

Grand Ledge Downtown Development Authority

319 Taylor Street
Grand Ledge, Michigan 48837
Agenda for a regular meeting to be held on
June 13, 2012
At City Hall, 200 E. Jefferson Street at 6:00 pm
*** Denotes item requiring action from Board

Agenda

- I. Call the Meeting to Order
- II. Roll Call (silent by Recording Secretary)
- III. Pledge of Allegiance
- IV. Audience Participation
- V. Approval of Regular Agenda (Changes in Agenda)
- VI. *** Approval of the minutes of May 9, 2012 regular meeting – enclosed
- VIII. Treasurers Report

 1. Payment of Bills – enclosed
 2. Financial Statement – enclosed
- IX. Committee Reports
- X. Old Business
 1. LED Light Demonstration Project
 2. Library Parking Lot Drainage
 3. Signage Update - enclosed
- XI. New Business
 1. Operating Within The DDA District– enclosed
- XII. Directors Comments
- XIII. Adjourn

Attachments:

GRAND LEDGE DOWNTOWN DEVELOPMENT AUTHORITY
319 TAYLOR STREET
GRAND LEDGE MI 48837
(517) 622-5256

MINUTES – REGULAR MEETING
WEDNESDAY, MAY 9, 2012
6:00 P.M.
COUNCIL CHAMBERS, CITY HALL
200 E. JEFFERSON ST.

- I & II. ROLL CALL** - Bruce MacDowell called the meeting to order at 6:01 p.m.
Present: Christine Carter, Mayor Kalmin Smith, Terrance Augustine, Ben Cwayna, Chris Fata, David Jonas, Keith Mulder, Bob Brown, Rachel Schroeder and Melanie May.
Absent: Jason Barclay and Karl Glarner.
Also Present: Economic Development Director Mark Sullivan, Assistant City Administrator Ameer King, and Jim Foster of Ziemnick Foster Engineering.
- III. PLEDGE OF ALLEGIANCE** -
- IV. AUDIENCE PARTICIPATION** -
- V. APPROVAL OF REGULAR AGENDA** - Ms. May made a motion to approve the agenda as presented. Mr. Brown supported the motion. Motion carries 10 to 0.
- VI. APPROVAL OF MINUTES** - Mr. Mulder made a motion to approve the minutes of the April 11, 2012 meeting as presented. Mr. Cwayna supported the motion. Motion carries 10 to 0.
- VII. TREASURERS REPORT** -
- 1. Payment of bills** - Mr. Sullivan reviewed the bills to be paid, and presented the banners that arrived. Mr. Augustine made a motion to approve the bills totaling \$11,786.25. Mr. Mulder supported the motion. Motion carries 10 to 0. Mr. Fata asked how the recovery of the back rent from the Madison Street house is coming. Mr. Cwayna updated the board that he is proceeding with garnishing the wages of the previous tenants.
- Ms. Schroeder arrived at 6:07 p.m.
- 2. Financial Statement** - Mr. Sullivan reviewed the financial statements. Mr. Augustine requested we look into paying down some of the debt on the River Street houses with proceeds of the Madison Street sale.
- VIII. Committee Reports** - Mr. MacDowell reported that there was a joint meeting between the Planning Commission, Park & Recreation Commission and DDA. The group intends to meet quarterly. General topics were discussed along with visionary topics for Jaycee Park. Mr. Jonas and Mr. Brown also attended.
- Mr. Sullivan indicated that the Christmas Committee will meet sometime in May.
- IX. Old Business** -
- 1. Madison Street House** - Mr. Sullivan indicated the closing has taken place and he reviewed the settlement sheet. The net income from the sale is \$47,276.98. There is one more payment of roughly \$10,000. Treasurer Chuck Remenar has indicated that we should pay off the remaining debt and will take action to do so.
- 2. LED Light Demonstration Project** - Mr. Sullivan indicated that he had e-mailed all Board members with the price for installation. Ms. Schroeder questioned if we should go with Kendall for the entire lights.

Mr. Sullivan indicated that if we move forward with changing out the entire light program to LED we will bid it out to more companies. The question today is where do we install the 4 demonstration lights? We previously discussed one corner light and 2 in between. The board was in consensus to place the lights in the Enerco area. The Board also requested Mr. Sullivan to solicit feed back from members of our Public Service Department, Fire Department, and Police Department.

