



**AGENDA**  
**Committee of the Whole**  
**Monday, November 26, 2018 5:30 p.m.**  
**City Council Chambers, City Hall 10<sup>th</sup> Floor**

**Council Member Wood, Chairperson**  
**Council Member Washington, Vice Chairperson**

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
  - November 19, 2018
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Presentation:**

Communication from CATA on Proposed Amendments to their Articles of Incorporation
6. **Discussion/Action:**
  - A.) DISCUSSION – General Fund Status Report for FY2019; First Quarter
  - B.) RESOLUTION – Reappointment of Anita Turner; 3<sup>rd</sup> Ward; Medical Marijuana Commission; Term to expire November 27, 2021
  - C.) RESOLUTION – Federal Public Charge Rule Changes

**{Closed Session}**

- Ratification of Amendments to the 2016-2019 CBA with Local 421

**{Reconvene}**

7. **RESOLUTION** – Ratification of Amendments to the 2016-2019 CBA with Local 421
8. **Other**
  - City Clerk Swope Notification of National Election Security Pilot Project Membership
  - Discussion/Ordinance- Amendment to Chapter 872; Licensing and Regulations for Dockless Electric Scooter Companies

**9. Adjourn**

The City of Lansing's Mission is to ensure quality of life by:

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
- II. Securing short and long term financial stability through prudent management of city resources.
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
- IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.
- V. Facilitating regional collaboration and connecting communities

[illegible]



**MINUTES**  
**Committee of the Whole**  
**Monday, November 19, 2018 @ 5:30 p.m.**  
**City Council Chambers, City Hall 10<sup>th</sup> Floor**

**CALL TO ORDER**

Council President Wood called the meeting to order at 5:31 p.m.

**PRESENT**

Councilmember Kathie Dunbar  
Councilmember Jeremy A. Garza  
Councilmember Adam Hussain  
Council Member Brian T. Jackson  
Councilmember Peter Spadafore  
Councilmember Patricia Spitzley  
Councilmember Jody Washington  
Councilmember Carol Wood

**OTHERS PRESENT**

Sherrie Boak, Council Staff  
Samantha Harkins, Mayors Executive Assistant  
Jim Smiertka, City Attorney  
David Lenz  
Anna Hill, Michigan Immigration Rights  
Alicia Guevara-Warren, Michigan League of Public Policy  
Nancy Mahlow  
Michael Mercer  
Heather Sumner, Deputy Chief City Attorney – arrived at 5:42 p.m.

**Minutes**

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM NOVEMBER 5, 2018 AS PRESENTED. MOTION CARRIED 8-0.

**Public Comment on Agenda Items**

No public comment at this time.

**Presentation**

Michigan Immigration Rights Center – Anna Hill

Michigan League of Public Policy-Alicia Guevara-Warren

Ms. Hill and Ms. Guevara-Warren started with what “public charge” is, and the issue of immigration law- public charge. In 2017 there was a Senate Bill which reduced and limited

access to green cards and the process. A presentation was done that began with the origins on “public charge”, and what that means under the current law. It was stated in the presentation the public charge largely effects family-based immigrants, which began back in 1965. The presentation then moved onto the proposed changes as shown in the power point in the packet. Tables in the presentation highlighted the current law and the proposed new regulations. Groups that would be exempt from the test would be people who already have green cards, victims of human trafficking. Ms. Hill noted that this is a proposed rule, published by Homeland Security for a public comment period. Before a rule such as this can be put into place, it has to be open for public comment and that period time is October 10, 2018 to December 10, 2018. Once that period closes, Homeland Security has to review and respond to those public comments before enact the Rule. Once that process is over they can put a rule in place with a 60 day delay.

Ms. Guevara-Warren spoke about the impact that could happen with a Rule, and options people could do. She began with statistics on Michigan, and in Lansing there is 7% of that population as immigrants. The use of benefits and programs, she noted, would be impactful because of the 42% of immigrants in poverty. With the impact of the proposed changes in Michigan, Ms. Guevara-Warren highlighted losses in federal funds at \$153 million, potential jobs lost of 1,990. The strategies to respond that were provided included submit public comments by December 10, 2018; educate service providers to fight the chilling effect and story advocacy to document the stories. Lastly, they proposed Council consider adopting a resolution to oppose the proposed public charge rule and commits to submit comments. Her opinion for a resolution is to raise the issue with policymakers from multiple sectors; and build administrative record to delay implementation and challenge the court. Online links for comments were given; [www.protectingimmigrantfamilies.org](http://www.protectingimmigrantfamilies.org).

Council Member Dunbar asked who is proposing the change, and where the comments would be directed. Ms. Hill stated they are being proposed by Homeland Security and comments to them as well. Council Member Dunbar referred back to the 2017 approach on a resolution for Sanctuary City’s and how the Federal Government was going to punish those that were, and so the City revoked. She then asked Ms. Hill and Ms. Guevara-Warren if the President is going to look at a resolution from a municipality and restrict those. And also asked if this was being presented to immigration agencies also. Ms. Hill stated these proposed changes will not affect who is eligible or not, and should not affect agencies that distribute benefits. The basic level of this is, she continued, is that they are considering the Rule, and asking for public comment on the impact the public thinks will have. She noted that is why it is important comments include reference to what they are hearing from hospitals, schools and other organizations.

Council Member Spitzley asked for Point Of Order stated that Sanctuary City’s and this request are separate. During the Sanctuary discussion there were concerns there was an option the City would lose funds. She then asked if the City would lose funding. Ms. Hill stated that agencies could lose funding. Council Member Spitzley specifically asked if there are any comments from the Federal government if a City designate, supports or decides they will be penalized.

Council Member Jackson stepped away from the meeting at 6:08 p.m.

Council Member Spitzley continued, questioning if writing a resolution will mean the City will lose Federal funds. Council Member Dunbar stated there are issues with the Courts on the definition and it was broad.

Council Member Jackson returned to the meeting at 6:10 p.m.

Ms. Hill stated that the rule is based on future benefits. These proposed changes would change what factors are taken into account and expand those factors in making the prediction of benefits.

Council Member Washington also stated this topic had nothing to do with earlier action the City took on Sanctuary City's. In her opinion the City could choose to do a resolution as a body and it does not cause them to lose funding.

Council Member Spitzley referred to the template resolutions Ms. Hill provided, and asked if they had approached the Mayor or if there had been other City Councils outside of or apart from a Mayors' office since the samples represented Mayor's offices. Ms. Hill stated there was a list available of the City's that have adopted a resolution or made commitments to comment. She then confirmed they have not approached the Mayor. Council President Wood asked if the National League of Mayor's had made comments, and Ms. Hill confirmed there was copy of that letter in their information.

Council Member Jackson stated he would support and suggested that if Council did a resolution they include Lansing statistics. He then stated to the Committee that his opinion would be if they did the resolution they should commit to doing the comments as well.

Council President Wood asked Ms. Harkins to have a discussion with the Mayor and at the meeting on November 26, 2018 both groups can look at moving forward with something that meets the goals. She suggested that if individual Council Members wanted to comment they could submit individual comments as well, and if they pledge in the resolution to make comments, they have to do comments. Council Member Spitzley stated that if Council does one resolution, then the comments should also come from the whole body, not individuals. Ms. Hill stated comments from the City as a whole is meaningful along with individual comments.

Council Member Wood stated she would work with the Mayor's office and law on a resolution.

### **DISCUSSION/ACTION**

#### **RESOLUTION- Appointment of David Lenz; LBWL Board of Commissioners; Term to Expire June 30, 2021**

Mr. Lenz provided a history of his work, education and personal experiences and his interest in having a role on the BWL Commission.

Council Member Washington acknowledged Mr. Lenz on his approach to participate and encouraged him to attend her monthly Ward 1 meetings. Mr. Lenz acknowledge participating.

Council Member Jackson asked for his opinion on fossil fuels. Mr. Lenz stated the average income balanced with the needs of paying for power is important, and he is open to clean renewable energy but in an efficient and financial manner to serve citizens in a right way.

Council President Wood asked Mr. Lenz his opinion on selling BWL or privatizing it. Mr. Lenz noted in his opinion, BWL is a \$20 million asset to the City and at this time would not sell or privatize, but there are larger issues and they should hold onto for now. Council President Wood then asked his plans to communicate and get feedback from constituents. Mr. Lenz assured them that as a liaison he has his public email to his First Ward and he is committed to being out in the community.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE APPOINTMENT OF DAVID LENZ, LBWL BOARD OF COMMISSIONERS; TERM TO EXPIRE JUNE 30, 2021. MOTION CARRIED 8-0.

RESOLUTION – Reappointments:

- Joseph Ruth – Michigan Avenue Corridor Improvement Authority
- Jonathan Lum – Michigan Avenue Corridor Improvement Authority
- Julie Rowe – Human Relations & Community Services Advisory Board

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE REAPPOINTMENTS OF JOSEPH RUTH, JONATHAN LUM AND JULIE ROWE. MOTION CARRIED 8-0.

RESOLUTION – 2019 City Council Meeting Calendar

Council Member Spitzley proposed a change for the 1<sup>st</sup> meeting from January 2, 2019 to January 7, 2019. Council Member Wood proposed changes to the November dates since only one meeting was proposed, proposing new dates of November 4, 2019 and November 25, 2019. After discussion the Committee agreed to November 18, 2019 and November 25, 2019. Any reference to January 2, 2019 in the document was agreed to be changed to January 7, 2019. The discussion on the 3<sup>rd</sup> Committee of the Whole meeting was discussed and it was agreed the second paragraph in the resolution speaks to that.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE AMENDED RESOLUTION FOR THE 2019 CITY COUNCIL MEETING CALENDAR WITH THE CHANGE FROM JANUARY 2, 2019 TO JANUARY 7, 2019 THROUGHOUT THE DOCUMENT; AND MEETINGS IN NOVEMBER TO BE NOVEMBER 18, 2019 AND NOVEMBER 25, 2019. MOTION CARRIED 8-0.

Other:

Communication from CATA on Proposed Amendments to their Articles of Incorporation

Council staff was asked to Invite CATA to the 11/26/2018 Committee meeting for a presentation on the topic.

ADJOURN

The meeting was adjourned at 6:39 p.m.

Respectfully Submitted by,  
Sherrie Boak, Recording Secretary  
Lansing City Council  
Approved by the Committee on



## CAPITAL AREA TRANSPORTATION AUTHORITY

**Nathan Triplett**, Board Chair • **Bradley T. Funkhouser**, AICP, Chief Executive Officer

XV B. 2.

VIA CERTIFIED LETTER

October 18, 2018

City of Lansing  
Chris Swope, Clerk  
124 W Michigan Avenue  
9<sup>th</sup> Floor of City Hall  
Lansing, MI 48933

Dear Mr. Swope:

Please find enclosed a copy of the proposed amendment to the Articles of Incorporation of Capital Area Transportation Authority (CATA). The CATA Board approved the proposed amendment to the Articles on October 17, 2018.

I have also enclosed a copy of the original Articles of Incorporation for your convenience. Please feel free to contact me if you have any questions.

Sincerely,

Bradley T. Funkhouser, AICP  
Chief Executive Officer

Enclosures





# CAPITAL AREA TRANSPORTATION AUTHORITY

**Nathan Triplett**, Board Chair • **Bradley T. Funkhouser**, AICP, Chief Executive Officer

APPROVED – OCTOBER 17, 2018

AGENDA ITEM VI B

## CAPITAL AREA TRANSPORTATION AUTHORITY BOARD

### AMENDMENT TO ARTICLE OF INCORPORATION

In a letter dated, November 29, 2017, the Ingham County Board of Commissioners sent a resolution requesting two voting seats on the CATA Board of Directors. This request was responded to in a letter dated April 10, 2018, by CATA Board Chair Nathan Triplett, indicating that CATA would research the appropriate process to further the County's request and that their request would be discussed by the CATA Board. This was followed by a similar request by MSU in a letter dated April 24, 2018 and a response by Chair Triplett dated May 8, 2018.

Since the original request was made, CATA staff coordinated with legal counsel and drafted two alternatives that would allow the CATA Board to amend the current Articles of Incorporation and add additional voting seats to the Board without becoming a member of the Authority. These alternatives were discussed by the CATA Board on multiple Board meetings during the past several months and concluded with Alternative 2 being identified as the most viable.

Alternative 2 consists of proposed language changes to the Articles of Incorporation that allow an "Independent Entity" to appoint one "Independent Representative" to the CATA Board by financially participating in an amount set forth by the Board.

If the proposed amendments to the Articles of Incorporation are approved, it is then sent to the clerk for each participating member of the Authority by certified mail. The governing bodies of each participating member shall have forty-five (45) days after receipt by their clerk in which to disapprove the proposed amendments and transmit a resolution of disapproval to the CATA Board. Upon receipt of such a resolution of disapproval, the proposed amendments shall not become effective unless the CATA Board by a two-thirds vote of the members of the CATA Board then serving ratifies the proposed amendments within forty-five (45) days after receipt of the resolution of disapproval. If a majority of governing bodies of the participating members disapproves of the proposed amendments, the proposed articles shall not become effective and the CATA Board shall not be empowered to override the participating members vote. If a participating member fails to respond to the proposed amendments within the forty-five (45) days period set above, this shall be tantamount to approval of the proposed amendments.

**PROPOSED MOTION:** That the CATA Board of Directors approves the proposed amendments to the CATA Articles of Incorporation and directs the Chief Executive Officer, Bradley T. Funkhouser, to send the amendments to the clerk of each member of the Authority, as provided for in Article V, Section 3 of the CATA Articles of Incorporation.



**CATA Board: Yeas:** Nathan Triplett, Doug Lecato, Shanna Draheim, Dion'trae Hayes, Dan Opsommer, Donna Rose, Derek Melot, Jennie Gies **Nays:** None **Absent:** Pete Kuhnmuench, Dusty Fancher

I, Susan Olson, Recording Secretary for the Capital Area Transportation Authority Board, do hereby certify that the above and foregoing is a true and correct copy of the Board Action Item approved by the CATA Board, Lansing, Michigan, on October 17, 2018, as appears on record in my office, and that I have compared the same with the original and that it is a true transcript therefrom and of the whole thereof.

A handwritten signature in black ink, reading "Susan Olson", is written over a horizontal line.

Susan Olson

Recording Secretary, CATA Board

ARTICLES OF INCORPORATION OF  
CAPITAL AREA TRANSPORTATION AUTHORITY  
AS AMENDED \_\_\_\_\_, 2018

ARTICLE I.

The name of this corporation is Capital Area Transportation Authority hereinafter referred to as the "Authority" or "CATA".

ARTICLE II.

The purpose or purposes for which the Authority is created are:

- (1) To create a public authority to accomplish the purpose or purposes for which authorities may be authorized pursuant to 55 P.A. of 1963 as amended, which purpose or purposes are incorporated herein by reference.
- (2) To plan, promote, purchase, acquire, establish, own, operate, or cause to be operated, maintain, improve, enlarge, and modernize a mass transit system in the greater Lansing area.
- (3) To do all things necessary, suitable and/or proper for the accomplishment of the above purpose, purposes, and any one or more of them.

ARTICLE III.

The powers of the Authority shall be to do everything and anything reasonably and lawfully necessary, proper, suitable, or convenient for the achievement or furtherance of the purposes above stated, or for any of them. These powers shall include, but not be limited to the following specific powers; to issue self-liquidating or revenue bonds, to levy a tax on the real and personal property located in the service area upon the approval of a majority vote, to borrow money from a commercial or governmental institution.

#### ARTICLE IV.

(1) Any political subdivision which is within the service area as defined in 1963 PA 55, as amended, may become a member of the Authority upon fulfillment of the following prerequisites:

- (a) Receiving CATA public transit bus service;
- (b) Financially participating in an amount that levies the Authority's millage pursuant to 1963 PA 55 and all other requirements mandated by said Act (1963 PA 55).
- (c) Adoption of a resolution by the governing body of the political subdivision;
- (d) Acceptance by resolution adopted by majority vote of the Board; and
- (e) Compliance with the Bylaws and Policies of the Authority.

(2) The Authority shall be directed and governed by the Capital Area Transportation Authority Board, herein referred to as the "Board". Representation on the CATA Board shall be determined as follows:

- (a) Political subdivisions that are members of the Authority:

|                                                                                        | <u>Number of<br/>Representatives</u> |
|----------------------------------------------------------------------------------------|--------------------------------------|
| i. Less than 10,000 population and not a member of the Authority as of January 1, 1975 | Non-Voting                           |
| ii. 10,000-35,000 population and not a member of the Authority as of January 1, 1975   | 1 Voting                             |
| iii. 0-35,000 population and a member of the Authority as of January 1, 1975           | 1 Voting                             |
| iv. 35,001-50,000 population                                                           | 2 Voting                             |
| v. 50,001- 100,000 population                                                          | 3 Voting                             |
| vi. 100,001-150,000 population                                                         | 4 Voting                             |
| vii. 150,001 and up                                                                    | 5 Voting                             |
- (b) Effective December 1, 2018, the Board may provide in its Bylaws for a political subdivision that is not a member of CATA (an "Independent

Entity"), but which financially participates in an amount set forth by the Board, to appoint one (1) Board member as its representative (an "Independent Representative"). An Independent Representative shall have the same rights, privileges, and responsibilities as the representatives that are appointed by the political subdivisions that are members of the Authority, except and provided that, notwithstanding any provision to the contrary in these Articles of Incorporation, an Independent Representative shall cease to be a Board member, regardless of the term of appointment, upon the Independent Entity that appointed the member failing to financially participate in an amount set forth by the Board.

If any political subdivision withdraws from membership in the Authority, the term of each Board member appointed by that political subdivision shall expire at the time of withdrawal.

(3) The Board may provide in its Bylaws for political subdivisions and Independent Entities to appoint non-voting representatives to the Board on an advisory basis, subject to the pleasure of the Board and on such terms and conditions as the Board deems appropriate.

(4) The terms of the office of the Board members shall be three years, with members appointed on a rotational schedule. The rotational schedule for Board appointments is approved by the CATA Board with terms beginning at the first regular Board meeting following the annual organizational meeting. If the member is unable to complete their term of office, a successor shall be appointed in the same manner as the original appointment to complete the term.

(5) The participating political subdivisions shall not appoint persons to the Board that fall within any of the following categories:

- (a) Any individual who is an employee or agent of CATA, or
- (b) Any individual who is related to an employee, officer or agent of CATA.

Relative is defined as spouse, parent, child, sister, brother, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandchild, grandparent or legal guardian.

(6) Any Board member may be removed from office with or without cause by the political subdivision that appointed the member in accordance with the policies and procedures of the political subdivision. A Board member may resign from office at any time, effective upon receipt of written notice of resignation by the Chief Executive Officer of CATA, unless otherwise specified in the notice of resignation.

(7) The Board shall hold an annual organizational meeting each year, unless deemed otherwise, at such place, date, and hour as shall be fixed by the Board. The Board shall, at its annual meeting, elect a chairperson, vice- chairperson, and secretary/treasurer who shall be members of the Board who were appointed by members of the Authority. Said officers shall serve at the pleasure of the Board and shall have all the powers assigned to them by the Board. The Board shall transact such other business as may be necessary at its annual meeting and shall fix a time and place for regular meetings which shall be open to the public. All members of the Board shall serve without compensation from the Authority, but shall be entitled to reimbursement by the Authority of actual expenses incurred in the discharge of their duties. In the conduct of the business of the Board, a majority of the Board members then appointed and serving shall constitute a quorum. On all voting issues before the Board, a majority of the Board members present and voting shall be sufficient for the adoption of any resolutions.

(8) The chairperson or any two members of the Board may call a special meeting of the Board as set forth by CATA policy. The Board shall keep a written or printed record of every meeting, which record shall be public.

(9) The Board shall provide a system of accounts to conform to the uniform system required by law and shall provide for the auditing of said accounts once a year by a competent certified public accountant. The Board shall appoint an executive director and shall adopt rules, regulations, and policies governing the employees, patrons, and facilities under its jurisdiction.

(10) A Board member or any person holding appointment by the Board shall not have any interest either directly or indirectly in any contract entered into by the Authority, unless all material facts as to their relationship or interest as to the contract are disclosed or

known to the Board, and the Board authorizes, approves or ratifies the contract without counting the vote of the interested member.

(11) The Board shall furnish an annual report to the governing bodies of all participating members with respect to the operation, maintenance and financial condition of the Authority.

(12) The Board shall adopt bylaws, policies and procedures that it deems necessary, suitable and/or proper for the conduct of the business of the Board and for accomplishing the purpose or purposes for which the Authority is created.

#### ARTICLE V.

(1) The Authority may be dissolved in accordance with statutory provisions, and subject to the provisions set forth in Article V. paragraph 2, below.

(2) The Authority may not be dissolved or Its Articles amended if such dissolution or amendment would or could operate as an impairment of any authorized bonds.

(3) The Articles of Incorporation may be amended only by a majority vote of the Board members then serving subject to veto by the governing body of any political subdivision which is a member of the Authority as set forth below:

- (a) After approval of the proposed amendments to the Articles, the Authority shall send by certified mail with return receipt requested, the proposed amendments to the clerk for each participating member of the Authority.
- (b) The governing bodies of each participating member shall have forty- five (45) days after receipt by their clerk in which to disapprove the proposed amendments and transmit a resolution of disapproval to the CATA Board.
- (c) Upon receipt of such resolution of disapproval, the proposed amendments shall not become effective unless the CATA Board by two-thirds vote of the members of the CATA Board then serving ratifies the proposed amendments within 45 days after receipt of the resolution of disapproval.

- (d) If a majority of the governing bodies of the participating members disapprove of the proposed amendments, the proposed articles shall not become effective, and the CATA Board shall not be empowered to override the participating members vote.
- (e) If a participating member fails to respond to the proposed amendments within the 45 day time period set in (b) above, this shall be tantamount to approval of the proposed amendments.

ARTICLE VI.

These Articles of Incorporation, as amended \_\_\_\_\_, 2018, completely restate and supercede all prior Articles of Incorporation of Capital Area Transportation Authority.

CERTIFICATE OF ADOPTION

The undersigned certify that the foregoing Articles of Incorporation were adopted by an affirmative vote of the members of the Board of Capital Area Transportation Authority at a meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CAPITAL AREA TRANSPORTATION AUTHORITY

\_\_\_\_\_,  
Board Chair

\_\_\_\_\_,  
Board Secretary

\_\_\_\_\_  
Recording Secretary

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

**COPY OF THE ORIGINAL  
ARTICLES OF INCORPORATION  
OF CAPITAL AREA  
TRANSPORTATION AUTHORITY**

AMENDED ARTICLES OF INCORPORATION OF THE  
CAPITAL AREA TRANSPORTATION AUTHORITY

ARTICLE I.

The name of this corporation is Capital Area Transportation Authority hereinafter referred to as the "Authority".

ARTICLE II.

The purpose or purposes for which the Authority is created are:

(1) To create a public authority to accomplish the purpose or purposes for which authorities may be authorized pursuant to 55 P.A. of 1963 as amended, which purpose or purposes are incorporated herein by reference.

(2) To plan, promote, purchase, acquire, establish, own, operate, or cause to be operated, maintain, improve, enlarge, and modernize a mass transit system in the greater Lansing area.

(3) To do all things necessary, suitable and/or proper for the accomplishment of the above purpose, purposes, and any one or more of them.

ARTICLE III.

The powers of the Authority shall be to do everything and anything reasonably and lawfully necessary, proper, suitable, or convenient for the achievement or furtherance of the purposes above stated, or for any of them. These powers shall include, but not be limited to the following specific powers; to issue self-liquidating or revenue bonds, to levy a tax on the real and personal property located in the service area upon the approval of a majority vote, to borrow money from a commercial or governmental institution.

ARTICLE IV.

(1) The Authority shall be directed and governed by the Capital Area Transportation Authority Board, herein referred to as the "Board". Any political subdivision which is within the service area as defined in 55 P.A. of 1963 as amended, may become a member of the Authority upon fulfillment of the following prerequisites:

(A) Receiving bus service.

(B) Financially participating in an amount set forth by the Board of Directors.

(C) Adoption of a resolution by the governing body.

(D) Acceptance thereof by resolution adopted by majority vote of the Board.

(E) Compliance with the Bylaws and Policies of the Authority.

(2) Representation on the CATA Board shall be determined as follows:

|                                                                                        | <u>Number of<br/>Representatives</u> |
|----------------------------------------------------------------------------------------|--------------------------------------|
| i. Less than 10,000 population and not a member of the Authority as of January 1, 1975 | Non-voting                           |
| ii. 10,000-35,000 population and not a member of the Authority as of January 1, 1975   | 1                                    |
| iii. 0-35,000 population and a member of the Authority as of January 1, 1975           | 1                                    |
| iv. 35,001-50,000 population                                                           | 2                                    |
| v. 50,001-100,000 population                                                           | 3                                    |
| vi. 100,001-150,000 population                                                         | 4                                    |
| vii. 150,001 and up                                                                    | 5                                    |

If any political subdivision withdraws, the term of the Board member from that political subdivision shall expire at the time of withdrawal.

(3) The terms of the office of the Board members shall be three years, with members appointed on a rotational schedule. The rotational schedule for Board appointments is approved by the CATA Board with terms beginning at the first regular Board meeting following the annual organizational meeting. If the member is unable to complete their term of office, a successor shall be appointed in the same manner as the original appointment to complete the term.

(4) The participating subdivisions shall not appoint persons to the CATA Board of Directors that fall within any of the following categories:

- a. Any individual who is an employee or agent of CATA, or
- b. Any individual who is related to an employee, officer or agent of CATA.

Relative is defined as spouse, parent, child, sister, brother, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandchild, grandparent or legal guardian.

This provision shall not apply to any Board Member serving as of the date of the adoption of this amendment.

(5) The governing bodies of the political subdivisions participating in the Authority may remove any member for cause which it appoints to the Board, in the same manner as the original appointment is made.

(6) The Board shall hold an annual organizational meeting each year, unless deemed otherwise, at such place, date, and hour as shall be fixed by the Board. The Board shall, at its annual meeting, elect a chairperson, vice-chairperson, and secretary/treasurer who shall be members of the Board. Said officers shall serve at the pleasure of the Board and shall have all the powers assigned to them by the Board. The Board shall transact such other business as may be necessary at its annual meeting and shall fix a time and place for

regular meetings which shall be open to the public. All members of the Board shall serve without compensation from the Authority, but shall be entitled to reimbursement by the Authority of actual expenses incurred in the discharge of their duties. In the conduct of the business of the Board, a majority of the Board members then elected and serving shall constitute a quorum. On all voting issues before the Board, a majority of the Board members present and voting shall be sufficient for the adoption of any resolutions.

(7) The chairperson or any two members of the Board may call a special meeting of the Board as set forth by CATA policy. The Board shall keep a written or printed record of every meeting, which record shall be public.

(8) The Board shall provide a system of accounts to conform to the uniform system required by law and shall provide for the auditing of said accounts once a year by a competent certified public accountant. The Board shall appoint an executive director and shall adopt rules, regulations, and policies governing the employees, patrons, and facilities under its jurisdiction.

(9) A Board member or any person holding appointment by the Board shall not have any interest either directly or indirectly in any contract entered into by the Authority, unless all material facts as to their relationship or interest as to the contract are disclosed or known to the Board, and the Board authorizes, approves or ratifies the contract without counting the vote of the interested member.

(10) The Board shall furnish an annual report to the governing bodies of all participating members with respect to the operation, maintenance and financial condition of the Authority.

(11) The Board shall adopt bylaws, policies and procedures that it deems necessary, suitable and/or proper for the conduct of the business of the Board and for accomplishing the purpose or purposes for which the Authority is created.

## ARTICLE V.

(1) The Authority may be dissolved in accordance with statutory provisions, and subject to the provisions set forth in Article V, paragraph 2, below.

(2) The Authority may not be dissolved or its Articles amended if such dissolution or amendment would or could operate as an impairment of any authorized bonds.

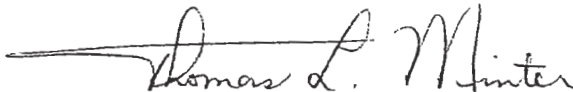
(3) The Articles of Incorporation may be amended only by a majority vote of the Board members then serving subject to veto by the governing body of any political subdivision which is a member of the Authority as set forth below:

- a. After approval of the proposed amendments to the Articles, the Authority shall send by certified mail with return receipt requested, the proposed amendments to the clerk for each participating member of the Authority.
- b. The governing bodies of each participating member shall have forty-five (45) days after receipt by their clerk in which to disapprove the proposed amendments and transmit a resolution of disapproval to the CATA Board.
- c. Upon receipt of such resolution of disapproval, the proposed amendments shall not become effective unless the CATA Board by two-thirds vote of the members of the CATA Board then serving ratifies the proposed amendments within 45 days after receipt of the resolution of disapproval.

- d. If a majority of the governing bodies of the participating members disapprove of the proposed amendments, the proposed articles shall not become effective, and the CATA Board shall not be empowered to override the participating members vote.
- e. If a participating member fails to respond to the proposed amendments within the 45 day time period set in (b) above, this shall be tantamount to approval of the proposed amendments.

The foregoing Amended Articles of Incorporation were adopted by an affirmative vote of the members elect of the Capital Area Transportation Authority, at a meeting duly held on the 19th day of June, 1996.

CAPITAL AREA TRANSPORTATION AUTHORITY

  
Thomas L. Minter, Board Chairman

  
Duane Allen, Board Vice-Chairman

Adopted: June 19, 1996



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Chris Swope  
Lansing City Clerk

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November 2, 2018

President and Council Members  
10th Floor City Hall  
Lansing, MI 48933

Dear President and Council Members:

My office has received and placed on file this document from the Finance Director:

FY 2019 First Quarter General Fund Status Report

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of Documents Placed on File.

Sincerely,

A handwritten signature in cursive script that reads "Chris Swope".

Chris Swope, CMC  
Lansing City Clerk

## General Fund Status Report – FY 2019 1st Quarter

Please see accompanying summary detail (page 3)

### Revenues

In total, General Fund revenues collected in the first quarter of Fiscal Year 2019 (July – September), as a percent of budget, were on par with the prior three years' first quarter collection rates, as a percentage of year-end amounts, at 35.8% compared to 35.9%.

