AGENDA
Committee of the Whole
Monday, November 30, 2020 @ 5:00 p.m.

Access the meeting via: https://us02web.zoom.us/j/87149618641 ; ID 871 4961 8641; Dial In: (312) 626 6799
email comments prior to the meeting to sherrie.boak@lansingmi.gov
All Council Members will participate virtually, you may contact them prior at city.council@lansingmi.gov 483-4177

UPDATED 11/30/2020 A.M.

Council Member Spadafore, Chairperson
Council Member Hussain, Vice Chairperson

1) **Call to Order**

2) **Roll Call**

3) **Minutes**
   - November 6, 2020

4) **Public Comment on Agenda Items (Up to 3 Minutes)**

5) **Presentation:**
   - COVID Policy Update – Deputy Mayor Nick Tate (Administration)
   - Quarterly Budget Report and Vacancy Factor Report (Finance)
   - Proposed Form Based Code (Public Hearing at Council Meeting tonight)

6) **Discussion/Action:**

   A.) ORDINANCE – Amend Chapter 602, Section 602.11 Provide Enforcement of Local Health Orders or Regulations issues pursuant to the Michigan Public Health Code

   B.) RESOLUTION – Special Assessment Montgomery Drainage District Improvements

7.) **Other**

   A.) Place on File – Notification of the Lansing Bond Sales Results

   B.) Place on File – Housing Urban Development (HUD) Audit Penalty Communication

[CLOSED SESSION]

Pursuant to MCL 15.268(h) of the Open Meetings Act, I hereby move that we recess into closed session to consult with the City Attorney to consider material exempt from discussion or disclosure by state statute. Specifically, to discuss a written legal opinion and written material from the City Attorney provided under attorney-client privilege and attorney work-product, and which is also exempt from disclosure under the Freedom of Information Act pursuant to MCL 15.243 (g).

[RECONVENE]

8.) **Adjourn**

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the above meetings will be conducted via audio/video conference.

The meetings are being held virtually in accordance with the Open Meetings Act, as amended in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number above, and meeting ID provided. To provide input or ask questions on any item that is listed on the agenda, members of the public may contact the email address listed above under the meeting link.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

MINUTES
Committee of the Whole
Monday, November 9, 2020 @ 5:00 p.m.

https://us02web.zoom.us/j/88259062610; ID: 882 5906 2610; or Dial in: (646) 876 9923
Held virtually in an effort to protect the health and safety of the public & to mitigate the spread of COVID 19

CALL TO ORDER
Council President Spadafore called the meeting to order at 5:00 p.m.

PRESENT- via audio/video
Councilmember Peter Spadafore remotely from Lansing, Michigan
Councilmember Adam Hussain remotely from Lansing, Michigan
Councilmember Carol Wood remotely from Lansing, Michigan
Councilmember Patricia Spitzley remotely from Pensacola, Florida
Councilmember Kathie Dunbar remotely from Port Austin, Michigan
Councilmember Brandon Betz remotely from Lansing, Michigan
Councilmember Jeremy Garza remotely from Lansing, Michigan
Councilmember Brian T. Jackson remotely from Lansing, Michigan

MEMBERS PRESENT- via audio/video
Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Samantha Harkins, Deputy Mayor
Lisa Hagen
Bart Carrigan
Dick Peffley, LBWL
Scott Taylor, BWL
Heather Shawa, BWL
Kris Klein, LEDC
Mr. Marek

Minutes
MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM OCTOBER 26, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 8-0.

Public Comment
No public comment at this time.

Discussion/Action

RESOLUTION – Appointment; Bart Carrigan; Lansing Citizen to the Employee's Retirement System Board of Trustees; Term to Expire June 30, 2024

Mr. Carrigan noted he moved to Michigan for his college education, stayed in Michigan residing in Lansing for 15-16 years and recently retired. Mr. Carrigan became a Professional Trustee on pension plans for carpenters, brick layers, engineering, along with other trades similar. Those pensions he stated are similar to what his Board would see.

Council Member Wood asked if has been involved the MAPERS meetings, and Mr. Carrigan stated he has attended over the last 3 years. Council Member Wood asked if he currently sits on other Pension Boards and he informed the Committee he currently sits on the Michigan Infrastructure and Transportation (MITA) Labor Pension in Lansing, and the Flint Sheet Metal Pension and Healthcare. Council Member Wood asked if he was paid for those, and he informed them it is voluntary, but being a professional trustee he is paid by the MITA. Council Member Wood asked Mr. Carrigan if he thought he would have a conflict with those two boards by serving on this board, and Mr. Carrigan assured them he did not believe he had a conflict and his experience augments it. Council Member Wood asked if he was recruited for this vacancy or found a posting for it. Mr. Carrigan admitted he worked with Mayor Schor when he was with the legislator, and also spoke to Mr. Joe Abood about this Board. Council Member Wood asked Mr. Carrigan his thoughts on potentially turning over the retirement to the MERS program, and Mr. Carrigan admitted this was the first time he had been approached with that question and so was not prepared to respond at this time. Council Member Spitzley asked if he was a Lansing resident and he confirmed he was in Ward 4.

MOTOIN BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTON FOR THE APPOINTMENT OF BART CARRIGAN TO THE ERS BOARD. ROLL CALL VOTE, MOTION CARRIED 8-0.

Presentation

Lansing Board of Water and Light Annual Audit for FY 6/30/2020

Mr. Peffley introduced Mr. Taylor to summarize the annual documents in the packet. Mr. Taylor went through the document highlighting the annual changes, the work with the City on COVID and retirement funds. Council President Spadafore asked if the revenue was down, and Mr. Taylor noted it was up 2% over the year, which was driven by the rate change. Council President Spadafore asked if the grant on the Council agenda for the Michigan Department on Treasury for Public Safety and Public Health and Mr. Taylor confirmed. Council Member Wood asked how long they have used Bakertilly and was told 5 years, and they are working on developing the RFP for the next contract. Council Member Wood asked what the total debt the Board has for bonds, and Mr. Taylor responded with $692,000,000 all included. Council Member Wood referred to the report, noting with the bad debt, and increase from last year to this year and asked if that increase was due to BWL waiving late fees and penalties during COVID. And if that was the fact, has that continued to increase or leveled off. Mr. Taylor admitted they have seen it level off, they did have an increase of 6,000 but are now under 1,000. Council Member Wood asked if the BWL has done an analysis of the number of people working from home and the impact on their usage. Mr. Taylor said there has been an increase in residential usage sales and reduction in commercial. Council Member Wood asked if they are projecting out. Mr. Taylor stated they anticipate similar trends. Council Member Wood asked Mr. Peffley how many BWL employees were working at home, and Mr. Peffley stated there are 250 working from home out of 720. Council Member Wood then asked how many of those are Lansing residents, and was told approximately 20-25%.

Discussion/Action-continued

RESOLUTION – Outside Counsel, Addition of Sandra Brown and Thompson Hine and Warner, Norcross and Judd

Mr. Smiertka informed the Committee that this was a request from BWL to add them to the outside counsel list because they specialize in coal transferring and different types of energy. The Office of City Attorney recommends approval of this addition.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE OUTSIDE COUSEL ADDITION OF SANDRA BROWN AND THOMPSON, HINE, WARNER, NORCROSS AND JUDD.

Council Member Wood asked if this is to enter into contracts or litigation. Mr. Smiertka explained that BWL informed his office it is needed to navigate difficult regulations as they close down rail lines that deliver coal.

ROLL CALL VOTE, MOTION CARRIED 8-0.

RESOLUTION –Commercial Rehabilitation District; 329-337 S. Washington Square

Mr. Klein outlined the project application with a closing date at the end of the year, noting it is a commercial rehab exemption for the restoration of a commercial property, operations, details and some commercial residential units. Mr. Klein noted this rehabilitation would bring the building to economic condition, and the district and certificate for 10 years which will freeze real property value. This will not change land value or make any changes to the State or school taxes in regards to value. Lastly, Mr. Klein stated after this approval it goes to the Tax Commission, and confirmed the developer has already executed the universal developer agreement with the provisions for local labor, and percentage of investment and finish in the projected timeline. Mr. Marek spoke to the Committee on the project and items they will address under the rehabilitation including but not limited to foundation issues, roof issues, and other issues they believe were not addressed on the previous owners NEZ. Council Member Spitzley added to the presentation that at the Committee on Development & Planning they were told the total investment is $274,000. She then asked Mr. Marek if the repairs proposed could be separated out between commercial and residential. Mr. Marek stated there are a couple items that could be separated but the largest items are included in the whole building structure. Council Member Wood asked Mr. Marek how long he has owned the building and if he has invested any funds so far. Mr. Marek replied that he did purchase in March, 2020 and has spent approximately $30,000. Council Member Wood asked Mr. Klein when the NEZ came off the property, and Mr. Klein informed the Committee it ran from 2007 to 2019. Council Member Wood asked for the tax capture, but Mr. Klein was not able to provide that information at this time, so was asked to have that information at the Council meeting. Mr. Klein was asked for the taxable value and when the project would be completed, at which he stated $552,000 tax value with the completion date of July 31, 2021.