3. Library Parking Lot Drainage - Engineer Proposal enclosed - Mr. Sullivan indicated that he has a proposal from Ziemnick Foster which is broken down into phases. The investigation phase will help Mr. Foster determine what all is needed. This could then be a stopping point or the board can choose to move forward. Phase II - Design, Phase III - Construction. We have taken out a section of sidewalk and replaced the existing curb with a higher curb directly in front of the Opera House office area. DPS Director LaHaie had staff use the sewer camera to scope the drains off the opera house roof and they are definitely plugged with roots. During rain events the sanitary sewer lines in the street are not adequate to handle it. Ms. May indicated that since the replacement of the curb there has not been any water in the office area, and the roof drains will be taken care of this fall. Mr. Mulder inquired as to whether this is a DDA issue or an Opera House issue. Ms. Carter inquired about installing a rain garden instead of general landscaping. There is still questions as to the what all the issues are. Mr. Augustine made a motion to approve the investigation phase with Ziemnick Foster Engineering, LLC, not to exceed a fee of \$1,785. Mayor Smith supported the motion. A roll call vote was taken. Motion carries 11 to 0.

Terrance Augustine - yes
Keith Mulder - yes
Christine Carter - yes
Chris Fata -yes

Ben Cwayna - yes
Dave Jonas - yes
Melanie May - yes
Bruce MacDowell - yes

Mayor Kalmin Smith - yes
Rachel Schroeder - yes
Bob Brown -yes

Mr. Foster indicated that he has been working with Mr. Harlan MacDowell and will continue to do so through the investigation phase.

Mr. Foster also indicated that he's aware of the glass coming off the new parking area. He met with representatives from the company last fall and they will be re-do the surface and add a hardener to the surface to ensure no more glass peels off. Mr. Foster further indicated that he met with the general contractor regarding the plants. They will replace the plants that did not survive and then the maintenance of the entire parking lot will be given over the MGM services. Last fall there was water leakage by the dumpster area that cleared up and is now back again. They will keep an eye on this issue.

4. Signage Update - Mr. Foster is working with his contacts regarding signage and will report back to the Board. This item will be discussed further after the information is obtained.

X. New Business -

XI. Directors Comments - Mr. Sullivan asked everyone to report any issues in any of the DDA parking lots to him so they can be taken care of.

Members Comments - Mr. Brown reported the Housing Services of Eaton County, which he has been President of for 8 years, is hosting a golf outing. This will be the 12th annual charity golf outing. Housing Services helps families deal with foreclosure prevention, eviction prevention and assists homeless families. Mr. Augustine reported that the Farmers Market starts this Saturday at Maypole Park from 9-1.

Mr. MacDowell reported that their apartment project is underway. If anyone wants to stop in and take a look feel free.

Mayor Smith reported he attended a meeting at the Congregational Church. There were different church representatives there who are trying to start a program called blessings in a back pack. There are many more hardships in our schools. 41% of the students meet guidelines for free lunch. The program essentially sends a backpack full of food and items for students to get through the weekend. The back pack goes home

on Friday and the students bring it back on Monday empty. Meijer will provide food at a minimal cost. Mayor Smith further reported that there will be new street signs in Grand Ledge. Federal requirements include the size, 2 color choices and font for lettering. We have chosen a blue background, which is not a comet blue, with white lettering and will have a gold GL in the corner. The first signs will be placed on Jefferson Street after the construction project is over.

Mr. Fata indicated he had some questions on the maintenance in the parking lots and striping of the parking lots. Mr. Sullivan will work on these issues.

XII. ADJOURN - Mr. Cwayna made a motion to adjourn at 7:09 p.m. Ms. Carter supported the motion. Motion carries 11 to 0.

Minutes recorded and transcribed by Ameer King

Robert Brown, Secretary

Date Minutes Approved

6/6/2012

Downtown Development Authority
Revenue Expenses
June 6, 2012

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	Budget FY2012	NEW YEAR 6/6/2012
FUND 248	DDA TIFA SPECIAL REVENUE		
401.000	CURRENT PROPERTY TAXES	563,419	569,358
		374,715	374,715
628.000	MISCELLANEOUS REVENUE		1,565
662.000	RENT - PROPERTIES	9,000	3,303
664.000	INTEREST ON INVESTMENTS	1,000	179
634.000	EQUIPMENT RENTAL	0	0
673-000	SALE OF FIXED ASSETS	53,477	53,477
675-000	DONATIONS	0	3,900
	Total DDA Revenue	1,001,611	1,006,496
Dept. 170-173	ECONOMIC DEVELOPMENT		
703.000	SALARIES	28,695	25,811
719.000	FRINGE BENEFITS	7,036	5,674
741.000	OPERATING SUPPLIES	500	294
801-004	ADMINISTRATIVE	500	576
802.000	LEGAL FEES	0	701
817.000	PROFESSIONAL SERVICES	1,060	1,060
830.000	RENTAL PROPERTY EXPENSES	6,500	11,367
830-001	PROPERTY OPERATING EXPENSE	130,000	103,516
840.000	INSURANCE	6,250	4,309
960-001	FACADE PROGRAM	20,000	20,000
974-006	CONSTRUCTION	10,000	9,950
991.000	DEBT - PRINCIPAL - River Street Houses	19,695	19,692
995.000	DEBT - INTEREST - River Street Houses	8,130	8,124
997-101	CONTRIBUTIONS TO GENERAL FUND	56,407	56,407
		294,773	267,481
Dept. 905-906	TRANSFERS		
793.000	TRANSFER TO GLAESA	66,416	66,416
605.000	TRANSFER TO DDA DEBT SVC FUND	365,000	374,762
603.000	TRANSFERS TO DDA PARKING LOT DEBT	256,127	145,989
602.000	TRANSFER TO ISLAND DEBT FUND	12,000	12,000
	Total Transfers	699,543	599,167
	Total expenditures	994,316	866,648
	Grand total net effect	7,295	139,848

6/6/2012

Downtown Development Authority
Revenue Expenses
June 6, 2012

FUND 394-905-906 DEBT SERVICE - STREET SCAPE

664.000	INTEREST	600	544
451.000	TRANSFER FROM DDA TIF	365,000	374,762
	Total Revenue	365,600	375,306

991.000	DEBT - PRINCIPAL	311,250	326,000
995.000	DEBT - INTEREST	55,204	49,105
998.000	DEBT - PAYING AGENT FEES	300	150
	Total expenditures	366,754	375,255

Net effect for fund -1,154 52

FUND 396-905-906 PARKING LOT BOND

664.000	INTEREST	500	297
699-494	TRANSFER FROM DDA CAP PROJECTS FUND	110,138	110,138
451.000	TRANSFER FROM DDA TIF	145,989	145,989
	Total Revenue	256,627	256,424

991.000	DEBT - PRINCIPAL	160,000	165,000
995.000	DEBT - INTEREST	95,865	90,132
998.000	DEBT - PAYING AGENT FEES	250	40
	Total expenditures	256,115	255,172

Net effect for fund 512 1,253

FUND 494 DDA CAPITAL PROJECTS FUND

DEPT 900-901 REVENUE			
665-001	INTEREST	0	995
DEPT. 900-902			
665-001	INTEREST	0	182
	REVENUES	0	1,177
974-006	CONSTRUCTION		2,840

EXPENDITURES

DEPT 900-901 EXPENSES			
817-000	PROFESSIONAL SERVICES	0	350
974.006	CONSTRUCTION	0	70,392
974.999	CONSTRUCTION ENGINEERING	0	12,580
999-396	TRANSFER TO DDA PARKING DEBT		110,138
	Total expenditures	0	193,460

TOTAL FUND EXPENDITURES 196,300

Net effect for fund 0 (195,122)

6/6/2012

Downtown Development Authority
Balance Sheet
June 6, 2012

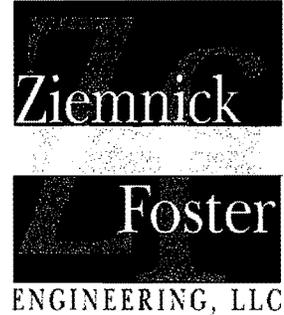
	Fund 248	Fund 394	Fund 396	Fund 494	Total
Assets					
Cash	190,985	26,009	4,720	525,924	747,638
Total Assets	<u>190,985</u>	<u>26,009</u>	<u>4,720</u>	<u>525,924</u>	<u>747,638</u>
Reserves & Fund Balance					
Fund Balance	51,137	25,957	3,467	721,047	801,608
Change in Fund Balance	139,848	52	1,253	-195,122	-53,971
	<u>190,985</u>	<u>26,009</u>	<u>4,720</u>	<u>525,924</u>	<u>747,638</u>
Total Liabilites & Balances	190,985	26,009	4,720	525,924	747,638
Total Cash less Funds 394 & 396	716,909				

ZIEMNICK FOSTER ENGINEERING, LLC
12350 Oneida Road
Grand Ledge, MI 48837
517.930.0438
www.zfengineering.com

6/6/2012

Re: DDA Community Wayfinding Signs
Project No: 12031

Mr. Mark Sullivan
City of Grand Ledge DDA
200 E. Jefferson Street
Grand Ledge, MI 48837



Dear Mark:

We had a meeting with personnel at the MDOT Lansing TSC regarding the options on community wayfinding signs. As you were aware, the original signs have been prohibited due to a variety of concerns from MDOT over the last decade.

After meeting with the staff, it is clear that new possibilities are welcomed from MDOT. Staff indicated that signs would be reviewed and permitted if criteria is adhered to from the Guidelines for Signing on State Trunkline Highways. The following are some highlights from our discussion. A portion of the guideline is also included for your reference.

To continue discussions with MDOT, a revised sign location map and a proposed sign layout will be required. Sign type, size, and location should be indicated on the map. The size of the sign shall not be greater than 32 square feet. Signs will need to be retroreflective and meet standards set by the Michigan Manual of Uniform Traffic Control Devices (MMUTCD). The location of wayfinding signs is considered secondary signing and, according to the guidelines, shall not interfere with signs of greater importance.

Once sign size and placement is agreed upon by MDOT, a construction permit will be required to install the signs along the M-100 corridor. It is our understanding that signs placed would likely fall under the City's annual permit, so a special permit for the placement may not be necessary, this will be verified as MDOT reviews the submitted materials.

It should also be understood that all costs associated with the sign placements and maintenance will be that of the municipality requesting the sign.

Please review the materials, and should you have any questions please feel free to call.

Sincerely,
ZIEMNICK FOSTER ENGINEERING, LLC

A handwritten signature in black ink that reads "James W. Foster". The signature is written in a cursive style with a prominent initial "J" and a long, sweeping underline.

James W. Foster, P.E.

Enc.: MDOT Guidelines for Signing on State Trunkline Highways excerpt

Delivered by: via Email (PDF)

GUIDELINES FOR SIGNING ON STATE TRUNKLINE HIGHWAYS



**PREPARED BY
TRAFFIC AND SAFETY**

Effective June 27, 1988
Revised May 2012

"Providing the highest quality transportation services for economic benefit and improved quality of life."

8.10 Community Wayfinding Signing

Function

Community wayfinding signs are part of a coordinated and continuous system of signs that direct tourists and other road users to numerous key civic, cultural, visitor, and recreational attractions and other destinations within a city or a local urbanized or downtown area. This type of signing is used to support established community-wide plans promoting attractions and destinations within a community. Community wayfinding signs are a type of destination guide sign for conventional roads, with a common color and/or unique header. Such signing shall not be installed on freeways, including interchange ramps. Community wayfinding signing is not meant for a single destination or area within a community. Examples of designs and sign placement used are shown in the figures.

The sign system should be established on a local municipal or equivalent jurisdictional level or an urbanized area of adjoining municipalities or equivalent that form an identifiable geographic entity that is conducive to a cohesive and continuous system of signs. Community wayfinding signs shall not be used on a regional or statewide basis

Signing for attractions, as noted above, is considered secondary to primary signing needs. Community wayfinding signs shall not interfere with other signs of greater importance as outlined in Signing Priorities and shall not be installed where adequate spacing cannot be provided between the community wayfinding sign and other higher priority signs. Community wayfinding signs shall not be installed in a position where they would obscure the road users' view of other traffic control devices and shall not be mounted overhead.

Highway signing is not intended for the purpose of advertising for the facility, but to direct and guide unfamiliar traffic seeking the attraction or destination. Community wayfinding signs should not be used to provide direction to primary destinations eligible for signs in other sections of this Guideline or highway routes or streets. Destination or other guide signs should be used for this purpose and shall have priority over any community wayfinding sign in placement, prominence, and conspicuity. If destinations that would be eligible for signs in other sections of this Guideline are part of an established community-wide plan, then all existing Department non-freeway signs shall be removed once the community wayfinding signs are in place.

Design

The Department will permit municipalities (cities, villages, and urban townships) or equivalent jurisdictional areas with established community wayfinding plans, to install signs within Department right-of-way, within their jurisdiction, to attractions and other destinations away from the state trunkline system, subject to the following requirements:

1. The proposed use shall not interfere presently or in the foreseeable future with construction, reconstruction, operation, and maintenance of the non-freeway involved. Permit applications will only be considered from municipalities.
2. The municipality requesting the signs shall be responsible for all work and costs associated with sign fabrication, sign supports, installation, and all future maintenance. Any requests for signs shall be accompanied by a resolution of support from the municipality and will include a commitment of the agency to permit requirements, installation, maintenance, and all associated costs of the signs.
3. Use of Department right-of-way shall require approval through the permit process. An "Individual Application and Permit" (Form 2205) must be completed by the municipality for each sign location and returned to the appropriate Transportation Service Center Office for processing.
4. All permit applications shall be reviewed by the Transportation Service Center's Traffic and Safety Representative for compliance with traffic operational and safety requirements before approval. Before any community wayfinding sign system is permitted by the Department, any existing illegal advertising billboards pertaining to attractions and destinations within the established plan shall be removed.
5. The design of the signs and their locations shall be approved by the Transportation Service Center's Traffic and Safety representative before fabrication begins.
6. Any proposed construction or use must conform to Department standards with respect to setback requirements, spacing with other Department signs, as well as standards for breakaway or yielding type supports.
7. Community wayfinding signing shall not be installed on freeways including interchange ramps.
8. Color coding or pictographs may be used on community wayfinding signs to help road users distinguish between multiple potentially confusing traffic generator destinations located in different neighborhoods or subareas within a community or area. Pictographs are a pictorial representation used to identify a governmental jurisdiction, an area of jurisdiction, a governmental agency, a governmental-approved university or college, or a government-approved institution.

If coding is to be utilized in a community wayfinding system, the color coding or pictograph may be included on signs posted at the boundary of the

community wayfinding signing area. This boundary informational sign shall have a white legend and border on a green background.

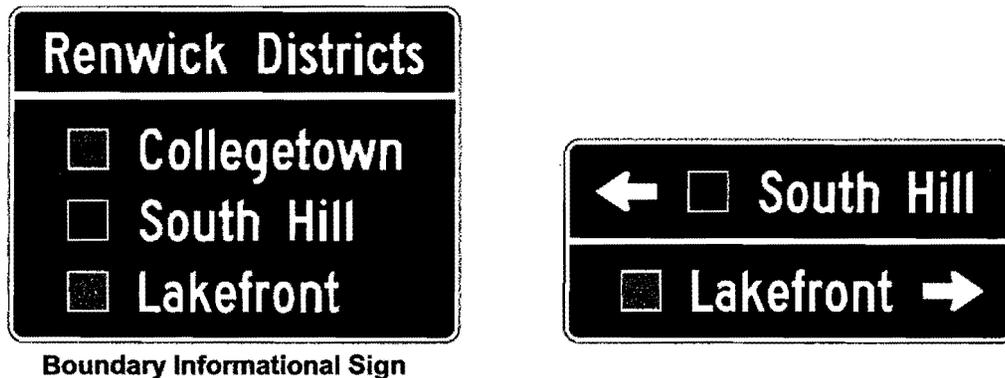
The color coding or pictographs shall apply to a specific, identifiable neighborhood or geographical subarea within the overall area covered by the community wayfinding system. Color coding or pictographs shall not be used to distinguish between different types of destinations within the same designated neighborhood or subarea. Color coding shall be accomplished by the use of different colored square or rectangular panels on the face of the sign, each positioned to the left of the neighborhood or named geographic area to which the color-coding panel applies. The height of the colored square or rectangular panels shall not exceed two times the height of the upper-case letters of the principal legend on the sign. If a pictograph is used, its height shall not exceed two times the height of the upper-case letters of the principal legend on the sign. Except for pictographs, symbols that are not approved for use on guide signs per the *Michigan Manual on Uniform Traffic Control Devices* (MMUTCD) shall not be used on community wayfinding signs.

Examples of Community Wayfinding Signs

A – Community Wayfinding Signs with Headers



B – Color Coded Community Wayfinding Signs



9. Except for the boundary informational sign, community wayfinding signs may use background colors other than green in order to provide color identification for the wayfinding destinations by geographical area within the overall wayfinding system. Color coded community wayfinding signs may be used with or without the boundary informational sign displaying corresponding color coding panels described above in number 8. In order to minimize possible confusion with critical, higher-priority regulatory and warning sign color meanings readily understood by road users, the standard highway sign colors of red, orange, yellow, purple, or the fluorescent versions thereof: fluorescent yellow-green and fluorescent pink, shall not be used as background colors for community wayfinding signs.
10. A unique header may be used on a community wayfinding sign assembly, or incorporated into the overall design of a community wayfinding sign, as a means of visually identifying the sign as part of an overall system of community wayfinding signs and destinations. The header consists of a shape, color, and/or pictograph used as a visual identifier for the community wayfinding system for an area. The sizes and shapes of headers shall be

smaller than the community wayfinding signs themselves. Headers shall not be designed to have an appearance that could be mistaken by road users as being a traffic control device. The area of the header should not exceed 1/5 of the area of the community wayfinding sign with which it is mounted in the same sign assembly. If a header is to be used, it shall be used on all community wayfinding signs in the system.

11. Community wayfinding signs, exclusive of any header used, should be rectangular in shape. The maximum width of the community wayfinding sign will be 8 feet. The maximum area will be 32 square feet. All messages, borders, legends, and backgrounds of community wayfinding signs and any headers shall be retroreflective. The legend for destinations shall be white. The maximum area of the header will be 6 square feet.

Wayfinding signs are limited to three destinations per sign. The closest destination lying straight ahead shall be at the top of the sign and below it the closest destinations to the left and to the right, in that order. Arrows pointing to the right shall be at the extreme right of the sign, and arrows pointing left or up shall be at the extreme left. Horizontal lines of a color that contrasts with the sign background color should be used to separate groups of destinations by direction from each other.

Abbreviations should be kept to a minimum, and should include only those that are commonly recognized and understood per the MMUTCD.

12. The lettering style used for destination and directional legends shall be Standard Highway Alphabet or Clearview font. A lettering style other than these may be used on community wayfinding signs if an engineering study determines the legibility and recognition values for the chosen lettering style meet or exceed the values for the Standard Alphabets for the same legend height and stroke width.

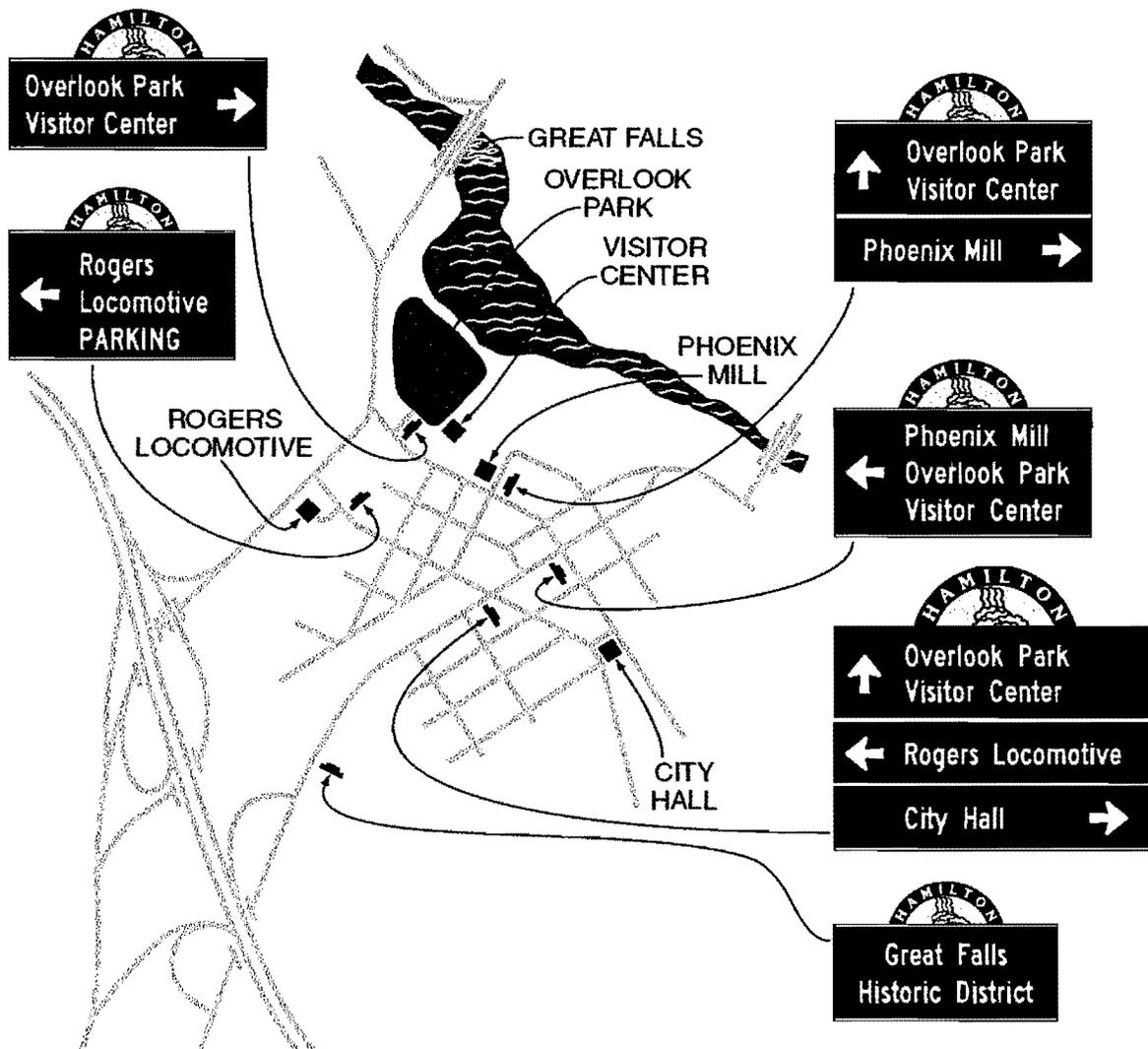
The minimum letter heights are provided below in the table. The lettering for destinations on community wayfinding signs shall be a combination of lower-case letters with initial upper-case letters. All other word messages shall be in upper-case letters. An example of other word messages is PARKING.

Posted Speed (mph)	Minimum Legend Height	
	Destinations	Other Word Messages
30 to 55	6 inch UPPERCASE/ 4.5 inch lowercase	6 inch UPPERCASE
25 or less	4 inch UPPERCASE/ 3 inch lowercase	4 inch UPPERCASE

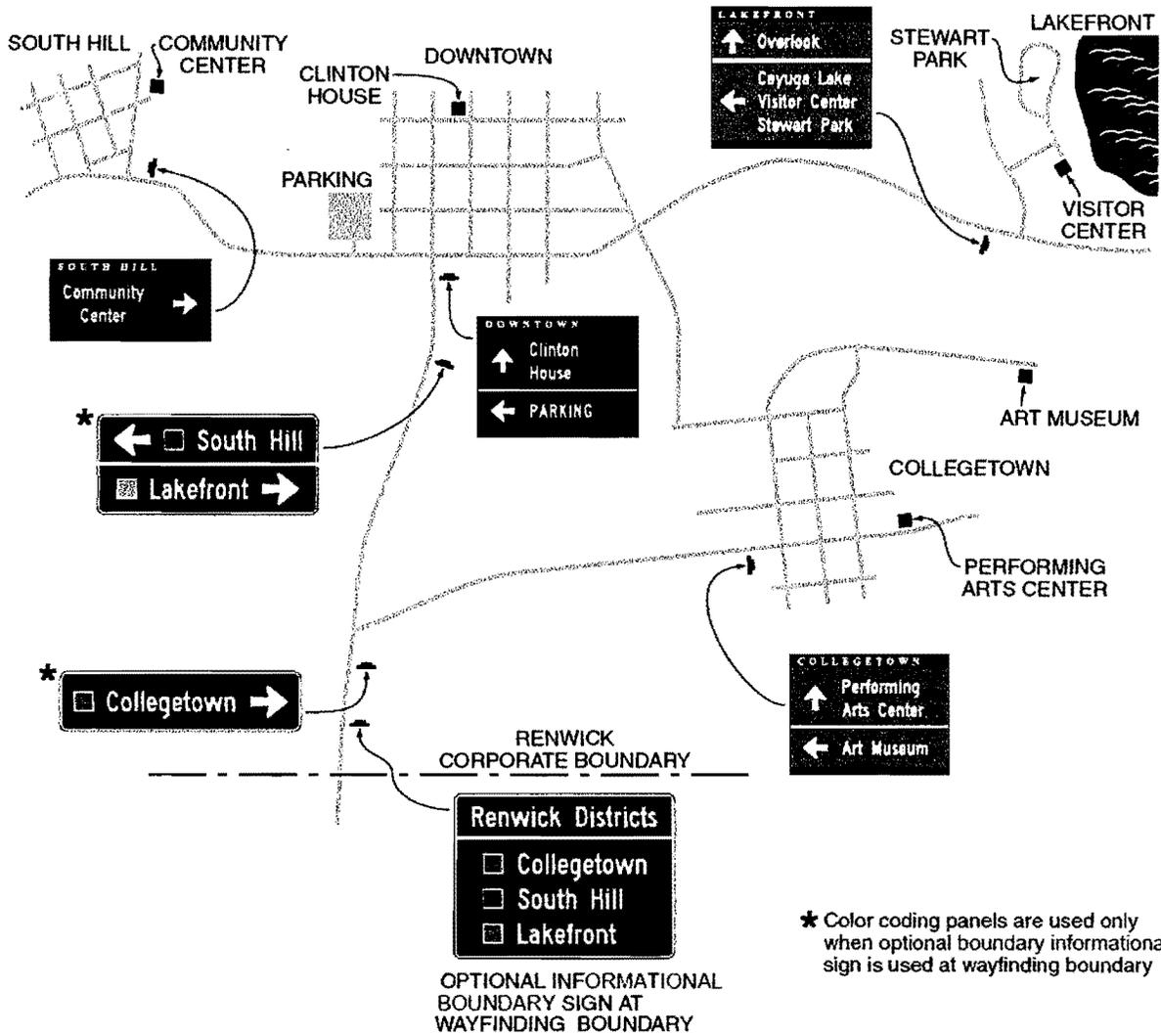
The above requirements do not apply to the header. Smaller legend may be used for wayfinding signs intended only for pedestrians.

