

MEMORANDUM



TO: ORDINANCE REVIEW COMMITTEE
FROM: VICTOR CARDENAS, CITY MANAGER
SUBJECT: BROWNFIELD AUTHORITY CREATION
DATE: FEBRUARY 6, 2026

With recent changes from the state that allow more developments to fall under a “Brownfield Development Plan” it has been suggested that the City create its own **Brownfield Redevelopment Authority (BRA)** to facilitate requests that fall into one of the, now, three Brownfield buckets:

Traditional contaminated site clean-up
Housing TIF (all captured taxes come from City Millages to encourage development)
Transformational Brownfield (captured taxes come from City Millages and state sources)

The purpose of this memo is to introduce the process that we will discuss at Monday’s committee meeting:

1. Prepare a Resolution of Intent

The City Council adopts a Resolution of Intent to Create a Brownfield Redevelopment Authority. This resolution declares the Council’s intention to establish the Authority and sets the stage for a required public hearing. Sample language is included in the attachments.

2. Public Hearing and Notice

Before creating the BRA, the Council must hold a public hearing. Public notices of the hearing must be published and posted in accordance with state law (typically in a newspaper of general circulation and posted in public places). This ensures transparency and provides affected residents and stakeholders an opportunity for input.

3. Adopt Establishment Resolution

Following the public hearing, the Council acts on a Resolution Establishing the Brownfield Redevelopment Authority. This resolution formally creates the BRA and typically includes provisions for appointing board members to serve on the authority.

4. Appoint Board Members and Adopt Bylaws

Once established, the Council appoints the BRA board members (usually five to nine members, though local bylaws may determine specific numbers, terms, and

qualifications). The Board then adopts bylaws governing its internal operations, meetings, quorum rules, and officer roles.

5. Coordinate with County and Taxing Jurisdictions (if applicable)

Once it's established, if the BRA will overlap or coordinate with County brownfield efforts or involve property in multiple jurisdictions, the Council may also adopt resolutions consenting to participation or concurrence in joint Authorities, and provide necessary notices to all affected taxing jurisdictions.

6. Ongoing Compliance and Plan Adoption

Once the BRA is established, subsequent steps include preparing Brownfield Plans and Act 381 Work Plans for specific redevelopment sites will happen as and when needed. Public hearings and notices are required for adoption of any site-specific Brownfield Plan before TIF or incentives may be utilized by the Authority

CITY OF NOVI
COUNTY OF OAKLAND, MICHIGAN

**RESOLUTION OF INTENT TO CREATE AND PROVIDE FOR THE OPERATION OF A
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE CITY OF NOVI PURSUANT
TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC
ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on _____, 2026, at ___o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

RECITALS

WHEREAS, the City Council of the City of Novi has received and reviewed testimony that there are or may be certain environmentally distressed, functionally obsolete, and/or blighted areas in the City of Novi and that the continued existence of such areas can limit, hinder, or delay redevelopment or revitalization of properties within the City, and, accordingly, that it is in the best interest of the public to facilitate identification and treatment of environmentally distressed, functionally obsolete, and/or blighted areas and promote revitalization within the municipal limits of the City; and

WHEREAS, in order to further such interests, it is appropriate for the City Council to create and provide for the operation of a Brownfield Redevelopment Authority within the City of Novi 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"); and

WHEREAS, pursuant to the Act, this City Council is required (a) to hold a public hearing on the adoption of a proposed resolution creating a Brownfield Redevelopment Authority under the Act (the "Authority") and (b) to publish notice of the public hearing in a newspaper of general circulation in the City of Novi, all in accordance with Section 4(2) of the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines that is in the best interest of the public to promote the redevelopment of environmentally distressed, functionally obsolete, and/or blighted areas of the City.

2. The City Council hereby declares its intention to create and provide for the operation of the Authority within the City of Novi pursuant to and in accordance with the provisions of the Act.
3. A public hearing shall be held before the City Council on ____ [month], ____ [year], at ____ p.m. in the Novi Civic Center, 45175 Ten Mile Road, Novi, MI, on the adoption of a resolution creating the Authority within the City of Novi, within the municipal limits of which the Authority shall exercise its powers.
4. The City Clerk (the "Clerk") shall give notice of the public hearing by causing notice to be published, in the form attached hereto as Exhibit 1, in ____ [name of newspaper], a ____ [weekly/daily] newspaper of general circulation in the ____ of ____ day of ____ [month], ____ [year], and the ____ day of ____ [month], ____ [year], and by posting notice of the public hearing, in the form attached hereto as Exhibit 2, pursuant to the practice of the Clerk.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this ____ day of _____, 2026, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi

CITY OF NOVI
COUNTY OF OAKLAND, MICHIGAN

NOTICE OF PUBLIC HEARING ON THE ADOPTION OF A PROPOSED
RESOLUTION ESTABLISHING A BROWNFIELD REDEVELOPMENT AUTHORITY FOR
THE CITY OF NOVI PURSUANT TO AND IN ACCORDANCE WITH ACT 381 OF
THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

PLEASE TAKE NOTICE THAT a Public Hearing shall be held before the City Council of the City of Novi on the ____ day of ____ [month], ____ [year], at ____ p.m. in the Novi Civic Center, 45175 Ten Mile Road, Novi, MI, to consider the adoption of a proposed resolution establishing a Brownfield Redevelopment Authority for the City of Novi, within the municipal limits of which the Authority shall exercise its powers, all 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.

CITY OF NOVI
COUNTY OF OAKLAND, MICHIGAN

RESOLUTION ESTABLISHING A BROWNFIELD REDEVELOPMENT AUTHORITY FOR
THE CITY OF NOVI PURSUANT TO AND IN ACCORDANCE WITH THE
PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN
OF 1996, AS AMENDED

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on _____, 2026, at ___o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

RECITALS

WHEREAS, the ____ [Council, Board, or Commission] of the City of Novi by Resolution adopted on the ____ day of ____ [month], ____ [year] (the "Resolution of Intent"), determined that it is in the best interest of the public to facilitate identification and treatment of environmentally distressed, functionally obsolete, and/or blighted areas to promote revitalization within the municipal limits of the City of Novi, and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the City of Novi (the "Authority") 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 (the "Act"); and

WHEREAS, on this date, pursuant to and in accordance with the Act and the Resolution of Intent, the City Council held a public hearing, notice of which was given as required by Section 4(2) of the Act on the adoption of a resolution creating the Authority on this date, pursuant to and in accordance with the Act and the Resolution of Intent, the City Council held a public hearing, notice of which was given as required by Section 4(2) of the Act on the adoption of a resolution creating the Authority; and

WHEREAS, all citizens, taxpayers and property owners of the City of Novi and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority; and

WHEREAS, the City Council desires to proceed with the establishment of the Authority for the City of Novi within the boundaries of which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Authority Created.** Pursuant to the authority vested in the City Council by the Act, the Authority is hereby established and shall be known as the City of Novi Brownfield Redevelopment Authority.
2. **Supervision of the Authority.** The Authority shall be under the supervision and control of a board (the "Board") consisting of five (5) members appointed by the Mayor of the City of Novi, in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the City Council. The members of the Board shall hold office, and the Board shall conduct its procedures in accordance with the Act, and, in particular, Section 5 thereof.
3. **Jurisdiction of the Authority.** The Authority shall exercise its powers within the City of Novi.
4. **Powers and Duties of the Authority.** The Authority shall have the full extent of powers and duties provided by and in accordance with the Act. Among other matters, the exercise of its powers, the Board shall prepare Brownfield Plans for eligible property(ies) pursuant to Section 13 of the Act and submit the plan to the City Council for consideration pursuant to Section 14 of the Act.
5. **Bylaws and Rules of the Authority.** The Authority shall elect officers and adopt bylaws and rules governing its procedures and meetings in accordance with Sections 5(3) and 5(5) of the Act, and after adoption by the Board shall immediately forward a copy of the bylaws and rules to the City Council in care of the Clerk of the City of Novi (the "Clerk"). The Authority's bylaws and rules shall be subject to the approval of the City Council. However, if the City Council fails to either approve or disapprove the Authority's bylaws and rules at its next regular meeting after receipt of a copy thereof by the Clerk, the Authority's bylaws and rules shall be deemed to have been approved by the City Council.
6. **Form of Approvals.** Except as may otherwise be provided by the Act or other applicable law, approvals by the City Council of all matters pertaining to the Authority or its Board shall be by resolution.
7. **Severability.** Should any section, clause, or phrase of this Resolution be declared invalid by the courts, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
8. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
9. **Publication.** The Clerk is hereby directed to file a true and complete copy with the Michigan Department of State, Office of the Great Seal, promptly after adoption and to take all other actions incident upon such adoption pursuant to applicable charter or other provisions.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of _____, 2026, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi