan - \$400,000  
Project Duration: June 2014 – current (expected completion September 2016)  
Owner: Communities First, Inc. (non-profit developer)  
415 West Court Street  
Flint, Michigan 48502  
Attn: Glenn Wilson, President  
810.422.5358

**Woodbridge Estates – Senior Apartments**

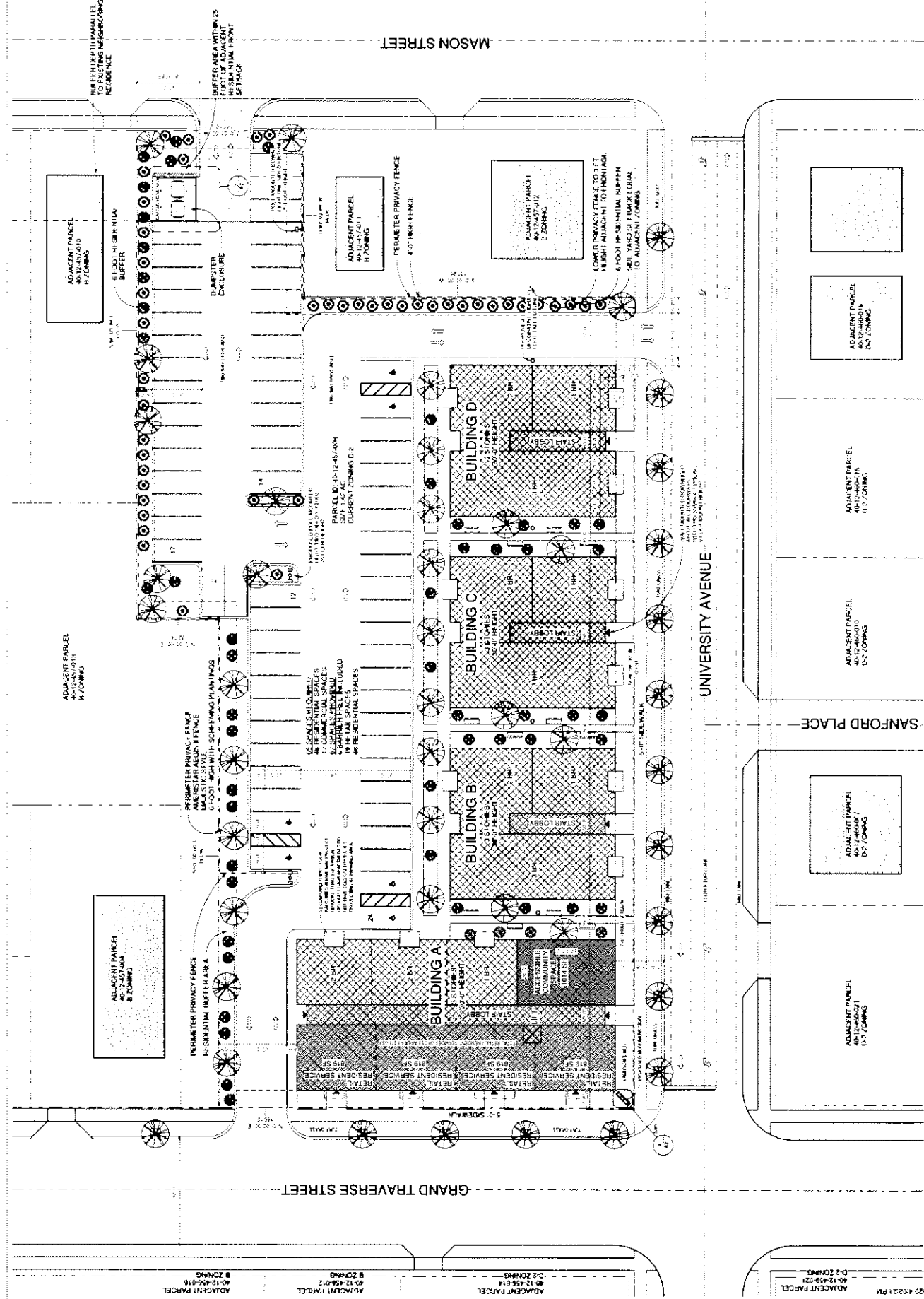
Location: Detroit, MI  
# Units: 77 elderly designated, including 39 public housing and 16 market rate units (new construction)  
Total Development Costs: \$15,924,000  
Total Construction Costs: \$12,107,894  
Sources: Hope VI Loan - \$3,700,000; LIHTC Equity - \$12,172,283; Other - \$51,717  
Project Duration: October 2016 – December 2017  
Owner: The Detroit Housing Commission  
2211 Orleans  
Detroit, Michigan 48207  
Attn: Teanisha Eli, Director of Development  
313.877.8812

A detailed list of RCS's experience with affordable housing is included on the following pages.

Proposed Organization Chart for  
The Grand on University



\*Will be replaced by the Investor Limited Partner upon syndication



**The Grand on University  
Flint, MI**

| <b>SOURCES &amp; USES OF FUNDS Summary</b> |                            |
|--|----------------------------|
| <b>SOURCES</b>                             |                            |
| Grants                                     | 30,000                     |
| Affordable Housing Program                 | 500,000                    |
| City HOME                                  | 600,000                    |
| Conventional Financing                     | 1,800,000                  |
| Tax Credit Equity                          | 11,353,099                 |
| Developer Equity                           | 533,628                    |
| <b>TOTAL SOURCES</b>                       | <b><u>\$14,816,727</u></b> |
| <b>USES</b>                                |                            |
| Acquisition of Land and Buildings          | 250,000                    |
| Construction Costs                         | 12,451,920                 |
| Soft Costs                                 | 2,114,807                  |
| <b>TOTAL USES</b>                          | <b><u>14,816,727</u></b>   |

Property: The Grand on University  
Flint, MI

RESIDENTIAL

| Income                   | Initial  |  | Future   |  | Begin in |  | Year 1  | Year 2  | Year 3  | Year 4  | Year 5  | Year 6  | Year 7  | Year 8  | Year 9  | Year 10 | Year 11 | Year 12 | Year 13 | Year 14 | Year 15 |
|--------------------------|----------|--|----------|--|----------|--|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
|                          | Inflator |  | Inflator |  | Year     |  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| Annual Rental Income     | 2.00%    |  | 2.00%    |  | 6        |  | 425,464 | 433,871 | 442,549 | 451,400 | 460,428 | 469,636 | 479,079 | 488,610 | 498,382 | 508,349 | 518,516 | 528,887 | 539,464 | 550,254 | 561,259 |
| Annual Non-Rental Income | 2.00%    |  | 2.00%    |  | 6        |  | 8,500   | 8,670   | 8,843   | 9,020   | 9,201   | 9,385   | 9,572   | 9,764   | 9,959   | 10,158  | 10,361  | 10,569  | 10,780  | 10,996  | 11,216  |
| Residential Vacancy Loss | 8.00%    |  | 5.00%    |  | 6        |  | 34,029  | 34,710  | 35,404  | 36,112  | 36,834  | 37,482  | 23,951  | 24,430  | 24,919  | 25,417  | 25,926  | 26,444  | 26,973  | 27,513  | 28,063  |
| Total Project Revenue    |          |  |          |  | 999,835  |  | 407,832 | 407,832 | 415,988 | 424,308 | 432,794 | 441,539 | 450,650 | 459,943 | 469,422 | 479,090 | 488,952 | 499,011 | 509,271 | 519,737 | 530,411 |