Council Member Hussain asked about if the Commercial Rehab District and Certificate were open to all districts in the City, and Mr. Klein stated that it is an option, but it would depend on the size of the district, how many commercial, how many residential, number of parcels and number of acreage. Council Member Wood lastly asked if this was just one property or the district would cover other properties, and Mr. Klein stated there are 3 parcels all owned by Mr. Marek or an entity he is invested in.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE COMMERICAL REHABILITATION DISTRICT FOR 329-337 S WASHINGTON SQUARE.
ROLL CALL VOTE, MOTION CARRIED 8-0.

RESOLUTION – Commercial Rehabilitation Certificate; 329-337 S. Washington Square

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE COMMERICAL REHABILITATION CERTIFICATE FOR 329-337 S WASHINGTON SQUARE.

Council Member Betz spoke in opposition of the Certificate, asking the Committee to vote no on the certificate. He listed items in the plan including residential projects of bathroom remodels, apartment remodels, and conference rooms up to $70,000 of the $275,000

ROLL CALL VOTE, MOTION CARRIED 6-2.

Other

MOTION BY COUNCIL MEMBER HUSSAIN AT 5:54 p.m. TO GO INTO CLOSED SESSION FOR:

Pursuant to MCL 15.268(e), I hereby move that we recess into closed session to consult with the City Attorney in connection with the following specific pending litigation. An open meeting will have a detrimental financial effect on the litigating or settlement position of the Lansing City Council concerning these cases.

Atkinson, Boyce, Israel, Odom, Odom, Randle, and Talifarro v. City of Lansing, Local 421 IAFF, Schor, Weber, Harkins,
Block 100 v. City of Lansing, LBA (Radisson)
Burwell v City of Lansing, Anderson, Liskiewicz, Kelley, Ouderkirk & Ridenour
Chen, Le v. Lansing Police Dept., Garcia, and Fearnow
City of Lansing v. Angavine Holdings LLC
City of Lansing Treasury v. Brown, Rachel
City of Lansing v. OCOF Nonprofit Housing Corp
City of Lansing, et al. v. Purdue Pharma, et al. (Opioid Litigation)
Doe, Jane v. City of Lansing, Lansing Public Schools, Lansing Board of Education, Yvonne Canul, Mark Coscarella, Donna Pohl, Matthew Priebe, Kimberly Petroff, and other unidentified Does (1)
Doe, Jane v. City of Lansing, et al. (2)
Election Integrity Fund, Linda Lee Tarver, Kirklyn Valentine, Jim Miraglia v. City of Lansing and Flint
Funches, Blakie, et al. v. City of Lansing, et al.
Funk v City of Lansing
Gardner/Holsey/Hill
Hulon, Anthony Scott v. City of Lansing
Jackson & Lansing Railroad Co. v. South St LLC, SC Environmental Services, LLC, John Kendrick Sears, Norfolk Southern Railway Co., City of Lansing, Jelsema Concrete Construction, Inc., and Hamilton Mutual Insurance Co.,
Kyle Shaw Residential Properties, LLC v. City of Lansing
Lynn, Michael v. City of Lansing
Lynn, Michael v. Mayor Andy Schor, Dave Purchase, and Eric Weber
La Fille Gallery, LLC, et al. v. City of Lansing, et al. (Consolidated)

OPV Partners, VW230, Real Estate Service Solutions v. City of Lansing AND Appeal
Sellers, Deshayney v. City of Lansing and Eric's Refuse
Spalding, Estate of v. Eaton County, City of Lansing, Ingham County, et al.
Stafford, Shawn v. Dave Klein and City of Lansing
Taylor, Andrew v. City of Lansing, Schmidt, Blanck, Wright, Kocan, Traskie, McBride, Curtis
Thompson Smith, Avery C. v. Amy Castillo, City of Lansing, Ingham County Board of Commissioners, Eric A. Schertzing, Caitlin Budzinski, Ingham County, Does 1 - 12
Trevino, HydroWorld v. Blackburn, Allen, Carter, Shields, and City of Lansing
Wagner, Jeff v. City of Lansing
McLaren Health Care Corp. v. City of Lansing

ROLL CALL VOTE, MOTION CARRIED 7-1.

{RECONVENE} AT 6:38 P.M.

Adjourn

The meeting adjourned at 6:38 pm
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by the Committee

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General Fund Status Report – FY 2021 1st Quarter

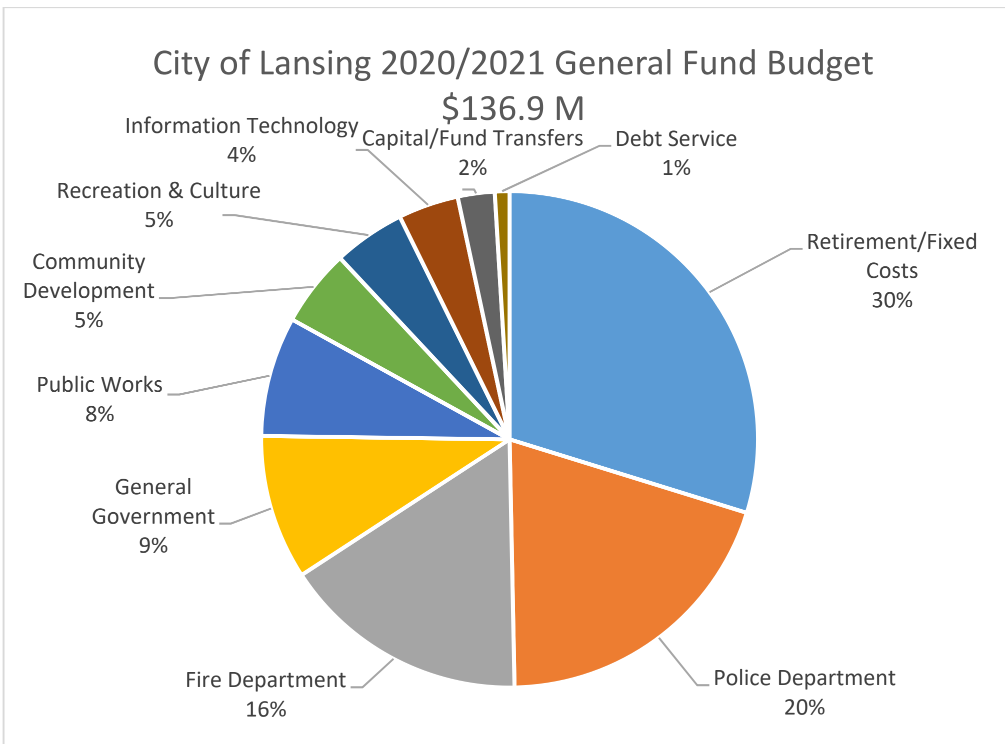
Please see accompanying summary detail (pages 4-8)

General Fund Summary

The City budgeted to end FY 2020 with $6,894,241 in combined general fund reserves. For FY 2021 the City budgeted $132,289,569 in total revenues including transfers and $136,975,977 in total expenditures for an estimated ending fund balance of $2,207,833.

The annual financial audit is in progress and final numbers for FY 2020 will be available for the December report.

The City's fund balance policy recommends a fund balance between 12% and 15% of expenditures, a target threshold spanning $16.4M to $20.5M. The administration continues to explore options to restore fund balance.



(continued)

Revenue Summary

General Fund revenues collected through the first quarter of Fiscal Year 2021 (July – September) are on track with expectations for the amended budget.

- **Property Taxes** are 34.5% of the general fund budget and are largely collected at the beginning of the fiscal year. While revenue currently exceeds budgeted amounts, it remains subject to tax appeals and other adjustments throughout the year.

- **Income Tax** collections, 23.7% of the general fund budget, are slightly under expectations for the beginning of the fiscal year, which may change as withholdings and other adjustments are recorded. The Finance and Treasury departments are carefully monitoring incoming revenues and reduced the original income tax projection by 20% for the adopted budget.

- **Return on Equity** is received in December and June. The current contract includes a guaranteed $25M payment to the City and 3% of the Lansing Board of Water and Light's June 1 to May 31 revenue in excess of $409,836,066. Specifically revenue from retail and wholesale sales of chilled water, electric, steam, heat, and water utilities. This is 18.9% of the general fund budget that is stable.

- **State Revenues** are as expected for the first quarter with the first revenue sharing payment due in October. The Finance Department reduced the original state revenue projection by 15% for the adopted budget. After our fiscal year had ended, the State of Michigan eliminated the statutory portion of the August revenue sharing payment and has replaced that money with grant dollars from the CARES Act. State revenues make up 12% of the general fund budget.

- **Charges for Services** are slightly above expectations for this time with public safety charges, reimbursements, and code compliance being the largest sources. This may be adjusted as cash receipts are accounted for or for minor accruals.

- **Fines and Forfeitures** are below previous years to date. This is largely due to restrictions that have impacted the operation of courts and collections. This category makes up 1.4% of general fund revenues.

