

PRESQUE ISLE DISTRICT LIBRARY

RESOLUTION TO EXEMPT TAXES FROM CAPTURE BY THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CHARTER CITY OF ROGERS CITY

A resolution made and adopted at a regular meeting of the Library Board of Trustees of the Presque Isle District Library ("Library"), Presque Isle County, State of Michigan, held at the Library on the 8th day of August, 2018, at 3:00 p.m.

Members present: _____

Members absent: _____

The following resolution was motioned by _____ and supported by _____.

WHEREAS, City of Rogers City established the Downtown Development Authority of the City of Rogers City ("DDA") pursuant to the Downtown Development Authority Act, 1975 PA 197, MCL 125.1651 *et seq.* ("DDA Act"); and

WHEREAS, the City previously approved the Development Plan and Tax Increment Financing Plan ("Plan") for the DDA; and

WHEREAS, the Library has been levying a separate millage for library purposes (approved by voters before August 5, 2014) to provide funds for all library purposes by law and to fund and operate the Presque Isle District Library, and the DDA has been capturing those taxes pursuant to its Plan; and

WHEREAS, the City Council held a public hearing on July 24, 2018, regarding the adoption of an ordinance amending the Development Plan and Tax Increment Financing Plans of the DDA; and

WHEREAS, pursuant to recent amendments to Section 3(3) to the DDA Act, if a separate millage for public library purposes was levied before January 1, 2017, and the authority alters or amends the boundaries of a downtown district or extends the duration of the existing finance plan, then the Library Board may, not later than 60 days after a public hearing, exempt all or a portion of its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality that created the authority;

WHEREAS, the Library has met the conditions for exempting its taxes from capture because (1) there is a separate millage for library purposes that was levied to support the Presque

Isle District Library in 2014 (prior to July 1, 2017); (2) the boundaries of the DDA district have been altered or amended and/or the duration of the existing financing plan has been extended; and

WHEREAS, the Library Board is authorized to exempt its separate and dedicated library millage from capture pursuant to Section 3(3) of the DDA Act; and

WHEREAS, the resolution exempting the Library's separate millage for library purposes (including any and all of the taxes) from capture by the DDA takes effect when filed with the City of Rogers City Clerk and remains effective until a copy of a resolution rescinding that resolution is filed with the City of Rogers City Clerk; and

WHEREAS, the Library Board has determined that it is in the best interests of the health, safety and welfare of the Library residents and taxpayers to exempt all of its taxes from capture by the Downtown Development Authority of the City of Rogers City.

THEREFORE, the Library Board of Trustees of the Presque Isle District Library, Presque Isle, Michigan, resolves as follows:

1. The Presque Isle District Library resolves to "opt out" of the Downtown Development Authority of the City of Rogers City ("DDA"). To that end, as authorized by Section 3(3) of the DDA Act, the Library Board resolves to exempt any and all separate millages for library purposes, including the library millage that was approved by voters in 2014 to support the Presque Isle District Library, from capture by the DDA. This also includes exempting any and all of its property taxes from capture pursuant to any existing Development Plan and Tax Increment Financing Plan ("Plan") and all amendments to the Plan pursuant to the authority granted by the Downtown Development Authority Act ("DDA Act"), 1975 PA 197.
2. The Secretary-Treasurer and/or the Library Director shall immediately file a copy of this Resolution with the City of Rogers City Clerk.
3. Pursuant to Section 3(3) of the DDA Act, this Resolution takes effect when filed with the City of Rogers City Clerk and remains effective until a copy of a resolution rescinding this Resolution is filed with the Township Clerk.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

COUNTY OF PRESQUE ISLE

CERTIFICATION

I, the undersigned, the duly qualified and acting Secretary-Treasurer of the Board of Trustees of the Presque Isle District Library, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of said Library at a regular meeting held on the 8th day of August, 2018.

Secretary-Treasurer, Board of Trustees
Presque Isle District Library