| Expenses                 |          |  |          |  |          |  |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| Management               | 3.00%    |  |          |  |          |  | 19,733  | 20,325  | 20,935  | 21,563  | 22,210  | 22,876  | 23,562  | 24,269  | 24,997  | 25,747  | 26,520  | 27,315  | 28,135  | 28,979  | 29,848  |
| Administration           | 3.00%    |  |          |  |          |  | 23,837  | 24,552  | 25,289  | 26,047  | 26,829  | 27,634  | 28,463  | 29,317  | 30,196  | 31,102  | 32,035  | 32,996  | 33,986  | 35,005  | 36,056  |
| Common Electricity       | 6.00%    |  | 6.00%    |  | 6        |  | 17,035  | 18,057  | 19,141  | 20,289  | 21,506  | 22,797  | 24,164  | 25,614  | 27,151  | 28,780  | 30,507  | 32,338  | 34,278  | 36,334  | 38,514  |
| Water & Sewer            | 6.00%    |  | 6.00%    |  | 6        |  | 24,505  | 25,975  | 27,534  | 29,186  | 30,937  | 32,793  | 34,761  | 36,846  | 39,057  | 41,401  | 43,885  | 46,518  | 49,309  | 52,267  | 55,403  |
| Operating & Maintenance  | 3.00%    |  |          |  |          |  | 46,934  | 48,342  | 49,792  | 51,286  | 52,825  | 54,409  | 56,042  | 57,723  | 59,455  | 61,238  | 63,075  | 64,968  | 66,917  | 68,934  | 70,992  |
| Real Estate Taxes        | 3.00%    |  |          |  |          |  | 14,502  | 14,937  | 15,385  | 15,847  | 16,322  | 16,812  | 17,316  | 17,836  | 18,371  | 18,922  | 19,489  | 20,074  | 20,676  | 21,297  | 21,935  |
| Insurance                | 3.00%    |  |          |  |          |  | 14,400  | 14,832  | 15,277  | 15,735  | 16,207  | 16,694  | 17,194  | 17,710  | 18,241  | 18,789  | 19,352  | 19,933  | 20,531  | 21,147  | 21,781  |
| Payroll & Benefits       | 3.00%    |  |          |  |          |  | 65,209  | 67,165  | 69,180  | 71,256  | 73,393  | 75,595  | 77,863  | 80,199  | 82,605  | 85,083  | 87,635  | 90,265  | 92,972  | 95,762  | 98,634  |
| Total Operating Expenses |          |  |          |  | 226,155  |  | 234,186 | 242,532 | 251,209 | 260,229 | 269,609 | 279,365 | 289,514 | 300,073 | 311,062 | 322,489 | 334,406 | 346,803 | 359,715 | 373,155 | 386,638 |
| Rep. Reserve             | 2.00%    |  |          |  |          |  | 14,400  | 14,688  | 14,982  | 15,281  | 15,587  | 15,899  | 16,217  | 16,541  | 16,872  | 17,209  | 17,554  | 17,905  | 18,263  | 18,628  | 19,000  |
| Net Operating Income     |          |  |          |  | 159,280  |  | 158,958 | 158,474 | 157,818 | 156,978 | 156,058 | 155,031 | 153,988 | 152,927 | 151,849 | 150,754 | 149,642 | 148,513 | 147,368 | 146,208 | 145,048 |
| Primary Debt Service     |          |  |          |  |          |  | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 | 122,642 |
| Cash Flow                |          |  |          |  | 36,638   |  | 36,315  | 35,832  | 35,176  | 20,601  | 47,389  | 46,426  | 45,245  | 43,834  | 42,177  | 40,257  | 38,058  | 35,563  | 32,751  | 29,604  | 26,604  |