- The vast majority of **Property Taxes** are collected in the first month of the fiscal year. It should be noted that property tax collections exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.
- As a percentage of budget, **Income Tax** collections, as a percent of budget, were higher than the average collection rate for the past three years, at 13.9% of budget, compared to 9.2%. The adoption of East Lansing's income tax will affect our income tax revenues beginning January 1; however, it is not anticipated that any budgetary adjustment will be needed, as that possibility was factored into the FY 2019 budget projection. It should be noted that income tax revenues often fluctuate from previous trends due to timing differences in remittances.
- **State Revenue Sharing** and Fire Protection/Bad Driver Fees were slightly lower than the average collection rate for the first quarter of the last three fiscal years, due to timing of liquor license revenue.
- **Charges for Services** were just slightly lower than collection rates from the average of the same period for the last three years, at 16.8% of budget compared to 17.4% in prior years, due to slightly lesser rates of collection for ambulance services than the average of the previous three years.
- In total, **Licenses and Permits** revenues were higher than the average collection rate of the same period for the last three years as a percentage of year-end totals, at 3.0% of budget, compared to 2.2%. Licenses and permits make up only 1.5% of General Fund revenues.
- Collection rates for **Fines and Forfeiture** for the first quarter were lower as a percentage of year-end totals for the average of the last three years, at 16.0% of the budget compared to 17.3%, due mainly to penal case and civil case fee receipts.
- The City's **Return on Equity** payment from the Board of Water and Light (BWL), which accounts for 17% of General Fund revenues, is not collected until later in the year.
- As a category, **Interest and Rents** were behind previous years' trends due to timing of interest revenue postings. Interest revenue is posted as investments mature, the timing of which varies from year-to- year.
- **Other Revenues** were slightly higher than previous years' first quarters, at 26.9% compared to 24.5%. The other revenue category makes up only 0.3% of General Fund revenues.

(continued)

### **Expenditures**

In total, taking into account the vacancy factor, expenditures for General Fund operating departments (excluding debt service and transfers to other funds) were within the budgetary target -- at 21.8% as of September 30, compared to a budgetary target (taking into account the timing of payroll dates) of 23.0%. All departments were within budgetary targets as of September 30<sup>th</sup>, with the exception of the City Clerk's Office, due to election preparation, and the Human Relations and Community Services Department, due to the timing of programs.

It should be noted that no General Fund debt service payments were due in the first quarter; the only amount paid was a debt service administration fee.

### **Summary**

For the first quarter, total General Fund revenues and expenditures were on par and within budgetary expectations.

Year-to-date revenues always exceed expenditures in the first quarter of the year as a result of the collection of the majority of property taxes, comprising 30% of total General Fund revenues, at the beginning of the fiscal year.

## General Fund Status Report – FY 2019 (as of September 30, 2018)

| Revenues             | Annual<br>Budget      | Actual<br>as of 09/30/18            | Percent<br>of Budget | Avg. Percent<br>of Year-End<br>Actuals as of<br>September 30<br>FY 2016 - 2018 |
|----------------------|-----------------------|-------------------------------------|----------------------|--------------------------------------------------------------------------------|
|                      |                       |                                     |                      |                                                                                |
| Property Taxes       | \$ 40,315,000         | \$ 40,556,366                       | 100.6%               | 103.2%                                                                         |
| Income Taxes         | 38,500,000            | 5,350,726                           | 13.9%                | 9.2%                                                                           |
| Revenue Sharing      | 19,196,700            | -                                   | 0.0%                 | 0.4%                                                                           |
| Licenses & Permits   | 1,677,000             | 50,907                              | 3.0%                 | 2.2%                                                                           |
| Charges for Services | 9,027,200             | 1,512,845                           | 16.8%                | 17.4%                                                                          |
| Fines & Forfeitures  | 2,456,100             | 392,896                             | 16.0%                | 17.3%                                                                          |
| Interest & Rent      | 205,000               | 62,584                              | 30.5%                | 62.9%                                                                          |
| Return on Equity     | 22,500,000            | -                                   | 0.0%                 | 0.0%                                                                           |
| Other Revenue        | 433,000               | 116,616                             | 26.9%                | 24.5%                                                                          |
| Total Revenues       | <u>\$ 134,310,000</u> | <u>\$ 48,042,942</u> <sup>(1)</sup> | <b>35.8%</b>         | <b>35.9%</b>                                                                   |

| Expenditures                             | Annual<br>Budget      | Actual<br>as of 09/30/18            | Percent<br>of Budget | 09/30/18<br>Budgetary Target |
|------------------------------------------|-----------------------|-------------------------------------|----------------------|------------------------------|
|                                          |                       |                                     |                      |                              |
| Council                                  | \$ 714,000            | \$ 154,469                          | 21.6%                | 23.7%                        |
| Internal Audit                           | 194,900               | 44,054                              | 22.6%                | 23.2%                        |
| Courts                                   | 6,605,500             | 1,367,961                           | 20.7%                | 23.4%                        |
| Mayor's Office                           | 1,296,800             | 288,899                             | 22.3%                | 23.5%                        |
| Media Center                             | 469,900               | 92,430                              | 19.7%                | 23.2%                        |
| Clerk's Office                           | 1,197,000             | 340,963                             | 28.5%                | 27.1%                        |
| Neighborhood & Citizen Engagement        | 863,500               | 110,902                             | 12.8%                | 23.8%                        |
| Economic Development & Planning          | 5,021,300             | 1,538,683                           | 30.6%                | 30.6%                        |
| Finance                                  | 5,471,600             | 1,055,327                           | 19.3%                | 23.4%                        |
| Human Resources                          | 2,118,000             | 423,924                             | 20.0%                | 23.8%                        |
| Attorney's Office                        | 2,168,300             | 415,674                             | 19.2%                | 23.3%                        |
| Vacancy Factor                           | (500,000)             |                                     |                      |                              |
| Police                                   | 43,193,300            | 8,978,149                           | 20.8%                | 21.8%                        |
| Fire                                     | 34,129,900            | 7,428,046                           | 21.8%                | 22.2%                        |
| Public Service                           | 11,572,500            | 2,608,748                           | 22.5%                | 24.4%                        |
| Human Relations & Community Service      | 1,598,300             | 449,699                             | 28.1%                | 23.2%                        |
| Parks & Recreation                       | 8,301,000             | 1,877,835                           | 22.6%                | 23.8%                        |
| Subtotal - Departmental Budgets          | <u>\$ 124,415,800</u> | <u>\$ 27,175,765</u>                | <b>21.8%</b>         | <b>23.0%</b>                 |
| Human Services & City Supported Agencies | \$ 2,041,400          | \$ 531,535                          | 26.0%                |                              |
| Library Lease                            | 150,000               | 33,100                              | 22.1%                |                              |
| Debt Service                             | 1,154,000             | -                                   | 0.0%                 |                              |
| Transfers                                | 6,548,800             | 6,348,800                           | 96.9%                |                              |
| Subtotal - Non-departmental Budgets      | <u>9,894,200</u>      | <u>6,913,435</u>                    |                      |                              |
| Total General Fund                       | <u>\$ 134,310,000</u> | <u>\$ 34,089,200</u> <sup>(1)</sup> |                      |                              |

Please see Pages 1 and 2 for an explanation of revenues and expenditures.

<sup>(1)</sup> **Note: Year-to-date revenue is always greater than expenditures at this time of year as property taxes, accounting for 30% of General Fund revenues, are collected at the beginning of the year. Property taxes include delinquent amounts that will be reimbursed by the counties upon settlement. Property tax collections exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.**

<sup>(2)</sup> No debt service payments were due as of September 30.



## OFFICE OF THE MAYOR

9th Floor, City Hall  
124 W. Michigan Avenue  
Lansing, Michigan 48933-1694  
(517) 483-4141 (voice)  
(517) 483-4479 (TDD)  
(517) 483-8066 (Fax)

Ving Bernero, Mayor

## APPLICATION FOR APPOINTMENT TO A CITY BOARD OR COMMISSION

Thank you for your interest in serving on a Lansing Board, Commission or committee. The Lansing City Charter requires that every appointee to a board, commission, or committee established by Charter or ordinance must meet the following qualifications and eligibility requirements:

- Be a registered elector in the City of Lansing (Charter Section 2-102).
- Be a resident of Lansing for one year prior to taking office (Charter Section 2-102).
- Not be in default to the City at the time of taking office (Charter Section 2-103.2).
- Not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of a public trust; or any felony (Charter Section 2-103.1).

Date: August 11, 2017

Full Name: Anita Louise Turner

Other name(s) by which you have been known, including maiden names: Williams

Date of Birth: 12/02/38 Gender: Female Ward: 3 Precinct: 23 Last four digits of Soc. Sec. # ██████

Address: 3925 Burneway Drive (10 years)

City LANSING or Other Lansing Zip 48911-2752

Rent or Own? Rent

Home Phone: (517) 455-0833 Work Phone: ( ) - - - -

Cellular Phone: (517) 803-6791 Email \_\_\_\_\_

Educational Background: High School Graduate with honor - 1957; BS Nursin - 1961; RN-CA - 1961;  
Certification - Public Health Nursing - 1965; Certification School Nursing - 1965; MA  
Health Services Administration 1978

Occupational Background (attach résumé if available):  
Pediatric & Medical Nursing 2 years; Staff Public Health Nursing - 5 years; Supervision  
in Public Health Nursing - 10 years. Public Health Nursing Administration - 30 years

Boards on which you are interested in serving:

- TCOA Advisory Council
- 1) \_\_\_\_\_ 2) \_\_\_\_\_
- 3) \_\_\_\_\_ 4) \_\_\_\_\_

Additional information regarding experience and credentials:

During my tenure as Public Health Nurse Administrator I served on the Tri-County Office on Aging Rural Ingham Meals on Wheels Advisory. Served on Planning Committee meeting for mental health needs of older citizens in the Lansing area. Served on Home Health Agency Advisory Board.

Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission:

Throughout my personal and professional life I have had a keen interest in the quality of life for all ages.

My focus throughout this journey has been to seek to enhance the quality of living for persons as they advance in age. I have encouraged individuals and family/care-givers to take advantage of resources that will sustain family members in their homes or other assisted living arrangements.

I seek to provide advice to designate leader(s) who are charged with program planning, development and implementation.

**Qualifications and Eligibility** — At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top of page 1, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office:

N/A

By clicking this box you signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge.

I certify that the statements and information included on this application are accurate.

A handwritten signature in cursive script, reading "Anita L. Turner". The signature is written in dark ink and is centered on the page.

BY THE COMMITTEE \_\_\_\_\_  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment of Anita L. Turner to the Medical Marihuana Commission for a term to expire November 27, 2019; and

WHEREAS, the Mayor's office has verified that the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee \_\_\_\_\_ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Anita L. Turner to the Medical Marihuana Commission for a term to expire November 27, 2019.



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packet was published.  
Please continue to check back for  
updates on this document**



**Material Not Available at the time the  
packet was published.  
Please continue to check back for  
updates on this document**



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## Chris Swope

### Lansing City Clerk

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For Immediate Release  
November 7, 2018

**Media Contact:**  
Chris Swope 517-230-1566

## **Lansing City Clerk Chris Swope Joins National Cutting-Edge Election Security Pilot Project**

Lansing - After the 2018 November General Election, city clerks in Lansing, Kalamazoo and Rochester Hills will pilot a type of post-election audit, a risk-limiting audit, that is new to Michigan and much of the country. Robust post-election audits have been recommended by the U.S. Senate Select Intelligence Committee and are one part of a strong and resilient election security infrastructure. A risk-limiting audit is a comprehensive post-election audit which uses statistical methods to confirm whether reported election results are correct, and detect possible anomalies in areas that may need further scrutiny due to human error, possible manipulation, cyberattacks or a variety of other factors.

“Unfortunately, today’s realities require election administrators to be even more vigilant and I’m delighted to pioneer a new tool that may be helpful in our ongoing efforts to protect elections. Pairing our election security measures already in use with a robust post-election audit to check election results seems like a common-sense step forward,” said Chris Swope, Lansing City Clerk.

The three clerks will utilize cutting-edge risk-limiting audit procedures using Michigan’s new voting equipment in this pilot, which is being conducted in partnership with the following: Michigan Bureau of Elections, Jerome Lovato of the U.S. Election Assistance Commission, Ron Rivest and Mayuri Sridhar of the Massachusetts Institute for Technology, Philip B. Stark of the University of California, Berkeley, the Brennan Center for Justice at NYU School of Law, Verified Voting, and Indiana’s Voting System Technical Oversight Program.

“This pilot project will allow us to explore a number of effective and efficient audit procedures that will further strengthen our election security profile,” said Michigan Secretary of State Ruth Johnson. “While the initial use of risk-limiting audits in other states has been intriguing, we are excited to partner with some very respected officials in this field to test this concept in Michigan’s unique, decentralized election structure. The feedback we obtain from these pilots will enable the Bureau to assess how to best move forward with this concept on a statewide basis, and further strengthen Michigan’s post-election audit process.”

“Election security measures, such as risk-limiting audits, are an important element to ensuring election integrity - from the beginning of the process through the certification of the winner,” said Tina Barton, Rochester Hills City Clerk. “My job is not only to administer fair and accurate elections, but also to maintain voter confidence in the system. This process, which will include Michigan voters reviewing paper ballots, may be a cost-effective option to provide additional assurance to our voters.”

Michigan's election system already incorporates many important recommendations by national security and cybersecurity experts, including the use of paper ballots, mandatory pre-election testing on all voting equipment used in every election, and performance-based audits that also verify that key pre-election, election day and post-election tasks are successfully completed. Risk-limiting audits could be an important complement to the existing system safeguards that ensure election procedural and equipment compliance. The pilot audits will incorporate a number of variations of the basic procedure to evaluate operational efficiency and ease of use.

"It's important for us, as election administrators, to make sure that our election process worked as we planned and that the results obtained are consistent with voters' intentions at the polls," said Scott Borling, Kalamazoo City Clerk. "Conducting a logic and accuracy test prior to an election can be compared to auditing your budget, while conducting a risk-limiting audit after an election is like auditing your actual financial statements at the end of the year."

Currently, three states, Colorado, Rhode Island and Virginia, require risk-limiting audits. A handful of jurisdictions across the country have conducted risk-limiting audit pilots, including Marion County, IN and Orange County, CA.

Detailed information, including the pilot dates for each city, will be available after Election Day. For additional information about risk-limiting audits, read "[A Gentle Introduction to Risk Limiting Audits](#)," and "[A Smart and Effective Way to Safeguard Elections](#)."

###

**Vacancy Factor Report  
FY 2019  
9/30/2018**

| <u>Department/Division</u>                                         | <u>Position</u>                    | <u>Bargaining Unit</u> | <u>Estimated Vacancy Amount 09/30/18</u> | <u>Hiring Status</u>        | <u>Date Vacated</u>    |
|--------------------------------------------------------------------|------------------------------------|------------------------|------------------------------------------|-----------------------------|------------------------|
| <b><u>Vacancies Counted toward General Fund Vacancy Factor</u></b> |                                    |                        |                                          |                             |                        |
| Finance/Accounting                                                 | Budget Analyst                     | T-243 CTP              | 17,821                                   | On Hold                     | 6/30/2015              |
| Finance/Accounting                                                 | Administrative Assistant           | T-243 CTP              | offset by contract                       | On Hold                     | 4/18/2013              |
| Finance/Assessing                                                  | Residential Appraiser              | T-243 CTP              | offset by contract                       | Active                      | 8/3/2018               |
| Finance/Treasury                                                   | Income Tax Auditor                 | T-243 CTP              | offset by contract                       | Active                      | 3/6/2017               |
| Finance/Treasury                                                   | Income Tax Examiners (2)           | T-243 CTP              | 4,891                                    | On Hold                     | 09/14/2018, 08/28/2018 |
| Finance/Treasury                                                   | Senior Income Tax Auditor          | T-243 Sup              | 22,290                                   | On Hold                     | 1/26/2018              |
| Finance/Treasury                                                   | Customer Service Representative    | T-243 CTP              | 11,144                                   | Filled                      | 7/1/2018               |
| Human Resource/Finance                                             | Administrative Assistant           | T-243 CTP              | offset by contract                       | On Hold                     | 3/15/2018              |
| Human Resources                                                    | Principal Recruiter                | T-243 CTP              | offset by contract                       | On Hold                     | 4/18/2017              |
| City Attorney's Office                                             | Assistant City Attorney            | T-214                  | 22,978                                   | Active                      | 4/6/2018               |
| City Attorney's Office                                             | Legal Advisor                      | T-214                  | offset by contract                       | On Hold                     | 6/24/2011              |
| City Attorney's Office                                             | Legal Secretary                    | T-215                  | offset by contract                       | On Hold                     | 7/1/2018               |
| Clerk's Office                                                     | Election And Licensing Clerk       | T-243 CTP              | 16,300                                   | On Hold                     | 7/1/2018               |
| HRCS                                                               | Commission Investigator            | T214NS                 | offset by contract                       | On Hold                     | 1/31/2016              |
| HRCS                                                               | Contract Administrative Technician | T-243 CTP              | 12,413                                   | Active                      | 7/20/2018              |
| N&CE                                                               | Operations Specialist              | T-243 CTP              | 15,000                                   | Active                      | 7/1/2018               |
| N&CE                                                               | Outreach Specialist                | T-243 CTP              | offset by contract                       | On Hold                     | 7/1/2018               |
| Public Service/Facilities                                          | Facility Maintenance Worker        | UAW                    | offset by contract                       | On Hold                     | 3/2/2015               |
| Public Service/Facilities                                          | Plumbing Supervisor                | T-243 Sup              | 22,623                                   | On Hold                     | 6/10/2018              |
| Parks & Recreation                                                 | Part-Time Clerk                    | T-243 CTP              | offset by contract                       | On Hold                     | 11/1/2013              |
| Parks & Recreation                                                 | Part-Time Marketing Coordinator    | T-243 CTP              | -                                        | Active                      | 9/29/2018              |
| ED&P                                                               | Commercial Property Officer        | T-243 CTP              | 17,500                                   | Active                      | 7/1/2018               |
| ED&P                                                               | Code Compliance Officer            | T-243 CTP              | 5,728                                    | Active                      | 8/15/2018              |
| Fire                                                               | Assistant Fire Chief               | NB                     | 14,023                                   | On Hold                     | 8/17/2018              |
| Fire                                                               | Firefighters (11)                  | IAFF                   | substantially offset by overtime costs   | Active                      | Various                |
| Fire                                                               | Secretary                          | T-243 CTP              | 14,119                                   | On Hold                     | 6/14/2018              |
| Police                                                             | Administrative Specialist          | T-214                  | offset by contract                       | On Hold                     | 12/28/2011             |
| Police                                                             | Secretary                          | T-243 CTP              | 16,300                                   | Active                      | 6/14/2018              |
| Police                                                             | Quartermaster Technician           | T-243 CTP              | offset by contract                       | Active                      | 4/19/2016              |
| Police                                                             | Police Technicians (2)             | T-243 CTP              | 6,820                                    | Filled (2) 10/8             | 07/27/2018 09/06/2018  |
| Police                                                             | Crime Research Analyst             | T-243 CTP              | 12,972                                   | Active                      | 7/19/2018              |
| Police                                                             | Police Social Worker               | T-243 CTP              | 25,000                                   | Active                      | 7/1/2018               |
| Police                                                             | Budget Control Supervisor          | T-243 Sup              | offset by contract                       | Active                      | 7/20/2018              |
| Police                                                             | Lead Detention Officer             | T-243 CTP              | Filled 10/13                             |                             | 6/23/2018              |
| Police                                                             | Detention Officers (2)             | T-243 CTP              | substantially offset by overtime costs   | Filled 10/15 (1) Active (2) | 11/06/2017, 03/22/2018 |
| Police                                                             | Detectives (2)                     | CCLP NS                |                                          | Promotional Process         | 9/18/2018, 07/01/2017  |
|                                                                    |                                    |                        | <b>\$ 257,923</b>                        |                             |                        |

FY 2019 Budgeted Vacancy Factor Expectation: \$ 125,000

**Non-Vacancy Factor (non-General Fund) Vacancies**

|                            |                                |           |                    |                            |            |
|----------------------------|--------------------------------|-----------|--------------------|----------------------------|------------|
| ED&P/Development           | Secretary                      | T-243 CTP | 16,300             | Active                     | 5/19/2018  |
| ED&P/Parking               | Assistant Parking Coordinator  |           | 22,656             | On Hold                    | 7/1/2014   |
| ED&P/Parking               | Accounting Clerk               | T-243 CTP | 16,957             | On Hold                    | 1/22/2018  |
| ED&P/Parking               | Parking Revenue Collector      | UAW       | 11,943             | Active (ongoing as needed) | 3/30/2018  |
| ED&P/Building Safety       | Building Official Manager      | T-214     | 15,092             | Active                     | 8/16/2018  |
| IT                         | Information Technology Manager | T-243 Sup | offset by contract | On Hold                    | 7/6/2015   |
| IT                         | Secretary                      | T-243 CTP | offset by contract | On Hold                    | 1/31/2015  |
| IT                         | Network Administrator          | T-243 Sup | offset by contract | On Hold                    | 2/16/2018  |
| IT                         | Data Analyst                   |           | offset by contract | Active                     | 7/1/2017   |
| IT                         | Programmer Analysts (2)        |           | offset by contract | Active                     | 4/2/2016   |
| IT                         | Help Desk Technician           | T-243 CTP | offset by contract | Active                     | 9/8/2018   |
| Public Service/Engineering | Deputy Public Service Director | NB        | 30,504             | On Hold                    | 7/1/2017   |
| Public Service/Engineering | Engineering Technician         | T-214     | 22,934             | Active                     | 9/5/2017   |
| Public Service/Engineering | Transportation Engineer        | T-214     | 32,848             | On Hold                    | 1/1/2018   |
| Public Service/Engineering | Traffic Project Coordinator    | T-243 CTP | 20,756             | On Hold                    | 9/7/2017   |
| Public Service/O&M         | O&M Superintendent             | NB        | 28,928             | On Hold                    | 6/1/2018   |
| Public Service/O&M         | Parks Maintenance Worker       | UAW       | 12,458             | On Hold                    | N/A        |
| Public Service/O&M         | Arborist                       | T-243 CTP | 14,820             | Active                     | 3/17/2018  |
| Public Service/O&M         | Driver Workers (3)             | UAW       | 41,732             | On Hold                    | N/A        |
| Public Service/O&M         | Maintenance Workers (6)        | UAW       | 86,690             | Active                     | Various    |
| Public Service/O&M         | Solid Waste Supervisor         | T-243 Sup | offset by contract | On Hold                    | 10/20/2014 |
| Public Service/O&M         | Public Service Supervisor      | T-243 Sup | 14,266             | Active                     | 7/16/2018  |

*submitted @ mfg*

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND  
CHAPTER 608, SECTION 608.04 OF THE LANSING CODIFIED ORDINANCES BY  
ALLOWING SALE AND CONSUMPTION OF ALCOHOL AT THE SOUTH WASHINGTON  
OFFICE COMPLEX (SWOC) ON A SINGLE DATE, SUBJECT TO RESTRICTIONS ON  
SALE AND CONSUMPTION OF ALCOHOL IN PARKS.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 608.04 of the Codified Ordinances of the City of Lansing,  
Michigan, be and is hereby amended to read as follows:

**608.04. Restrictions on sale and consumption on public property.**

(a) No person shall:

(1) Sell, consume or possess in an open container alcoholic beverages in the public streets,  
public places, parks, alleys, sidewalks, City-owned parking facilities or the Turner-Dodge House,  
except as provided in this section; or

(2) Sell, consume or possess in an open container alcoholic beverages in a private parking lot or  
facility, including, but not limited to, shopping center parking lots or parking areas adjacent to  
commercial establishments which are utilized by patrons of the commercial establishment, unless  
such person has in his or her possession, in writing, the express permission or consent of the  
owner or lessee, or the lawful agent of the owner or lessee, of such lot or facility. This paragraph  
shall not apply to any event sponsored or authorized in writing by the owner or lessee of such  
premises.