- **Licenses and Permits** are ahead compared to previous years. Some of this variance is due to the timing of medical marijuana licenses, which are relatively new.

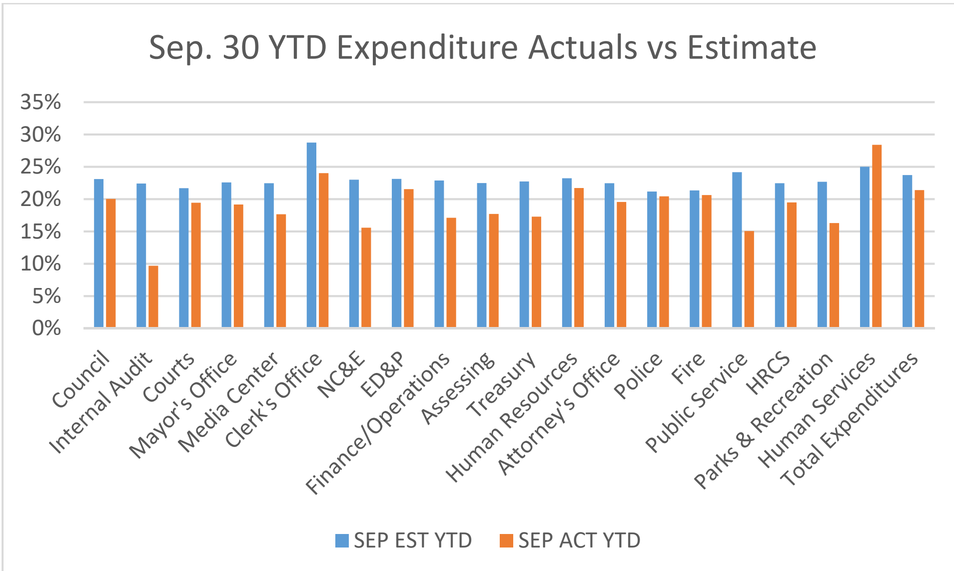
- **Interest and Rents** are less than a percent of the City's budget. Collections are currently below previous year collections. Some variance is due to the timing of interest revenue postings.

- **Other Revenues** are above previous year collections for this time. This category makes up only 0.3% of General Fund revenues.

(continued)

Expenditure Summary

Departmental expenditures are below first quarter targets taking into account the timing of payroll and major contracts with the exception of human services payments being slightly ahead of schedule.



Conclusion

The Administration continues to monitor expenditures and seek out necessary savings to maintain vital services to residents and visitors to the City of Lansing. The impact of COVID-19 on last year's budget was mitigated in part through one-time revenue sources and additional vacancy savings while changing hiring software as well as through taking advantage of the Work Share program. Significant challenges remain in navigating the current public health emergency and addressing the more than $720 million in unfunded retirement liabilities owed by the City in order to resolve the structural deficit.

The general fund budget report is presented in several formats for informational value as follows. After a separate revenue and expenditure summary, the City's general fund is presented as formally adopted in appropriation detail showing personnel vs. operating expenditures, then in governmental detail it is summarized by purpose. In this last view, retirement and information technology costs are displayed separately from departments to better represent their costs to the City's general fund.

September 30, 2020 Revenue Summary

Fiscal Year July 1, 2020 - June 30, 2021

General Fund Revenues	FY 2021 Adopted Budget	FY 2021 Amended Budget	FY 2021 Sep. 31 Actuals	Sep. 30 Percent YTD	3 Year Sep. 30 Avg.
Property Taxes					
Non-Dedicated	33,894,000	33,894,000	34,767,399		
Dedicated - Police	3,521,250	3,521,250	3,521,250		
Dedicated - Fire	3,521,250	3,521,250	3,521,250		
Dedicated - Roads	2,347,500	2,347,500	2,347,500		
Dedicated - Parks	2,347,500	2,347,500	2,347,500		
Total	45,631,500	45,631,500	46,504,899	101.9%	102.6%
Income Taxes					
City Income Tax	31,380,800	31,380,800	3,386,010		
Total	31,380,800	31,380,800	3,386,010	10.8%	11.6%
Return on Equity					
Board of Water and Light	25,000,000	25,000,000	-		
Total	25,000,000	25,000,000	-	0.0%	0.0%
State Revenues					
Revenue Sharing	13,626,861	13,626,861	-		
Fire Reimbursement Grants	2,581,972	2,581,972	-		
Personal Property Tax Reimbursement	849,931	849,931	-		
Liquor License Fee	68,003	68,003	70,733		
Total	17,126,766	17,126,766	70,733	0.4%	0.3%
Charges for Services					
Public Safety	4,028,400	4,028,400	584,737		
Reimbursements	2,398,773	2,398,773	744,809		
Code Compliance	1,911,000	1,911,000	370,437		
Recreation Fees	195,980	195,980	55,977		
Appeals & Petitions	70,650	70,650	17,580		
Work for Others	35,400	35,400	83,339		
Central Stores	1,500	1,500	1,350		
Subscriptions and Information	1,000	1,000	370		
Total	8,642,703	8,642,703	1,858,599	21.5%	19.1%
Fines and Forfeitures					
Fines and Forfeitures	1,803,100	1,803,100	262,999		
Total	1,803,100	1,803,100	262,999	14.6%	20.9%
Licenses & Permits					
Cable Franchise Fees	1,000,000	1,000,000	-		
Marihuana Licenses	600,000	600,000	95,000		
Business Licenses	90,800	90,800	19,750		
Non-Business Licenses	49,700	49,700	15,515		
Building Licenses & Permits	21,200	21,200	3,850		
Total	1,761,700	1,761,700	134,115	7.6%	6.8%
Interest & Rents					
Interest Income	140,000	140,000	12,544		
Total	140,000	140,000	12,544	9.0%	47.9%
Other Revenues					
Miscellaneous	152,000	252,000	61,524		
Sale of Fixed Assets	105,000	105,000	-		
Donations & Contributions	65,000	65,000	18,818		
Montgomery Drain Code	31,000	31,000	-		
Total	353,000	453,000	80,342	17.7%	8.5%
Total General Fund					
Operating Revenue	131,839,569	131,939,569	52,310,240	39.6%	36.5%
Transfers from Other Funds	350,000	350,000	350,000		
Total	132,189,569	132,289,569	52,660,240	39.8%	36.3%

September 30, 2020 Expenditure Summary

Fiscal Year July 1, 2020 - June 30, 2021

General Fund Appropriations	FY 2021 Adopted Budget	FY 2021 Amended Budget	FY 2021 Sep. 31 Actuals	Sep. 30 Percent YTD	3 Year Sep. 30 Target
Beginning General Fund Balance	-	-	2,475,252		
Beginning Budget Stab. Fund Balance	6,894,241	6,894,241	7,792,610		
Total General Fund Reserves	6,894,241	6,894,241	10,267,863		
Revenues (detail on previous page)	132,189,569	132,289,569	52,660,240	39.8%	36.3%
Departmental Expenditures:					
Council	668,682	668,682	133,850	20.0%	23.1%
Internal Audit	170,601	170,601	16,508	9.7%	22.4%
Mayor's Office	1,230,864	1,230,864	235,957	19.2%	22.6%
Office of Community Media	540,669	540,669	95,488	17.7%	22.5%
District Court	6,154,125	6,154,125	1,248,153	20.3%	22.6%
Circuit Court Building Rental	275,655	275,655	1,186	0.4%	0.5%
City Clerk's Office	1,502,908	1,502,908	360,788	24.0%	28.7%
Neighborhood & Citizen Engagement	1,053,914	1,053,914	164,020	15.6%	23.0%
Economic Development & Planning	4,778,684	4,878,684	1,050,616	21.5%	23.1%
Finance Department	2,106,317	2,106,317	360,348	17.1%	22.9%
City Assessor	1,737,056	1,737,056	307,347	17.7%	22.5%
Treasury/Income Tax	2,260,256	2,260,256	390,381	17.3%	22.7%
Human Resources Department	2,260,520	2,260,520	490,536	21.7%	23.2%
City Attorney's Office	2,265,661	2,265,661	443,000	19.6%	22.5%
Police Department	46,493,846	46,493,846	9,493,882	20.4%	21.2%
Fire Department	36,704,247	36,704,247	7,570,870	20.6%	21.3%
Public Service	11,843,878	11,843,878	1,783,004	15.1%	24.2%
Human Relations & Community Services	1,725,334	1,725,334	336,284	19.5%	22.4%
Parks & Recreation Department	8,094,706	8,094,706	1,319,617	16.3%	22.7%
Human Service Agency Support	1,560,400	1,560,400	443,179	28.4%	25.0%
Non-Departmental Expenditures:					
Library Building Rental	150,000	150,000	50,702	33.8%	25.0%
Operating Subsidies to Other Funds	862,450	862,450	831,450	96.4%	97.3%
City Supported Agencies	102,500	102,500	30,625	29.9%	85.4%
Capital Improvements	2,429,705	2,429,705	2,429,705	100.0%	100.0%
Debt Service & Penalties	1,303,000	(97,000)	-	0.0%	0.0%
Vacancy Factor	(1,400,000)	(1,400,000)	-		
Expenditures	136,875,977	136,975,977	29,587,496	21.6%	23.9%
Net Impact on Fund Balance	(4,686,408)	(4,686,408)			
Ending General Fund Reserves	2,207,833	2,207,833			