Last edit date: 11/20/2020

Property: The Grand on University

|                         |                     |            |                          |                        | Proforma Rents              |            |                      |
|-------------------------|---------------------|------------|--------------------------|------------------------|-----------------------------|------------|----------------------|
|                         |                     |            |                          |                        | CFI Proforma                |            |                      |
|                         |                     |            |                          |                        | FY 2022                     |            |                      |
| Unit Type               | Avg. Unit Size (SF) | # of units | Gross Rent per unit (\$) | Utility Allowance (\$) | Contract Rent per unit (\$) | Total (\$) | \$ per unit Total \$ |
| 1BR (PSH)(60%)(30% AHP) | 850                 | 12         | 720                      | -                      | 720                         | 8,640      | 720 8,640            |
| 2BR (PSH)(60%)(30% AHP) | 1,026               | 4          | 825                      | -                      | 825                         | 3,300      | 825 3,300            |
| 3BR (PSH)(60%)(30% AHP) | 1,716               | 1          | 969                      | -                      | 969                         | 969        | 969 969              |
| 1BR/1BA (30%) (30% AHP) | 850                 | 5          | 360                      | 91                     | 269                         | 1,345      | 269 1,345            |
| 1BR/1BA (60%)(80% AHP)  | 850                 | 2          | 720                      | 91                     | 629                         | 1,258      | 629 1,258            |
| 2BR/1BA (60%)(80% AHP)  | 1,026               | 5          | 864                      | 121                    | 743                         | 3,715      | 743 3,715            |
| 2BR/1BA (60%) (80% AHP) | 1,026               | 3          | 864                      | 121                    | 743                         | 2,229      | 743 2,229            |
| 3BR/2BA (60%)(80% AHP)  | 1,716               | 4          | 997                      | 150                    | 847                         | 3,388      | 847 3,388            |
| 2BR/1BA (80%) (80% AHP) | 1,026               | 6          | 938                      | 121                    | 817                         | 4,902      | 817 4,902            |
| 3BR/2BA (80%)(80% AHP)  | 1,716               | 1          | 1,076                    | 150                    | 926                         | 926        | 926 926              |
| 1BR/1BA (Mkt)           | 850                 | 2          | 875                      |                        | 875                         | 1,750      | 875 1,750            |
| 2BR/1BA (Mkt)           | 1,026               | 2          | 975                      |                        | 975                         | 1,950      | 975 1,950            |
| 3BR/2BA (Mkt)           | 1,716               | 1          | 1,075                    |                        | 1,075                       | 1,075      | 1,075 1,075          |
| Total:                  |                     | 48         |                          |                        |                             | 35,447     | 35,447               |
| Annual Total:           |                     |            |                          |                        |                             | 425,364    | 425,364              |





## FHLBI 2020A AHP AWARDED PROJECTS

In 2020, the Federal Home Loan Bank of Indianapolis (FHLBI) awarded \$11.5 million to in Affordable Housing Program (AHP) grants to 24 projects throughout Michigan and Indiana. A summary of these projects is included below. For statistics and data outlining scoring detail and the number of applications received, see the 2020A Competitive AHP Scoring Statistics.

### The Anchors At Mariners Inn

|                  |                                |                     |    |
|------------------|--------------------------------|---------------------|----|
| <b>Subsidy:</b>  | \$272,753                      |                     |    |
| <b>Location:</b> | Detroit, MI                    | <b>AHP Units:</b>   | 44 |
| <b>Type:</b>     | R                              | <b>Total Units:</b> | 44 |
| <b>Member:</b>   | Flagstar Bank, FSB             |                     |    |
| <b>Sponsor:</b>  | Cinnaire Solutions Corporation |                     |    |

The Anchor at Mariners Inn will provide 44 units Permanent Supportive Housing (PSH) units serving homeless individuals in Detroit, MI. These 1-bedroom 600-square foot units will be reserved for those earning less than 30% of area median income and be fully supported by project-based housing vouchers through the Detroit Housing Commission. The project will also have an additional floor of 40 studio units (260 SF) that will be dedicated to short-term Recovery Housing. These units will be a relocation of the existing recovery housing operation, which Mariners Inn are currently providing in their existing facility. To preserve operating efficiency, the building will be National Green Building Standard Silver certified.

### The Grand on University

|                  |                   |                     |    |
|------------------|-------------------|---------------------|----|
| <b>Subsidy:</b>  | \$500,000         |                     |    |
| <b>Location:</b> | Flint, MI         | <b>AHP Units:</b>   | 43 |
| <b>Type:</b>     | R                 | <b>Total Units:</b> | 48 |
| <b>Member:</b>   | ELGA Credit Union |                     |    |
| <b>Sponsor:</b>  | Communities First |                     |    |

The Grand on University is a new construction of 48 units of permanent supportive housing in Flint, MI. The proposed project will include 20 one-bedroom units, 21 two-bedroom units, and seven three-bedroom rental apartment units for a total of 48 mixed-income rental housing units for individuals and families. The proposed project will also contain approximately 3,276 square feet of on-site supportive services related space, including 100 square foot supportive services private meeting space and 350 square foot exercise room. The proposed Project will include 17 permanent supportive housing units including ten units reserved for homeless and remaining units reserved for individuals and families who are special needs populations.

