

**BATTLE CREEK CITY ASSESSOR
INDUSTRIAL FACILITIES TAX EXEMPTION
CHECKLIST FOR ATTACHMENTS TO APPLICATION**

- ❑ Legal description of the real property on which the facility is or will be located. Include the parcel identification number (PIN) if it's available. You can get this information from an Assessment Change Notice, current tax bill or by calling the Assessor's office at 966-3369.
- ❑ A complete list of the new machinery and equipment for the facility. Include the description, beginning date of installation or expected date of installation by month/day/year, and costs or expected costs.
- ❑ Personal property applications must have a certified statement or affidavit as proof of the beginning date of installation. An official from the company must sign the affidavit and his/her signature must be notarized.
- ❑ Real property applications must have proof of the date construction started. Applicants can provide one of the following if the project has already started: building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact starting date.
- ❑ Complete copy of lease agreement as executed, if applicable. A lease is required for any real or personal property that is leased instead of owned. The lease must show the applicant has direct responsibility or real and/or personal property taxes. If applying for real property tax exemption, the lease must run the full length of the time the abatement is granted by the City Commission.
- ❑ A completed Industrial Facilities Exemption Agreement, signed by an official from the company.
- ❑ A completed Industrial Facilities Exemption Fee Affidavit that is signed by an official from the company and notarized.
- ❑ A completed set of the city's contract compliance forms.

INDUSTRIAL FACILITIES EXEMPTION AGREEMENT

This Agreement is entered into as required and authorized by Public Act 334 of 1993 and made in connection with an Application for an Industrial Facility Exemption Certificate by the Applicant named below.

This agreement is entered into between the City of Battle Creek, a Michigan municipal corporation, hereinafter "City", whose address is P.O. Box 1717, Battle Creek, MI 49016-1717, and _____, whose address is _____, hereinafter "Applicant".

For and in consideration of the granting of an Industrial Facilities Exemption Certificate pursuant to Public Act 198 of 1974, the parties agree as follows:

1. Commitments made by Applicant in this Agreement are binding on Applicant if and only if the City Approves an Industrial Facilities Exemption Application filed by Applicant on _____, 20____ ("Application") and the Application is approved and a Tax Exemption Certificate is issued by the Department of Treasury State Tax Commission pursuant to Act 198.
2. Applicant agrees that the facility for which it has filed the above Application is a new facility.
3. Applicant agrees that the facility will be constructed in not more than two assessment years.
4. Applicant represents that the real and personal property improvements represent an investment equal to at least 20% of the current true cash value of the property as determined by the Assessor or more than \$100,000.00
5. Applicant agrees that if the application includes personal property, the personal property will be used only for manufacturing or manufacturing systems; Applicant agrees that manufacturing is defined as the substantial transformation of a product.
6. Applicant agrees that prior to October of each year and upon reasonable notice at other times, it will supply such information to City as may be necessary for City

staff to enable it to prepare a report to the City Commission and State regarding Applicant's compliance with abatement guidelines and the law.

7. Applicant agrees to expend approximately _____ (\$_____) on the improvements that are the subject of the Application named above.
8. Applicant agrees that if the abatement is granted, it will create and hire not less than _____ full-time job equivalent positions not existing as of the date of the Application and not later than _____. City recognizes that business conditions, including but not limited to NAFTA, may make it impossible to meet the commitments contained in this paragraph.
9. Applicant agrees that it will retain no less than _____ full-time job equivalent positions as measured from the date of the Application and for as long as the Certificate issued pursuant to the Application is in effect. City recognizes that business conditions, including but not limited to NAFTA, may make it impossible to meet the commitments contained in this paragraph.
10. Applicant agrees that it will comply with the policy of the Battle Creek City Commission established October 2, 1984, that states any business or industry expected to have 15 or more employees requesting financial assistance from the City must demonstrate its commitment to equal employment practices and hire minority persons at least equal in proportion to the available minority work force in the Battle Creek standard metropolitan area (SMSA) within a reasonable length of time. Applicant further agrees to complete such forms as may be necessary to process the Industrial Facilities Exemption Application associated with this Agreement and such other forms as from time to time may be required by the City of Battle Creek relating to equal employment requirement.
11. City agrees that so long as the conditions of this agreement and of the law are fulfilled, it will not seek to revoke the Tax Facility Exemption Certificate issued by the State of Michigan as a result of the above-mentioned Application during the term of that Certificate.

12. City and Applicant agree that any material violation of this Agreement shall be grounds to revoke the Industrial Facilities Exemption Certificate issued pursuant to this Application and city may pursue such remedies as provided by law.

In addition, Applicant agrees that if it ceases operation of its facility before the expiration of the Certificate granted in reliance of this contract it shall be liable to City as partial liquidated damages the following:

A sum of money equal to the current total annual tax savings of this certificate divided by 12 and multiplied the number of months remaining in the year of closure not counting the month of closure. Said sum payable upon demand of City.

Executed at Battle Creek, Michigan, the dates written below.

DATED: _____

BY:
Its: City Manager

Applicant:

DATED: _____

BY:
Its: _____

CITY OF BATTLE CREEK, MICHIGAN

AFFIRMATIVE ACTION POLICY CHECK LIST FOR VENDORS AND CONTRACTORS

The following is a check list of factors that will be weighed by the City when determining certification for eligibility:

FIRMS: SEE UNDERLINED SECTION. PLEASE COMPLETE BY CHECKING APPLICABLE BOXES FOR COMMUNITY PARTICIPATION PROGRAMS THAT YOUR COMPANY PARTICIPATES IN; PROVIDE VERIFICATION IF POSSIBLE.

- Number of minorities employed meets or exceeds current relevant Standard Metropolitan Statistical Percentage for firm's location (example, Battle Creek is currently 9.3%). Demonstrated through submission of contract compliance form identifying employees by race, gender, and job classification (attached).**
- Minority employment reflects Labor Force Participation Rate for that particular employment sector. Demonstrated through submission of contract compliance form identifying employees by race, gender, and job classification.**
- Existence and implementation of a proactive equal employment opportunity policy (attached).**
- Community participation in development of a diverse workforce through support of or involvement with: (demonstrated through written verification)
 - Active internship programs**
 - Mentoring programs**
 - Job shadowing or training programs**
 - Recruitment of employees from welfare-to-work rolls as provided by the Workforce Development Board**
 - Employment of individuals formerly living below current poverty level**
 - Financial commitment to programs designed to upgrade skills, education, and facilities of economically disadvantaged (such as STRIVE)**
 - Financial commitment to child care, transportation, or other barriers to employment issues**
 - Subcontracts with women-owned or minority-owned businesses**
 - Employment of disabled individuals or veterans**
- Bidders or vendors which have been certified by a local unit of government subscribing to the policies and procedures of the Cooperative Certification Consortium (CCC) and who submit their certification number will be considered certified vendors for the City of Battle Creek**

FIRM DESCRIPTION

Current Date

1. _____
Firm Name

2. _____
Address/City/State/Zip

Telephone _____ **Fax Number** _____ **County**

3. _____
Name and Address of Home Office if different from above.

4. **What is the function of this business? (Be specific.)**

5. **Number of Employees:**
a. **In Battle Creek Area** _____
b. **In Michigan** _____
c. **Other States** _____

6. **Is the business listed on line one (1) certified by:**
Another City? Yes or NO **Name of City** _____

7. **Is the firm Minority Owned?** _____ **Woman Owned?** _____

8. **Please include a copy of your current business license.**

Authorized Signature

Position Title

POLICY STATEMENT

(Company Name)

Policy on Equal Employment Opportunity

It is the policy of _____ to promote equal opportunity for all qualified employees and applicants for employment and to prohibit discrimination in employment because of race, creed, color, national origin, sex, handicap, age, or martial status. The company will work to ensure fair and equitable treatment of all employees and applicants in recruitment, employment, promotions, demotions, transfers, layoffs and terminations. The company has prepared and will implement an Affirmative Action Plan to ensure that all employment decisions are made to further our commitment to equal employment. This plan requires that, among other things, only valid criteria be used in making personnel decisions. Supervisory staff is expected to comply with both the letter and the sprit of this policy. Employees who feel they have been the victims of discriminatory action should feel free to contact the office of Contract Compliance of the City of Battle Creek.

This policy will be distributed to all company departments and by reference, to the union local office (if any) and to the company's recruitment sources.

Signature: _____ Dated: _____

Name: _____

Title: _____

Company: _____

CITY OF BATTLE CREEK, MICHIGAN

CONTRACT COMPLIANCE FORM

COMPANY NAME: _____

CURRENT EMPLOYEES:

JOB CATEGORIES	ALL EMPLOYEES			MINORITIES ONLY								ALL EMPLOYEES						
	Total	Male	Female	Males				Females				Disabled		Veterans				
				B	AI	H	A	B	AI	H	A	Total	M	F	M	F		
Officials & Managers																		
Professionals																		
Technical (Semi-professional)																		
Sales																		
Foreman/Supervisors																		
Office/Clerical																		
Craftsmen (Skilled)																		
Operatives (Semi-skilled)																		
Laborers (unskilled)																		
Service Workers																		
TOTAL																		

Current Company %	
(Completed by City) SMSA %	

AUTHORIZED SIGNATURE _____ DATE _____

Name of person completing form _____ Telephone No. _____

B=Black A=Asian
 AI= American Indian
 H=Hispanic