September 30, 2020 Budget Appropriation Summary

Fiscal Year July 1, 2020 - June 30, 2021

Estimated Revenues	FY 2021 Adopted Budget	FY 2021 Amended Budget	FY 2021 Sep. 31 Actuals	Sep. 30 Percent YTD	3 Year Sep. 30 Avg.
Property Taxes	45,631,500	45,631,500	46,504,899		
Income Taxes	31,380,800	31,380,800	3,386,010		
Return on Equity	25,000,000	25,000,000	-		
State Revenues	17,126,766	17,126,766	70,733		
Charges for Services	8,642,703	8,642,703	1,858,599		
Fines & Forfeitures	1,803,100	1,803,100	262,999		
Licenses & Permits	1,761,700	1,761,700	134,115		
Interest & Rent	140,000	140,000	12,544		
Other Revenue	353,000	453,000	80,342		
Total Revenues	131,839,569	131,939,569	52,310,240	39.6%	36.5%

Appropriations	FY 2021 Adopted Budget	FY 2021 Amended Budget	FY 2021 Sep. 31 Actuals	Sep. 30 Percent YTD	Sep. 30 Target Exp.
Council					
Personnel	454,438	454,438	97,871		
Operating	214,244	214,244	35,979		
Total	668,682	668,682	133,850	20.0%	23.1%
Internal Audit					
Personnel	159,234	159,234	14,074		
Operating	11,367	11,367	2,434		
Total	170,601	170,601	16,508	9.7%	22.4%
Courts					
Personnel	5,007,290	5,007,290	1,061,509		
Operating	1,422,490	1,422,490	187,830		
Total	6,429,780	6,429,780	1,249,339	19.4%	21.7%
Mayor's Office					
Personnel	1,030,996	1,030,996	208,682		
Operating	199,868	199,868	27,275		
Total	1,230,864	1,230,864	235,957	19.2%	22.6%
Media Center					
Personnel	472,760	472,760	81,301		
Operating	67,909	67,909	14,187		
Total	540,669	540,669	95,488	17.7%	22.5%
Clerk's Office					
Personnel	1,064,290	1,064,290	255,300		
Operating	438,618	438,618	105,488		
Total	1,502,908	1,502,908	360,788	24.0%	28.7%
Neighborhood & Citizen Engagement					
Personnel	726,750	726,750	136,683		
Operating	327,164	327,164	27,337		
Total	1,053,914	1,053,914	164,020	15.6%	23.0%
Economic Development & Planning					
Personnel	3,148,894	3,148,894	653,363		
Operating	1,629,790	1,729,790	397,254		
Total	4,778,684	4,878,684	1,050,616	21.5%	23.1%
Finance/Operations					
Personnel	1,619,825	1,619,825	310,438		
Operating	486,492	486,492	49,910		
Total	2,106,317	2,106,317	360,348	17.1%	22.9%

Appropriations	FY 2021 Adopted Budget	FY 2021 Amended Budget	FY 2021 Sep. 31 Actuals	Sep. 30 Percent YTD	Sep. 30 Target Exp.
Assessing					
Personnel	1,512,158	1,512,158	268,376		
Operating	224,898	224,898	38,971		
Total	1,737,056	1,737,056	307,347	17.7%	22.5%
Treasury					
Personnel	1,808,858	1,808,858	310,361		
Operating	451,398	451,398	80,019		
Total	2,260,256	2,260,256	390,381	17.3%	22.7%
Human Resources					
Personnel	1,372,671	1,372,671	273,775		
Operating	887,849	887,849	216,761		
Total	2,260,520	2,260,520	490,536	21.7%	23.2%
Attorney's Office					
Personnel	2,035,289	2,035,289	399,420		
Operating	230,372	230,372	43,580		
Total	2,265,661	2,265,661	443,000	19.6%	22.5%
Police					
Personnel	39,027,047	39,027,047	8,133,582		
Operating	7,466,799	7,466,799	1,360,299		
Total	46,493,846	46,493,846	9,493,882	20.4%	21.2%
Fire					
Personnel	31,566,076	31,566,076	6,548,700		
Operating	5,138,171	5,138,171	1,022,170		
Total	36,704,247	36,704,247	7,570,870	20.6%	21.3%
Public Service					
Personnel	2,937,224	2,937,224	507,132		
Operating	8,906,654	8,906,654	1,275,872		
Total	11,843,878	11,843,878	1,783,004	15.1%	24.2%
Human Relations & Community Service					
Personnel	1,536,239	1,536,239	301,791		
Operating	189,095	189,095	34,493		
Total	1,725,334	1,725,334	336,284	19.5%	22.4%
Parks & Recreation					
Personnel	4,981,182	4,981,182	834,016		
Operating	3,113,524	3,113,524	485,601		
Total	8,094,706	8,094,706	1,319,617	16.3%	22.7%
Human Services					
Operating	1,560,400	1,560,400	443,179		
Total	1,560,400	1,560,400	443,179	28.4%	25.0%
City Supported Agencies					
Operating	102,500	102,500	30,625		
Total	102,500	102,500	30,625	29.9%	85.4%
Non-Departmental					
Vacancy Factor	(1,400,000)	(1,400,000)	-		
Library Lease	150,000	150,000	50,702		
Debt Service	1,303,000	1,303,000	-		
Net Transfers	2,942,155	2,942,155	2,911,155		
Penalties & Claims	-	-	-		
Total	2,995,155	2,995,155	2,961,857	98.9%	98.7%
Total Expenditures	136,525,977	136,625,977	29,237,496	21.4%	23.7%
General Fund balance	6,894,241	6,894,241			
Change	(4,686,408)	(4,686,408)			
Ending Fund Balance	2,207,833	2,207,833			

September 30, 2020 Governmental Summary

Fiscal Year July 1, 2020 - June 30, 2021

Estimated Revenues	FY 2021 Adopted Budget	FY 2021 Amended Budget	FY 2021 Sep. 31 Actuals	Sep. 30 Percent YTD	3 Year Sep. 30 Avg.
Property Taxes	45,631,500	45,631,500	46,504,899		
Income Taxes	31,380,800	31,380,800	3,386,010		
Return on Equity	25,000,000	25,000,000	-		
State Revenues	17,126,766	17,126,766	70,733		
Charges for Services	8,642,703	8,642,703	1,858,599		
Fines & Forfeitures	1,803,100	1,803,100	262,999		
Licenses & Permits	1,761,700	1,761,700	134,115		
Interest & Rent	140,000	140,000	12,544		
Other Revenue	353,000	453,000	80,342		
Total Revenues	131,839,569	131,939,569	52,310,240	39.6%	36.5%
Expenditures					
General Government					
Attorney's Office	1,446,924	1,446,924	264,969		
City Clerk	1,153,547	1,153,547	283,535		
Council	501,445	501,445	94,918		
Courts	4,113,247	4,113,247	705,974		
Internal Audit	102,236	102,236	805		
Finance	3,943,860	3,943,860	581,329		
Library Rental	150,000	150,000	50,702		
Human Resources	1,673,792	1,673,792	363,162		
Mayor's Office	848,515	848,515	156,837		
Office of Community Media	382,823	382,823	59,733		
Budgetary Savings - Vacancy Factor	(1,400,000)	(1,400,000)	-		
Total General Government	12,916,390	12,916,390	2,561,965	19.8%	25.4%
Public Safety					
Police Department	27,249,594	27,249,594	5,457,477		
Fire Department	22,065,461	22,065,461	4,587,353		
Total Public Safety	49,315,055	49,315,055	10,044,830	20.4%	21.6%
Public Works	10,687,130	10,687,130	1,536,934	14.4%	24.3%
Recreation & Culture	6,406,712	6,406,712	963,984	15.0%	22.7%
Community Development					
Economic Development & Planning	3,320,381	3,420,381	732,280		
Neighborhood & Community Engagement	717,591	717,591	90,418		
Human Relations / Community Service	1,069,748	1,069,748	194,954		
Human Services / Community Support	1,662,900	1,662,900	473,804		
Total Community Development	6,770,620	6,870,620	1,491,457	21.7%	24.5%
Internal Services					
Retirement/Fixed Costs	40,805,259	40,805,259	8,382,257		
Information Technology	5,379,656	5,379,656	1,344,915		
Total Internal Services	46,184,915	46,184,915	9,727,172	21.1%	21.3%
Debt Service					
Principal	1,245,000	1,245,000	-		
Interest	58,000	58,000	-		
Total Debt Service	1,303,000	1,303,000	-		
Total Expenditures	133,583,822	133,683,822	26,326,341		
Revenues Over (Under) Expenditures	(1,744,253)	(1,744,253)	25,983,898		
Other Financing Sources (Uses)					
Transfers In	350,000	350,000	350,000		
Transfers Out	(3,292,155)	(3,292,155)	(3,261,155)		
Total Other Financing Sources (Uses)	(2,942,155)	(2,942,155)	(2,911,155)		
Net Change in Fund Balance	(4,686,408)	(4,686,408)			
Fund Balance, Beginning of Year	6,894,241	6,894,241			
Fund Balance, End of year	2,207,833	2,207,833			