### The Roof at New Hope: Shelter for Families

|                  |                       |                     |    |
|------------------|-----------------------|---------------------|----|
| <b>Subsidy:</b>  | \$500,000             |                     |    |
| <b>Location:</b> | Bloomington, IN       | <b>AHP Units:</b>   | 49 |
| <b>Type:</b>     | R                     | <b>Total Units:</b> | 49 |
| <b>Member:</b>   | Jackson County Bank   |                     |    |
| <b>Sponsor:</b>  | New Hope for Families |                     |    |

The Roof at New Hope: Shelter for Families involves the new construction of a shelter building with 12 units in Bloomington, IN. The apartments are grouped into three pods and will accommodate up to 12 families with 49 beds. Each unit will include a private bedroom and bathroom with communal kitchen and living spaces.

## JUNE 1, 2020 FUNDING ROUND RESERVATIONS

|                          |                      |                                      |                             |                          |
|--------------------------|----------------------|--------------------------------------|-----------------------------|--------------------------|
| <b>Project #:</b>        | K20035               | <b>Owner Contact:</b>                | Nate Trathen (616) 260-6655 |                          |
| <b>Project Name:</b>     | Bingham Apartments   |                                      | Bingham LDHA LP             |                          |
| <b>Project Address:</b>  | 555 South 5th Street |                                      | 3075 Orchard Vista Dr SE    |                          |
|                          | Alpena, MI 49707     |                                      | Grand Rapids, MI 49546      |                          |
| <b>County:</b>           | Alpena               | <b>Amt Requested:</b>                | \$702,430                   | <b># Bldgs:</b> 1        |
|                          |                      | <b>Max Amt Awarded:</b>              | \$702,257                   | <b># Total Units:</b> 35 |
|                          |                      | <b>Target Units:</b>                 | Elderly                     | <b># LIHTC Units:</b> 35 |
|                          |                      | <b>Category/Set-Aside Funded In:</b> | Open / Elderly              |                          |
| <b>Application Date:</b> | 5/18/2020            | <b>Self Score:</b>                   | 122                         |                          |
|                          |                      | <b>Year of Credit:</b>               | 2020                        |                          |
|                          |                      | <b>Final Score:</b>                  | 112                         |                          |

|                          |  |                                      |                                   |                          |
|--------------------------|--|--------------------------------------|-----------------------------------|--------------------------|
| <b>Project #:</b>        | K20044   | <b>Owner Contact:</b>                | Lori Harris (518) 431-1051        |                          |
| <b>Project Name:</b>     | Clark Commons II   |                                      | Clark Commons II LDHA, LLC        |                          |
| <b>Project Address:</b>  | Scattered sites near intersection of Wood and N. Saginaw Streets |                                      | 200 S. Division Street            |                          |
|                          | Flint, MI 48502  |                                      | Buffalo, NY 14204                 |                          |
| <b>County:</b>           | Genesee  | <b>Amt Requested:</b>                | \$1,500,000                       | <b># Bldgs:</b> 15       |
|                          |  | <b>Max Amt Awarded:</b>              | \$1,499,798                       | <b># Total Units:</b> 48 |
|                          |  | <b>Target Units:</b>                 | Family                            | <b># LIHTC Units:</b> 38 |
|                          |  | <b>Category/Set-Aside Funded In:</b> | Strategic Investment / Distressed |                          |
| <b>Application Date:</b> | 6/1/2020   | <b>Self Score:</b>                   | 115                               |                          |
|                          |  | <b>Year of Credit:</b>               | 2020                              |                          |
|                          |  | <b>Final Score:</b>                  | 105                               |                          |

|                          |                          |                                      |                             |                          |
|--------------------------|--------------------------|--------------------------------------|-----------------------------|--------------------------|
| <b>Project #:</b>        | K20076                   | <b>Owner Contact:</b>                | Glenn Wilson (810) 422-5358 |                          |
| <b>Project Name:</b>     | Grand On University, The |                                      | The Grand Flint LDHA LP     |                          |
| <b>Project Address:</b>  | 422 W. University Avenue |                                      | 415 W. Court Street         |                          |
|                          | Flint, MI 48503          |                                      | Flint, MI 48503             |                          |
| <b>County:</b>           | Genesee                  | <b>Amt Requested:</b>                | \$1,316,433                 | <b># Bldgs:</b> 4        |
|                          |                          | <b>Max Amt Awarded:</b>              | \$1,316,433                 | <b># Total Units:</b> 48 |
|                          |                          | <b>Target Units:</b>                 | Family                      | <b># LIHTC Units:</b> 43 |
|                          |                          | <b>Category/Set-Aside Funded In:</b> | PSH / Nonprofit             |                          |
| <b>Application Date:</b> | 6/1/2020                 | <b>Self Score:</b>                   | 169                         |                          |
|                          |                          | <b>Year of Credit:</b>               | 2020                        |                          |
|                          |                          | <b>Final Score:</b>                  | 163                         |                          |