(b) Beer or wine may be sold and/or consumed in City parks, upon approval of the Mayor, if:

(1) For sales of beer and wine, a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval by the Mayor shall be granted only if the license is to be utilized in conjunction with a City-approved cultural, ethnic or community activity open to the public or if the license is to be utilized in conjunction with a City-approved tourist or convention activity; or

(2) For consumption only, where no sales occur, approval is granted for the consumption of beer and wine at a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity, provided that with respect to either the sale of beer and wine, or consumption, where no sales occur, the requirements set forth in subsections (g), (h) and (i) hereof are met.

(3) Prior Mayoral approval shall not be required for the sale and/or consumption of beer and wine at the Turner-Dodge House, Scott Park, Cooley Gardens, South Washington Office Complex, and Fenner Nature Center, however, with regard to the South Washington Office Complex such sale and/or consumption of beer and wine may only occur at non-profit events held on May 8, 2018 AND NOVEMBER 29, 2018.

(c) Notwithstanding the limitations set forth in subsection (b) hereof, beer or wine may be sold for consumption at Kircher Field or Ranney Field if a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval of the Mayor shall be granted for the sale and/or consumption of beer and wine at Kircher Field or Ranney Field only in conjunction with City-approved district, State, regional or national adult athletic tournaments and if the requirements set forth in subsections (g), (h), and (i) hereof are met.

(d) Notwithstanding the limitations set forth in subsection (b) hereof, beer or wine may be sold for consumption, and may be consumed, within the grounds of the Turner-Dodge House, Scott Park, OR Cooley Gardens, provided that all permits required by the Department of Parks and Recreation have been obtained, a special license, if applicable, has been obtained from the Michigan Liquor Control Commission, and the requirements set forth in subsections (g), (h), and (i) hereof are met. Rental fees for the Turner-Dodge House, the Scott Park, OR Cooley Gardens, shall be set by resolution of Council. Use of the Turner-Dodge House, Scott Park, OR Cooley Gardens in conjunction with the sale of beer or wine for consumption shall not be limited to public events, but may also include private events.

(e) Sale and consumption of alcoholic beverages is allowable within the concession area or any other area within the perimeter of the Groesbeck Golf Course and Hope Soccer Complex, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission, and provided, further, that any such consumption or sale shall be contingent upon approval by the Department of Parks and Recreation and subject to such rules or restrictions as the Department may establish.

(f) Sale and consumption of alcoholic beverages may occur within the concession area or any other area within the City Market or its environs, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission and the sale and for consumption occurs within a clearly demarcated area in compliance with the license, and provided, further, that any such sales for consumption shall be contingent upon approval by the Lansing Entertainment and Public Facilities Authority (LEPFA) and subject to such rules or restrictions as LEPFA may establish. Notwithstanding section (i) herein, any such applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring

1 such applicant against any liability imposed on such applicant or the City arising out of the sale  
2 or consumption of alcoholic beverages, and naming the City and LEPFA as additional insureds.  
3 Such policy shall provide for payment in the event of injury to or death of one person or more  
4 than one person, and for the payment for property damage in amounts set by Council resolution  
5 on the basis of recommendations by the Finance Department. This requirement may be waived  
6 or the amounts of such required insurance reduced by resolution of Council finding that such a  
7 reduction or waiver is in the public interest.

8 (g) Beer or wine may be sold for consumption within the streets, alleys, sidewalks and public  
9 places within the boundaries of the Downtown Mall and environs, as defined in Section 812.01  
10 of the Business Regulation and Taxation Code, provided that the following conditions are  
11 satisfied:

12 (1) The request has been approved by the Mayor.

13 (2) The individual, group or organization making the application obtains a special license for  
14 such sale and consumption from the Michigan Liquor Control Commission.

15 (3) The individual, group or organization has complied with subsections (g), (h), (i) and (j)  
16 hereof.

17 (4) Any other conditions which the Mayor may require have been met.

18 (h) The City Clerk shall provide a form on which the applicant shall provide the following  
19 information:

20 (1) The name and address of the applicant;

21 (2) The name of the organization, if applicable;

22 (3) The type of event;

23 (4) The date of the application;

- 1 (5) The date and time of the event planned;
- 2 (6) The purpose of the event;
- 3 (7) The estimated number of persons attending;
- 4 (8) The name of the insurance company, if applicable, from which the necessary public liability
- 5 policy will be or has been obtained;
- 6 (9) Proof that the proper rental fee has been paid, if applicable; and
- 7 (10) The security measures which the applicant proposes to utilize.

8 Upon the applicant's payment of an application fee, as determined by resolution of Council, the  
9 City Clerk shall forward the completed application form to the Police Department and to the  
10 Department of Parks and Recreation for review.

11 (i) Whenever a special license for the sale and/or consumption of beer or wine in City parks, or  
12 within the Downtown Mall and environs or upon the grounds of the Turner-Dodge House, Scott  
13 Park, Cooley Gardens, or Fenner Nature Center is required, the applicant shall file with the City  
14 Clerk proof of a personal injury and property damage insurance policy insuring such applicant  
15 against any liability imposed on such applicant or the City arising out of the sale or consumption  
16 of beer or wine. Such policy shall provide for payment in the event of injury to or death of one  
17 person or more than one person, and for payment for property damage in amounts set by Council  
18 resolution on the basis of recommendations by the Finance Department. Such policy shall have a  
19 provision to the effect that the insurance company shall notify the City Clerk at least ten days  
20 prior to the expiration of such policy. However, this requirement may be waived or the amounts  
21 of such required insurance reduced by resolution of Council finding that such a reduction or  
22 waiver is in the public interest.

(j) The applicant shall be solely responsible for providing adequate security, in the form of adequate personnel and fencing, as determined by the Department of Parks and Recreation. Approval by the Department of the applicant's plan for security shall be obtained prior to any application being approved or any event being scheduled.

(k) No person shall sell or dispense beer or wine for consumption in City parks, in any container other than a paper or plastic container. No person shall sell or dispense beer or wine for consumption within the Turner-Dodge House in any container other than a paper or plastic container unless prior written permission has been received from the Department of Parks and Recreation.

(l) (1) Notwithstanding any provision set forth in this Section 608.04 to the contrary, beer or wine may be sold for consumption on the premises, and may be consumed, at public or private events or functions within the grounds of the Potter Park Zoo Exploration and Discovery Center and Plaza, provided:

a. Dispensing of beer or wine shall be conducted by persons or entities not affiliated with Potter Park Zoo or any of its auxiliary organizations;

b. No beer or wine may be sold or dispensed during hours when the Potter Park Zoo is open to the general public;

c. For sales of beer or wine for consumption on the premises an appropriate license shall be obtained from the Michigan Liquor Control Commission; furthermore, prior mayoral approval is required, which approval shall only be granted in conjunction with a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity;

d. Intoxicating liquors (i.e. distilled rather than fermented alcoholic beverages) may not be sold on the premises.

(2) Commencing July 1, 2001, rental fees for the Potter Park Zoo Exploration and Discovery Center and Plaza shall be set by resolution of City Council.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall automatically expire 60 days from the date of enactment.

Section 5. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

Section 6. This ordinance is enacted pursuant to Charter Section 3-308 to address the emergency posed to health and property by the inability to raise funds for survivors of childhood sexual abuse, as set forth on the record at the meeting of the Committee of the Whole on November 26, 2018.

Approved as to form:

\_\_\_\_\_  
City Attorney

Dated: \_\_\_\_\_