Vacancy Factor Report

FY2021

September 30, 2020

Department	Key	PCN	Position Description	Bargaining Unit	FTE	Vacancy	Vacancy Factor
Vacancies Counted toward General Fund Vacancy Factor							
COUNCIL/INTERNAL AUDIT	1012120	LEGISAUD	LEGISLATIVE AUDITOR	COUNCIL	1.00	2/20/2020	21,401
NEIGH CTZN ENG	1012250	ADMAST29	ADMINISTRATIVE ASSISTANT 29	T243CTP	1.00	2/11/2020	11,538
MAYOR	1012300	PTMYRSTF	PT MAYORAL STAFF ASSISTANT	PT MAYOR	1.00	6/30/2020	13,959
CITY CLERK	1012400	ELNLICLK	ELECTION AND LICENSING CLERK	T243CTP	1.00	6/19/2020	10,024
HR AND CS	1012500	COMMINVT	COMMISSION INVESTIGATOR	T214 SUPV	1.00	6/22/2020	17,059
HR AND CS	1012500	SECRTY26	SECRETARY 26	T243CTP	1.00	8/24/2019	10,024
ED&P/CODE COMPLIANCE	1012610	CCOFICER	CODE ENFORCEMENT WORKER	T243CTP	1.00	4/3/2020	13,959
ED&P/PLANNING	1012620	ASTPLMGR	ASSISTANT PLANNING MANAGER	T214 SUPV	1.00	3/20/2020	18,833
FINANCE/OPERATIONS	1012710	ADMSPC30	ADMINISTRATIVE SPECIALIST 30	T243CTP	1.00	11/28/2011	12,105
FINANCE/OPERATIONS	1012710	SRBUYER0	BUYER 32	T243CTP	1.00	7/1/2020	13,101
ASSESSOR	1012720	COMINDAP	COMMERICAL/INDUSTRIAL APPRAISR	T243CTP	1.00	10/18/2019	16,203
ASSESSOR	1012720	RESIDAPP	RESIDENTIAL APPRAISER	T243CTP	1.00	5/24/2019	14,677
ASSESSOR	1012720	RESIDAPP	RESIDENTIAL APPRAISER	T243CTP	1.00	10/5/2017	14,677
TREASURY	1012730	INTAXTEC	INCOME TAX EXAMINER TECHNICIAN	T243CTP	1.00	3/7/2020	11,008
TREASURY	1012730	INTAXTEC	INCOME TAX EXAMINER TECHNICIAN	T243CTP	1.00	9/4/2018	11,008
TREASURY	1012730	PTCUSTRP	PT CUSTOMER SERVICE REP	T243PT	1.00	2/22/2020	9,123
TREASURY	1012730	TRESYINV	TREASURERY INVESTIGATOR	T243CTP	1.00	8/24/2019	13,303
HUMAN RESOURCES	1012800	EMBEPAAD	EMPLOYEE BENEFITS/PAYROLL ADM	T243CTP	0.70	1/3/2020	13,809
HUMAN RESOURCES	1012800	PRNCRECR	PRINCIPAL RECRUITER	T243CTP	1.00	4/18/2017	17,880
CITY ATTORNEY	1012900	ASTATY36	ASSISTANT CITY ATTORNEY	T214 NS	1.00	4/6/2018	18,833
PUBLIC SERVICE/BUILDINGS	1013140	ADMAST29	ADMINISTRATIVE ASSISTANT 29	T243CTP	1.00	12/27/2018	11,538
PUBLIC SERVICE/BUILDINGS	1013140	ELCTRICN	ELECTRICIAN	T243SUP	1.00	12/30/2018	13,959
PUBLIC SERVICE/BUILDINGS	1013140	ELECFACW	ELECTRICAL FACILITY CTRL WKR	UAW	1.00	11/2/2018	11,267
PUBLIC SERVICE/BUILDINGS	1013140	FACMTWKR	SKILLED TRADES WORKER	UAW	1.00	3/2/2015	11,267
PUBLIC SERVICE/BUILDINGS	1013140	PLUMBSUP	PLUMBING SUPERVISOR	T243SUP	1.00	6/10/2018	18,782
POLICE/ADMIN	1013201	ADMSPC31	ADMINISTRATIVE SPECIALIST 31	T214 NS	1.00	12/28/2011	OVERTIME
POLICE/RADIO LAB	1013222	RADTEC32	RADIO TECHNICIAN 32	T243CTP	1.00	10/11/2019	OVERTIME
POLICE/INVESTIGATIONS	1013224	DETECT2C	DETECTIVE IIC	FOP NS	1.00	7/1/2017	OVERTIME
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00	7/1/2020	OVERTIME
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00	7/1/2020	OVERTIME
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00	7/1/2020	OVERTIME
FIRE/ADMIN	1013501	ADMAST05	ADMINISTRATIVE ASSISTANT V	T243CTP	1.00	12/21/2019	OVERTIME
FIRE/ADMIN	1013501	FIRCHIEF	FIRE CHIEF	EXEC	1.00	9/4/2020	CONTRACT
FIRE/ADMIN	1013501	PTCLRK25	PT CLERK 25	T243PT	1.00	7/1/2019	OVERTIME
FIRE/SUPPRESSION	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	1/18/2020	OVERTIME
FIRE/SUPPRESSION	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	1/22/2020	OVERTIME
FIRE/SUPPRESSION	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	2/15/2020	OVERTIME
FIRE/SUPPRESSION	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	6/6/2020	OVERTIME
FIRE/SUPPRESSION	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	6/6/2020	OVERTIME
FIRE/SUPPRESSION	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	7/18/2020	OVERTIME
FIRE/SUPPRESSION	1013520	INSPECT4	INSPECTOR IV	IAFF	1.00	2/15/2020	OVERTIME
FIRE/PREVENTION	1013530	INSPECT4	INSPECTOR IV	IAFF	1.00	5/14/2020	OVERTIME
FIRE/PREVENTION	1013530	SECRTY26	SECRETARY 26	T243CTP	1.00	7/1/2019	OVERTIME
PARKS/MANAGEMENT	1013831	PTCTRPRG	PT COMMUNITY CENTER PROGRMMR	T243PT	0.50	8/21/2020	2,822
PARKS/MANAGEMENT	1013831	PTCTRPRG	PT COMMUNITY CENTER PROGRMMR	T243PT	0.50	8/8/2020	3,830
					43.70		355,984

Vacancy Factor Report

FY2021

September 30, 2020

Department	Key	PCN	Position Description	Bargaining Unit	FTE	Vacancy	Vacancy Factor
Non-Vacancy Factor (non-General Fund) Vacancies							
PUBLIC SERVICE/O&M	1013611	CEMATWK2	CEMETERY MAINTANCE WORKER 200	T243CTP	1.00		
PUBLIC SERVICE/O&M	1013611	CLERKS24	CLERKS 24	T243CTP	1.00		
PUBLIC SERVICE/O&M	1013611	DRIVRWKR	DRIVER WORKER	UAW	1.00		
PUBLIC SERVICE/O&M	1013611	FRSTWKR4	ARBORIST 400	UAW	1.00		
PUBLIC SERVICE/O&M	1013611	FRSTWKR5	ARBORIST 500	UAW	2.00		
PUBLIC SERVICE/O&M	1013611	MANTWKR2	MAINTENANCE WORKER 200	UAW	2.00		
PUBLIC SERVICE/O&M	1013611	MANTWKR3	MAINTENANCE WORKER 300	UAW	1.00		
PUBLIC SERVICE/O&M	1013611	SOLWASUP	SOLID WASTE SUPERVISOR	T243SUP	1.00		
ED&P/BUILDING SAFETY	2492610	BLDINSPC	BUILDING INSPECTOR	T243CTP	1.00		
ED&P/BUILDING SAFETY	2492610	BLDINSUP	BUILDING INSPECTOR SUPERVISOR	T214 SUPV	1.00		
ED&P/BUILDING SAFETY	2492610	PLNREVAN	PLAN REVIEW ANALYST	T243CTP	1.00		
ED&P/PARKING	5853641	ACCTGCLK	ACCOUNTING CLERK	T243CTP	2.00		
ED&P/PARKING	5853642	LDPKTECH	LEAD PARKING TECHNICIAN	UAW	1.00		
ED&P/PARKING	5853642	PKGENWKR	PARKING ENFORCEMENT WORKER 300	UAW	1.00		
ED&P/PARKING	5853642	PKGRVCOL	PARKING REVENUE COLLECTORS	UAW	2.00		
PUBLIC SERVICE/WWTP	5903670	ASPLSUPT	ASSIST PLANT SUPERINTENDENT	NB SUPV	1.00		
PUBLIC SERVICE/WWTP	5903670	ELECTECH	ELECTRICAL TECHNICIAN	T243CTP	1.00		
PUBLIC SERVICE/WWTP	5903670	PLNTSUPT	PLANT SUPERINTENDENT	NB SUPV	1.00		
PUBLIC SERVICE/WWTP	5903670	TECH-TBD	LAB/IPP TECHNICIAN	T243CTP	0.50		
PUBLIC SERVICE/WWTP	5903670	SUP-TBD	LAB/IPP SUPERVISOR	T243SUP	0.50		
PUBLIC SERVICE/WWTP	5903670	UTLELWKR	UTILITY ELECTRICAL WORKER	T243CTP	1.00		
PUBLIC SERVICE/WWTP	5903670	WWMATWK6	WASTEWATER MAINTENANCE WKR 600	UAW	1.00		
PUBLIC SERVICE/WWTP	5903670	WWPLTLBR	WASTE WATER PLANT LABORER	UAW	1.00		
PUBLIC SERVICE/WWTP	5903670	WWSYSANL	WASTEWATER SYSTEMS ANALYST	T243CTP	1.00		
PUBLIC SERVICE/WWTP	5903679	SUP-TBD	LAB/IPP SUPERVISOR	T243SUP	0.50		
PUBLIC SERVICE/WWTP	5903679	TECH-TBD	LAB/IPP TECHNICIAN	T243SUP	0.50		
INFO TECH	6303130	DATANLST	DATA ANALYST	T243CTP	1.00		
INFO TECH	6303130	GISADMIN	GIS TECHNICIAN	T243SUP	1.00		
INFO TECH	6303130	SPROAN34-TB	CITY WORKS ADMINISTRATOR	T243SUP	1.00		
INFO TECH	6303130	SRHLPDTN	SR HELP DESK TECHNICIAN	T243CTP	1.00		
PUBLIC SERVICE/FLEET	6433623	ATGARSUP	ASSIST SHIFT GARAGE SUPERVISOR	T243SUP	2.00		
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	3.00		
PUBLIC SERVICE/FLEET	6433623	SRVCSPEC	SERVICE SPECIALIST	T243CTP	1.00		
PUBLIC SERVICE/FLEET	6433623	VEHWKR04	VEHICLE MAINTENANCE WORKER 400	UAW	1.00		
PUBLIC SERVICE/ENGINEERING	6453603	BPTMANGR	BUSINESS PERMITS TECH MANAGER	T243SUP	1.00		
PUBLIC SERVICE/ENGINEERING	6453603	CTYENGNR	CITY ENGINEER	T243SUP	1.00		
PUBLIC SERVICE/ENGINEERING	6453603	DPPBSDIR	DEPUTY PUBLIC SERVICE DIRECTOR	NB SUPV	1.00		
PUBLIC SERVICE/ENGINEERING	6453603	ENGINR36	ENGINEER 36	T214 NS	2.00		
PUBLIC SERVICE/ENGINEERING	6453603	ENGTEC34	ENGINEERING TECHNICIAN SUPV	T243SUP	1.00		
PUBLIC SERVICE/ENGINEERING	6453603	PLMINSPC	PLUMBING INSPECTOR	T243CTP	1.00		
PUBLIC SERVICE/ENGINEERING	6453603	TRANSENG	TRANSPORTATION ENGINEER	NB SUPV	1.00		
HUMAN RESOURCES	6503911	EMBEPAAD	EMPLOYEE BENEFITS/PAYROLL ADM	T243CTP	0.30		
DISTRICT COURT	7602201	DPCLERK2	DEPUTY CLERK 2	T243 DCT	1.00		
DISTRICT COURT	7602201	MAGISCLK	MAGISTRATE'S CLERK	DCT NON REPR	1.00		
DISTRICT COURT	7602201	PTCOLOFC	PT COLLECTIONS OFFICER	T243 DCT	1.00		
					50.30		

Lansing Form Based Code

Introduction

Administration

District Summaries

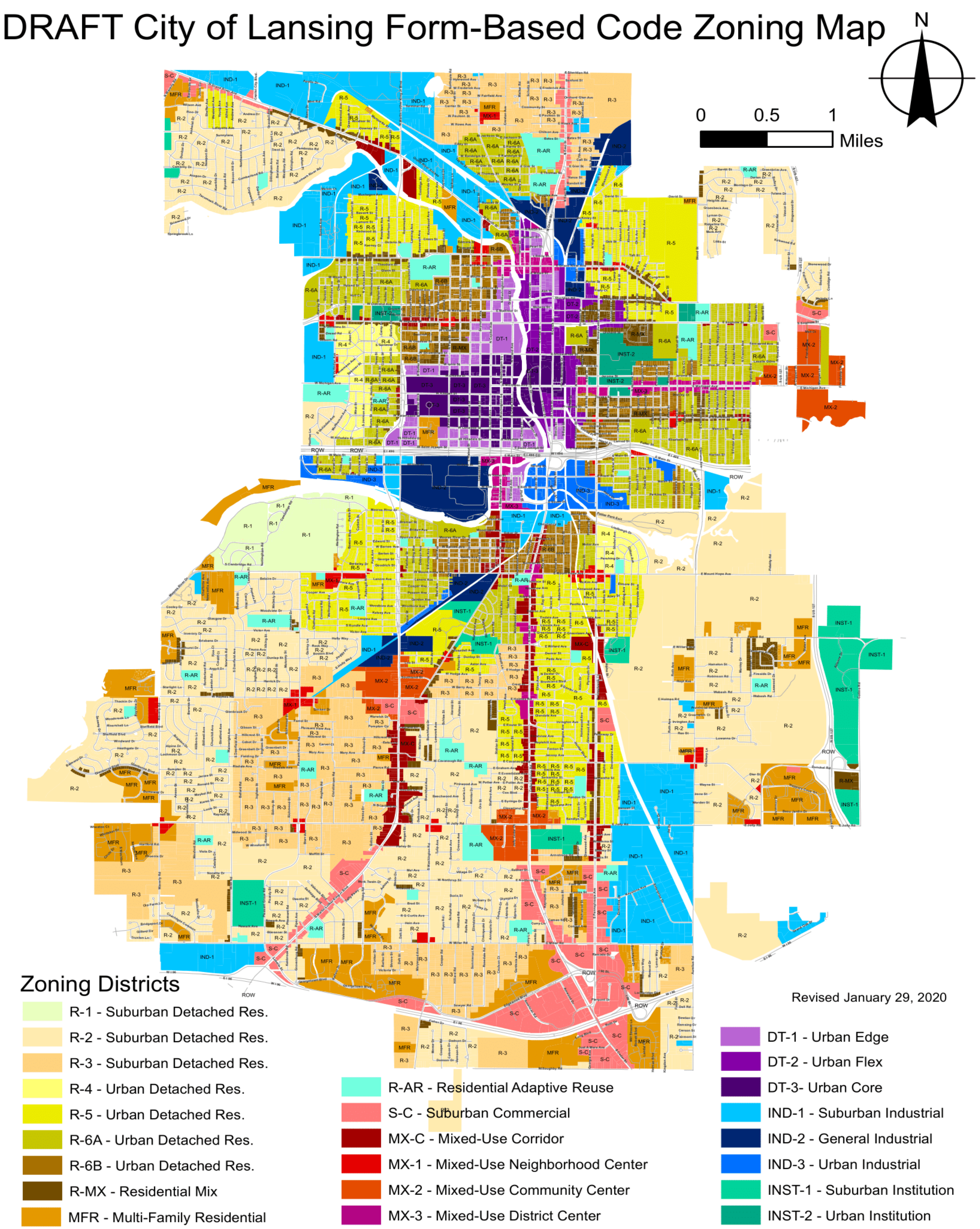
Form Based Code vs. Traditional Zoning

- Lansing now has a traditional zoning ordinance, based on the separation of uses, and emphasizing land use over building form.

- A “pure” form based code emphasizes building form primarily, regardless of use.

- Lansing’s proposed Form Based Code is a “hybrid” code, addressing both land use and building form.