The Grand on University, 422 W University Ave tax comparisons

|                           |             |  |
|---------------------------|-------------|--|
| 1) Current taxable value: | 46,300      | Pilot is based on 4%                                     |
| 2) PILOT estimation       | \$17,014.00 | DIFFERENCE BETWEEN PILOT AND TAXES: \$51,981.44 per year |

Based on the Schedule of Rents provided by Communities First, Inc., at 100% occupancy, given its rental rates for households at 30%, 40%, and 60% of AMI, the total annual rent potential for the 48 units is \$425,364.

3) Estimated project ad valorem taxable value:

|                 |             |             |               |
|-----------------|-------------|-------------|---------------|
| Market Rent     | One Bedroom | Two Bedroom | Three Bedroom |
|                 | \$500       | \$875       | \$1,100       |
| Number of Units | 20          | 21          | 7             |
|                 | \$10,000    | \$18,375    | \$7,700       |

|                        |             |
|------------------------|-------------|
| Monthly Income         | \$36,075    |
| Yearly Income          | \$432,900   |
| Vacancy/Loss (10%)     | (\$64,935)  |
| Potential Gross Income | \$367,965   |
| Expenses               | (\$165,584) |
| Net Operating Income   | \$202,381   |
| Cap Rate of 10%        | \$2,023,808 |
| SEV/TV                 | 1,011,904   |
| Potential Taxes        | \$68,995    |

210400

ORDINANCE NO. \_\_\_\_\_

An Ordinance to add a prohibition on the illegal use of controlled substances by elected officials, while on City property or while engaged in City business, to the Flint City Code of Ordinances .

**IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:**

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by adding to Chapter 1, General Provisions, the following Section, which shall read in its entirety as follows:

**§1-134.1 PROHIBITION ON ILLEGAL USE OF CONTROLLED SUBSTANCES BY ELECTED OFFICIALS WHILE ON CITY PROPERTY OR ENGAGED ON CITY BUSINESS.**

**(A) ELECTED OFFICIALS OF THE CITY OF FLINT ARE PROHIBITED, WHILE ON CITY PROPERTY OR ENGAGED IN CITY BUSINESS, FROM USING CONTROLLED SUBSTANCES, AS DEFINED BY MCL §333.7104(3), EXCEPT AS OTHERWISE PERMITTED BY ARTICLE 7 OF THE MICHIGAN PUBLIC HEALTH CODE, MCL 333.7101 *ET SEQ.*, OR OTHER SIMILAR STATE OR FEDERAL LAWS.**

**(B) ELECTED OFFICIALS OF THE CITY OF FLINT WHO, WHILE ON CITY PROPERTY OR ENGAGED IN CITY BUSINESS, ARE INVOLVED IN AN ACCIDENT RESULTING IN INJURIES TO OTHERS OR DAMAGE TO CITY PROPERTY,**

**ARE SUBJECT TO ANY DRUG TESTING POLICIES APPLICABLE TO CITY OF FLINT EMPLOYEES.**

**(C) ELECTED OFFICIALS OF THE CITY OF FLINT ARE SUBJECT TO ANY RANDOMIZED DRUG TESTING POLICIES APPLICABLE TO CITY OF FLINT EMPLOYEES.**

**(D) TO IMPLEMENT THIS SECTION, THE CITY OF FLINT'S HUMAN RESOURCES / LABOR RELATIONS DEPARTMENT MAY ENACT REGULATIONS AND POLICIES, SUBJECT TO THE APPROVAL OF CITY COUNCIL.**

Sec. 2. This ordinance shall become effective immediately upon publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021 A.D.

**FOR THE CITY:**

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer