

CITY OF WAYNE  
SPECIAL CITY COUNCIL MEETING #2015-18  
FRIDAY, JUNE 26, 2015-5:00 P.M.  
WAYNE ACTIVITY AND BANQUET CENTER  
35000 SIMS AVENUE  
AGENDA

Pledge of Allegiance

Roll Call

**1. General Items for Consideration**

- a. Consider setting a date for a TEFRA public hearing on and to authorize publication of Notice of TEFRA public hearing to consider lease of Rec. Center to HYPE.

The City of Wayne will provide necessary auxiliary aids and services (such as signers and audio tapes) to individuals with disabilities attending meetings or hearings. A two week notice is required. For assistance contact the City Clerk's Office at 734-722-2204 or 734-722-2000.

City of Wayne  
County of Wayne, State of Michigan

RESOLUTION CALLING PUBLIC HEARING

Minutes of a special meeting of the City Council of the City of Wayne, County of Wayne, State of Michigan, held on June 26, 2015, at 5:00 o'clock p.m., prevailing Eastern Time.

PRESENT: Members \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Members \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, the City of Wayne Building Authority (the "Authority") has previously issued multiple series of bonds (the "Bonds") for the purpose of financing renovations and improvements to the Community Center (the "Community Center"); and

WHEREAS, the City and the Building Authority propose to sublease the Community Center to HYPE Athletics Community, Inc. ("HYPE"), an organization qualified under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, in order to maintain the tax-exempt status of the Bonds pursuant to the Code, it is necessary to hold a public hearing concerning the Bonds and the entering into the proposed sublease with HYPE.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the Code, the City Council shall meet on July 16, 2015, at 7:00 p.m., prevailing Eastern Time, at which time it shall conduct a public hearing.
2. The City Clerk be and is hereby directed to give notice of such public hearing by publishing a notice thereof in the *Observer*, a newspaper of general circulation in the City, which notice shall be published and given at least fourteen (14) full days prior to the date set for said hearing.
3. Said notice shall be in substantially the form attached hereto as Exhibit A with any changes approved by bond counsel to the City.
4. The City Council does hereby determine that the foregoing manner of publication is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing and the purpose of the public hearing.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members \_\_\_\_\_

\_\_\_\_\_

NAYS: Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Wayne, County of Wayne, State of Michigan, at a special meeting held on June 26, 2015, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
City Clerk

EXHIBIT A

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY COUNCIL OF THE CITY OF WAYNE,  
COUNTY OF WAYNE, STATE OF MICHIGAN  
REGARDING THE PROPOSED CHANGE IN USE OF  
CERTAIN BOND-FINANCED BUILDING AUTHORITY FACILITIES**

The City Council of the City of Wayne, County of Wayne, State of Michigan (the "City"), will hold a public hearing at 7:00 p.m. prevailing Eastern Time on July 16, 2015 in the Wayne Activity and Banquet Center located at 35000 Sims Avenue, Wayne, Michigan 48184, in connection with the sublease of the Community Center owned by the City of Wayne Building Authority, County of Wayne, State of Michigan (the "Building Authority") and leased to the City (the "Community Center"). The City and the Building Authority propose to sublease the Community Center to HYPE Athletics Community, Inc. ("HYPE"), an organization qualified under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). The Building Authority will continue to own the Community Center and lease such facility to the City.

The costs of certain renovations and improvements to the Community Center were financed with the proceeds of the Building Authority's 2008 Building Authority Bonds dated September 23, 2008 (the "2008 Bonds") and refinanced with the proceeds of the Building Authority's Building Authority Refunding Bonds, Series 2012A and 2012B dated February 28, 2012 (the "2012 Bonds"). Upon entry into the sublease with HYPE, the City and the Building Authority will be required to treat up to \$1,375,000 of the outstanding principal amount of the 2008 Bonds and up to \$650,000 of the outstanding principal amount of the 2012 Bonds (collectively, the "Reissued Bonds") as reissued for federal income tax purposes because the proceeds of the Reissued Bonds were used to finance or refinance the costs of renovations and improvements to the Community Center proposed to be subleased by HYPE. Upon the deemed reissuance of the Reissued Bonds, the Reissued Bonds will be treated as "qualified 501(c)(3) bonds" within the meaning of Section 145 of the Code. The debt service on the Reissued Bonds will not be increased or accelerated as a result of entering into the lease with respect to the Community Center or the deemed reissuance described herein.

The 2008 Bonds and the 2012 Bonds are payable from and secured solely by contractual payments made by the City to the Building Authority.

The public hearing with respect to which this notice is given shall provide an opportunity for expression of opinion, arguments on the merits and introduction of documentary evidence pertinent to the lease of the Community Center to HYPE. Written comments will be accepted by the undersigned at 3355 South Wayne Road, Wayne, Michigan 48184, but must be received on or before the date and time of the hearing.

City Clerk  
City of Wayne