- Organizing around build-to-lines, number of floors, percentage of built site frontage, and street and building types, there will be a more uniform development pattern

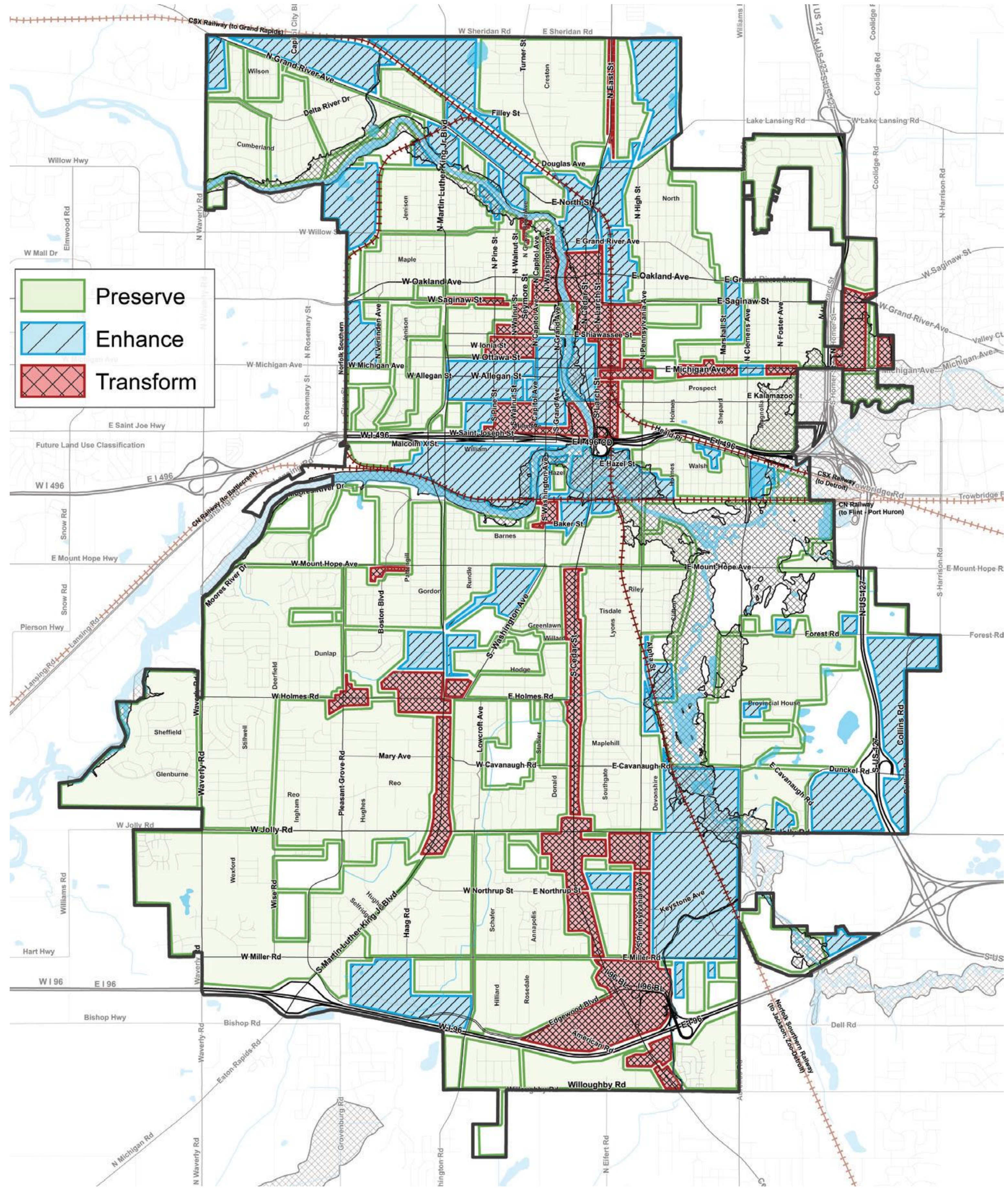


Design Lansing Comprehensive Plan Recommendations

Lansing's appearance was a major issue in the 2012 Comprehensive Plan. Lansing residents indicated their preferences for areas that should be preserved, enhanced, and transformed.

The Form-Based Code is the primary tool for implementing the design and land use recommendations of the *Design Lansing* Plan.

An updated draft was recommended for adoption by the Planning Board February 4, 2020



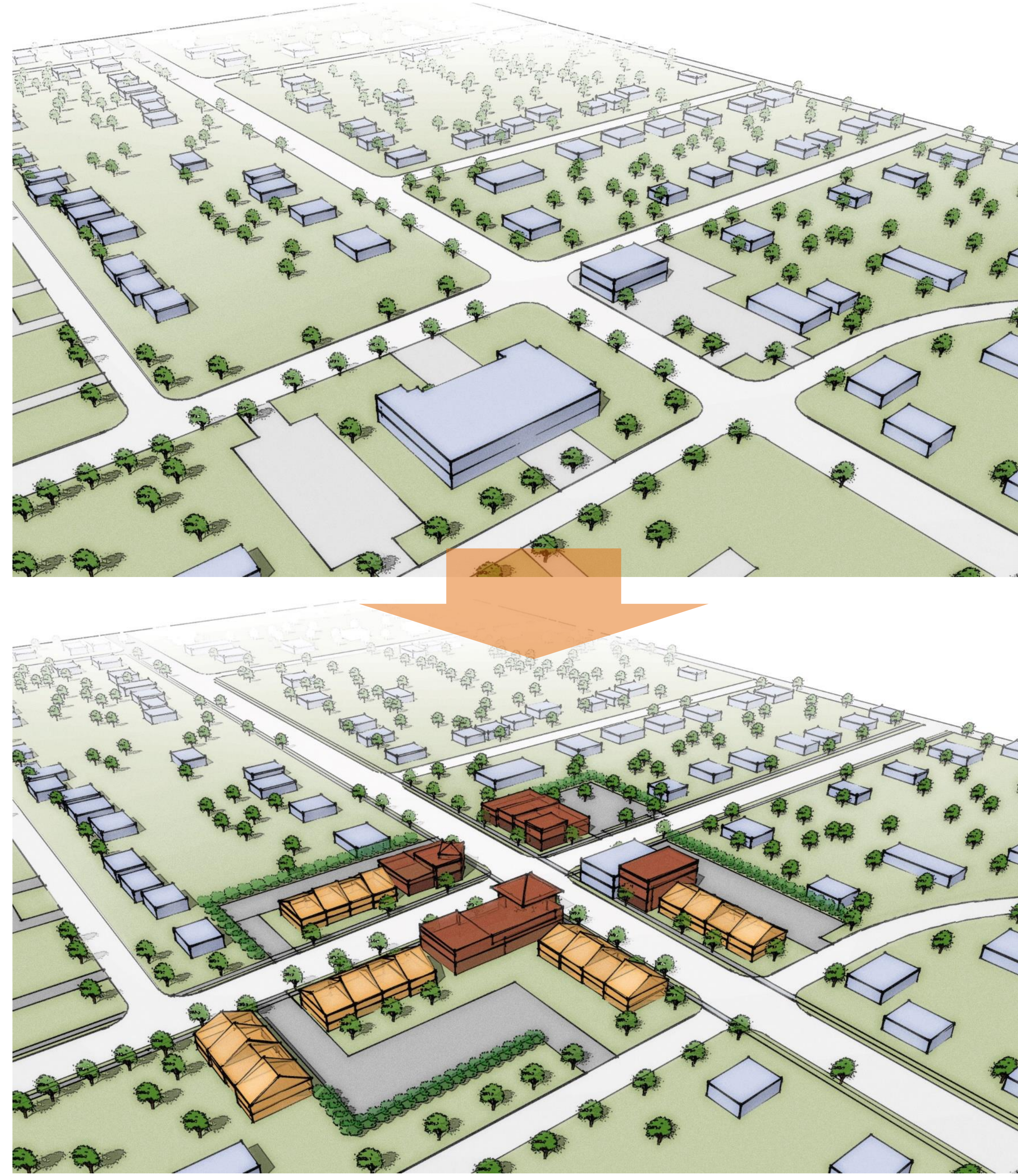
- Continuously online for five years (http://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC)
- 15 public events and workshops in all four wards
- 5 Planning Board public hearings
- Passed and recommended for approval by Planning Board twice (2017, February 2020 edit)
- Total of 26 public presentations

FBC Benefits

- Design standards to improve and protect community character.
- Opportunities for the “missing middle” of the housing market
- More effective at transforming a site or district
- Will more adequately protect neighboring properties than conventional zoning
- Supports transit oriented development and pedestrian safety along corridors
- Can be easier to understand (more graphic) with more predictable results.

FBC Benefits

- Can speed up development review.
- Can led to denser urban environments where appropriate.
- Predictable yet flexible standards; provides certainty, which can help secure financing.
- Design standards are already established before projects are submitted.
- Wide array of uses permitted with more emphasis on the building types and site design (form).
- Creates incentives – more flexibility allowed when the applicant provides certain public benefits/green design, etc.