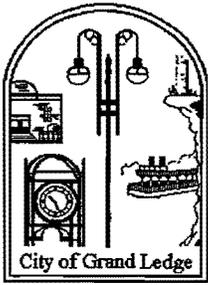
13. The name(s) of local official(s), internet and e-mail addresses, including domain names and uniform resource locators (URL) will not be allowed on community wayfinding signing. Business logos, commercial graphics, or other forms of advertising shall not be used on community wayfinding signs.
14. The sign shall not have internal or external illumination or animation.
15. A maximum of two signs per intersection, one per direction will be permitted.

Example of a Community Wayfinding Sign System



Example of a Color-Coded Community Wayfinding Sign System





CITY OF GRAND LEDGE

Established 1893

Economic Development Coordinator

Ph: (517)622-5256
Fax: (517) 627-6788

319 Taylor St.
Grand Ledge, MI 48837
sulliv28@yahoo.com

Memorandum

To: DDA Board if Directors
Jon Bayless, City Administrator

From: Mark Sullivan, Economic Development Coordinator

Date: May 30, 2012

Subject: Operating Within the DDA District

The City of Grand Ledge has agreed to take the Greenwood School and utilize it for the new City Hall. This will involve a major financial undertaking by the City. The new City Hall will be outside of the DDA District. Should the City wish to have the DDA be involved in any financial support of the new facility, the DDA will have a number of issues to discuss.

Certainly the City can continue to charge to the DDA the contribution we make annually. This is the indirect cost plan, which covers our rent, the use of the Treasurer, and similar things. This plan is approved by MDOT and it is consistent across all departments. The total of the indirect expenses are divided among the departments based on how much they use these services.

Any additional support by the DDA is governed by the enabling legislation (Act no. 197 of Public Acts of 1975, as amended). There appear to be two major sections, which will be of interest to the Board. First is the intent of the legislation as stated in the opening paragraph of the Act.

“An Act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain

losses of tax increment revenues; and to prescribe the powers and duties of certain state officials.”

Along with the intent two definitions focus the activity to the development area or district:

(125.1651) Definitions - Section 1 (h) “Development area” means that area to which a development plan is applicable. (k) “Downtown district” means an area in a business district that is specifically designated by ordinance of the governing body of the municipality pursuant to this act.

This is reinforced through the following paragraph:

(125.1651a) Legislative findings- Section 1a (d) That tax increment financing is a government financing program that contributes to economic growth and development by dedicating a portion of the increase in the tax base resulting from economic growth and development to facilities, structures, of improvements within a development area thereby facilitating economic growth and development

This is the area where the DDA is to operate, our area where we carry out the intent of the legislation.

However, there is another section, which we need to look at, how much flexibility does the Board of Directors have.

(125.1657) Powers of board - Section 7(f) Implement any plan of development in the downtown districts necessary to achieve the purposes of this act, in accordance with the powers of the authority as granted by this act.

This section provides broad authority to the Board of Directors in deciding what activities are necessary to achieve the purposes of the act.

In the year 2000, a legal opinion from Loomis, Ewert, Parsley, Davis & Gotting was rendered in response to a City Councilman’s question of “can a DDA purchase real property which lies outside the DDA boundary?” A portion of the opinion is as follows: This statutory provision does not contain any language which limits the property which may be purchased by the DDA to property which is within the DDA District. The only requirement is that the acquisition of the property be determined to be reasonably necessary to achieve the goals of the DDA Act.

Again, the Board is given broad latitude in determining what is in the best interest of the DDA District. However, there must be a finding that such activity has a direct benefit to the district, and not a vague benefit. While the opinion was based on the purchase of property, it basically holds for all DDA activity. Were the DDA be asked to provide money or pay for services for the new City Hall, the above considerations should be carefully deliberated and documented.