



COUNTY ADMINISTRATOR
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TO: Conan Smith, Chair
Ways & Means Committee

THROUGH: Robert E. Guenzel
County Administrator

FROM: Anthony VanDerworp, Director
Office of Strategic Planning

DATE: March 4, 2009

SUBJECT: Brownfield Redevelopment Project Application Fees

BOARD ACTION REQUESTED:

It is requested that the Washtenaw County Board of Commissioners approve the attached resolution to increase the amount of project application fees that are part of the Washtenaw County Brownfield Redevelopment Authority (WCBRA) project application process.

BACKGROUND:

In May of 1999, the Commissioners established the WCBRA through Resolution 99-0110, as allowed by the Brownfield Redevelopment Financing Act (PA 381 of 1996, as amended). The Commissioners then approved the bylaws of the WCBRA (Res. 00-0035) in February 2000; and in October of 2000, they adopted the Brownfield Plan for Washtenaw County (Res. 00-0215). In establishing the brownfield program and operating procedures, and with the intent of moving the program toward a self-sustaining, revenue generating program as intended by the Commissioners and allowed through PA 381 of 1996 (as amended), the WCBRA at their regular board meeting on October 17, 2003 approved and recommended to the Board of Commissioners that a processing fee for project applications be adopted. The Commissioners approved the project application fees as part of the Washtenaw County 2004-2005 biennial budget on November 5, 2003 (Res. 03-0209).

DISCUSSION:

At the May 19, 2008 regular WCBRA Board meeting a subcommittee comprised of staff, Board members and local brownfield environmental consultants was established to review and, where identified, update the brownfield program's policies and procedures. Best practice research of Brownfield Redevelopment Authorities within the State of Michigan were reviewed as part of the work of the subcommittee and resulted in several policy and procedural recommendations. One of the recommendations was to increase

the current project application fees, which were identified as significantly below standard practice in the State; as well as to bring them in alignment with the actual expense of processing a brownfield redevelopment project application. The WCBRA, at their regular Board meeting on February 12, 2009, approved the fee increase and recommends to the Washtenaw County Board of Commissioners that they approve the increase to application fees as follows:

4.a. Project Application Fee

- The WCBRA will assess an application fee for a brownfield project once the LUG approves the project application.
- The developer is responsible for paying the project application fee to WC Brownfield Program after the project application has been approved by the LUG and the brownfield plan process begins.
- The fee is based on total project investment:
 - \$0- \$5Million = \$3,000 (original fee: less than \$1Million = \$500)
 - \$5M - \$10M = \$4,000 (original fee: \$1Million - \$10Million=\$1,500), and
 - \$10 M and over = \$5,000 (original fee: greater than \$10Million=\$3,000)
- Exceptions to this policy due to extraordinary circumstances will be considered on a case by case basis.

IMPACT ON PERSONNEL:

None.

IMPACT ON BUDGET:

Impact on budget brings fees in alignment with expenses related to processing a brownfield redevelopment project application at a level where the revenue is supporting this portion of the program expense.

IMPACT ON INDIRECT COSTS:

None.

IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:

None.

CONFORMITY TO COUNTY POLICIES:

This action is in conformance with County policies and has been reviewed by Corporation Counsel, Finance and County Administration.

ATTACHMENTS/APPENDICES:

None.

A RESOLUTION TO ADOPT THE PROPOSED INCREASE TO BROWNFIELD REDEVELOPMENT PROJECT APPLICATION FEES

WASHTENAW COUNTY BOARD OF COMMISSIONERS

March 4, 2009

WHEREAS, the Washtenaw County Board of Commissioners, supports the sustainable redevelopment of environmentally distressed and underutilized sites designated as brownfields; and

WHEREAS, through Resolution 99-0110, the Washtenaw County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), established the Washtenaw County Brownfield Redevelopment Authority (the "WCBRA") to facilitate the implementation of plans relating to the identification and treatment of environmentally distressed areas and to promote site revitalization in Washtenaw County; and

WHEREAS, the Washtenaw County Board of Commissioners approved the bylaws of the WCBRA (Res. 00-0035) in February 2000; and in October of 2000, they adopted the Brownfield Plan for Washtenaw County (Res. 00-0215); and

WHEREAS, the Washtenaw County Board of Commissioners approved project application fees as part of the Washtenaw County 2004-2005 biennial budget on November 5, 2003 (Res. 03-0209); and

WHEREAS, at the May 19, 2008 regular WCBRA Board meeting a policy subcommittee was established to review and, where identified, update the brownfield program's policies and procedures; and

WHEREAS, at their regular Board meeting on February 12, 2009 the WCBRA approved a recommendation from the WCBRA policy subcommittee to increase project application fees to bring them into alignment with the cost of processing a brownfield redevelopment project and requests the Washtenaw County Board of Commissioners to approve this increase in project application fees; and

WHEREAS this matter has been reviewed by the County Administrator's Office and the Corporation Counsel.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners has determined the fees to be reasonable and appropriate and approves the increase in project application fees as outlined in Attachment A.

ATTACHMENT A
WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY
REVISED PROJECT APPLICATION FEES

4.a. Project Application Fee

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 - \$10 M and over = \$5,000 (original fee: \$greater than \$10Million=\$3,000)
- Exceptions to this policy due to extraordinary circumstances will be considered on a case by case basis.