LANSING FBC

Introduction

Administration

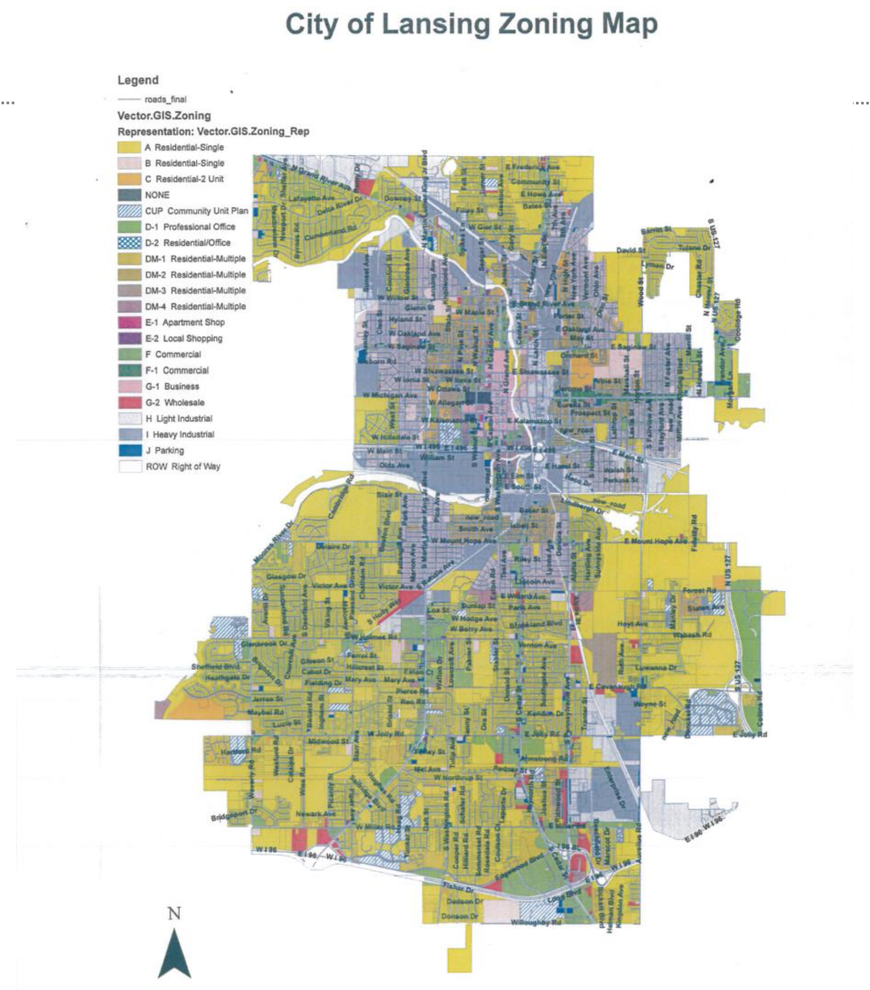
District Summaries

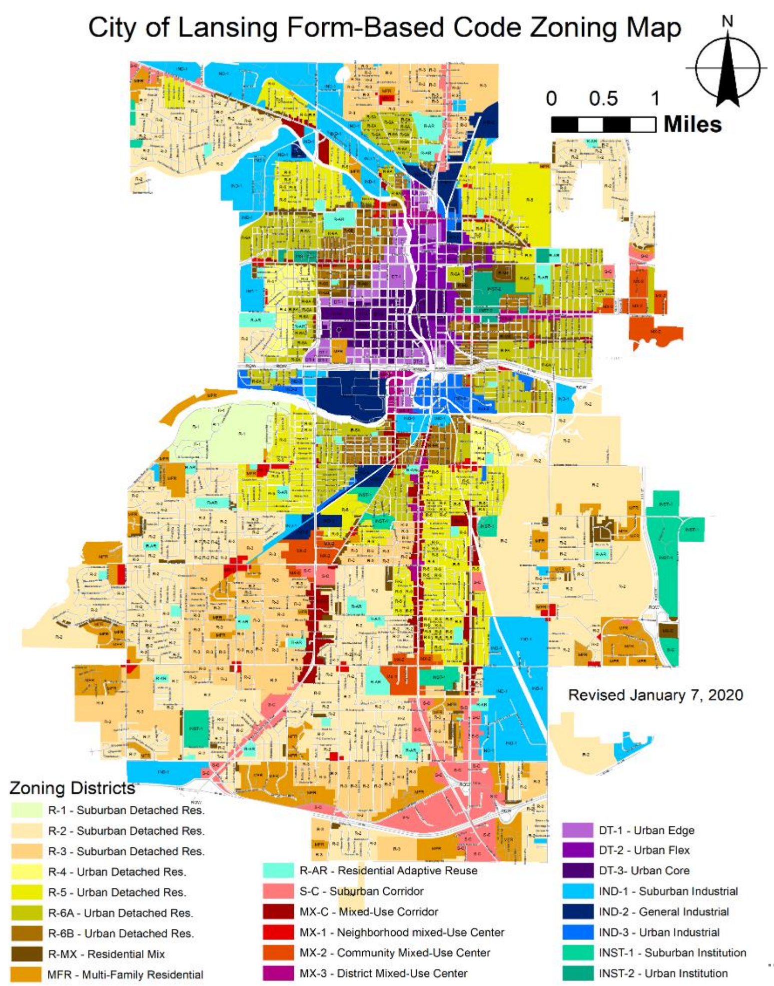
Comparing Current and Form-Based Code

Generally, in the FBC:

- Residential, commercial, and industrial districts remain at their current locations,
- Most single-use commercial districts would be converted to mixed use commercial-office-residential districts,
- Single-family residential districts would remain single-family,
- The “J” Parking and “CUP” Community Unit Plan districts would be eliminated,
- Schools would be zoned “Residential Adaptive Reuse”, to allow their continued use as schools and to facilitate the adaptive reuse in the event of a school closure.
- The zoning of the 425 areas were set by the P.A. 425 agreements, and are not covered by the FBC.

There is not a one-to-one relationship between current and proposed zoning districts.





Form-Based Code Table of Contents

Commercial/Mixed-Use Zones (1243)

SC	Suburban Commercial
MXC	Mixed Use Urban Corridor
MX1	Mixed Use Neighborhood Center
MX2	Mixed Use Community Center
MX3	Mixed Use District Center
DT-1	Urban Edge
DT-2	Urban Flex
DT-3	Downtown Core

Residential Zones (1244)

R-1	Suburban Residential
R-2	Suburban Residential
R-3	Suburban Residential
R-4	Urban Edge Residential
R-5	Urban Residential
R-6A	Urban Residential
R-6B	Urban Residential
MFR	Multi-family Campus Residential
R-MX	Mixed Residential
R-AR	Adaptive Reuse Residential

Special District Zones (1245)

IND-1	Suburban Industrial
IND-2	General Industrial
IND-3	Urban Industrial
INST-1	Suburban Institutional
INST-2	Urban Institutional

Form-Based Code – General Provisions

- **Marihuana** – governed by other ordinance
- **Home Occupations**
- **Temporary Buildings, Uses, and Events**
- **Keeping of Animals on Residential Properties** – Prohibits the keeping of wild animals and livestock, regulates the keeping of hens to 5 and pet dogs to 3.
- **Demolitions** – Provides the City with additional controls over authorizing requests to demolish buildings for the purpose of constructing non-required parking.
- **Recreational Vehicles** – Restricts the number of RV's that can be kept on a residential property and regulates where they may be parked or stored
  - Repairs of vehicles limited to only the resident's vehicle and changing oil, minor tune-up, tire rotation, and changing brake pads only
- **Outdoor Seating**
- **Adult Businesses**
- **Accessory Structures**
- **Exterior Lighting** – Requires that parking lots be adequately lit while regulating the lights to limit glare.
- **Waste Receptacles & Enclosures** – Regulates the placement of dumpsters and requires them to be screened/enclosed.
- **Fences and Hedges**
- **Communication Towers, Wind Turbines, and Residential Antennae** – Regulates the height, placement and allowable number of wind turbines and antennae in residential zones.
- **Floodplain Regulations**

Form-Based Code – Landscaping

- **Landscaping**
  - An approved landscaping plan is required before site plan approval
  - Chapter regulates plant species, plant sizes, and spacing
  - Interior site landscaping
  - Parking lot landscaping (not currently mandated)
    - Crafted for pedestrian and environmental benefits
    - Break up ‘sea’ of parking with planting islands for stormwater retention and to reduce urban heat island effect
  - Buffering and screening requirements between adjacent properties

- **Parking**
  - Calculates required parking based on use such as residential type (single family – apartment), place of assembly (church – school – library – hospital), offices, retail, restaurant, industrial, etc.
  - Stipulations to reduce the parking requirement
    - Lot sharing
    - Available public parking in the vicinity
    - Employer incentives for employees to use public transit, bicycles, or to live in the neighborhood
  - Requires parking islands for stormwater retention and reduce the heat island effect.
  - Standards for bicycle parking
  - To limit excessive parking, the number of parking spaces can only be exceeded by 20% of the minimum.

How does the Form-Based Code work?

1 – Check the Zoning District Map and Use Table

- Review the district ***intent***
- Check the list of ***allowed uses*** – *including any conditional or special permit uses.*
- Review the ***site layout requirements***

Site Layout Requirements:

- Building massing (height, frontage, upper floor step backs)
- Building placement (setbacks, build-to-lines, lot coverage)
- Parking configuration & loading
- Other district specific items

2 – Determine the Street Type

- Refer to the street typologies map

3 – Apply Architectural Regulations

- Determine suggested building types
- Cross-reference against street type

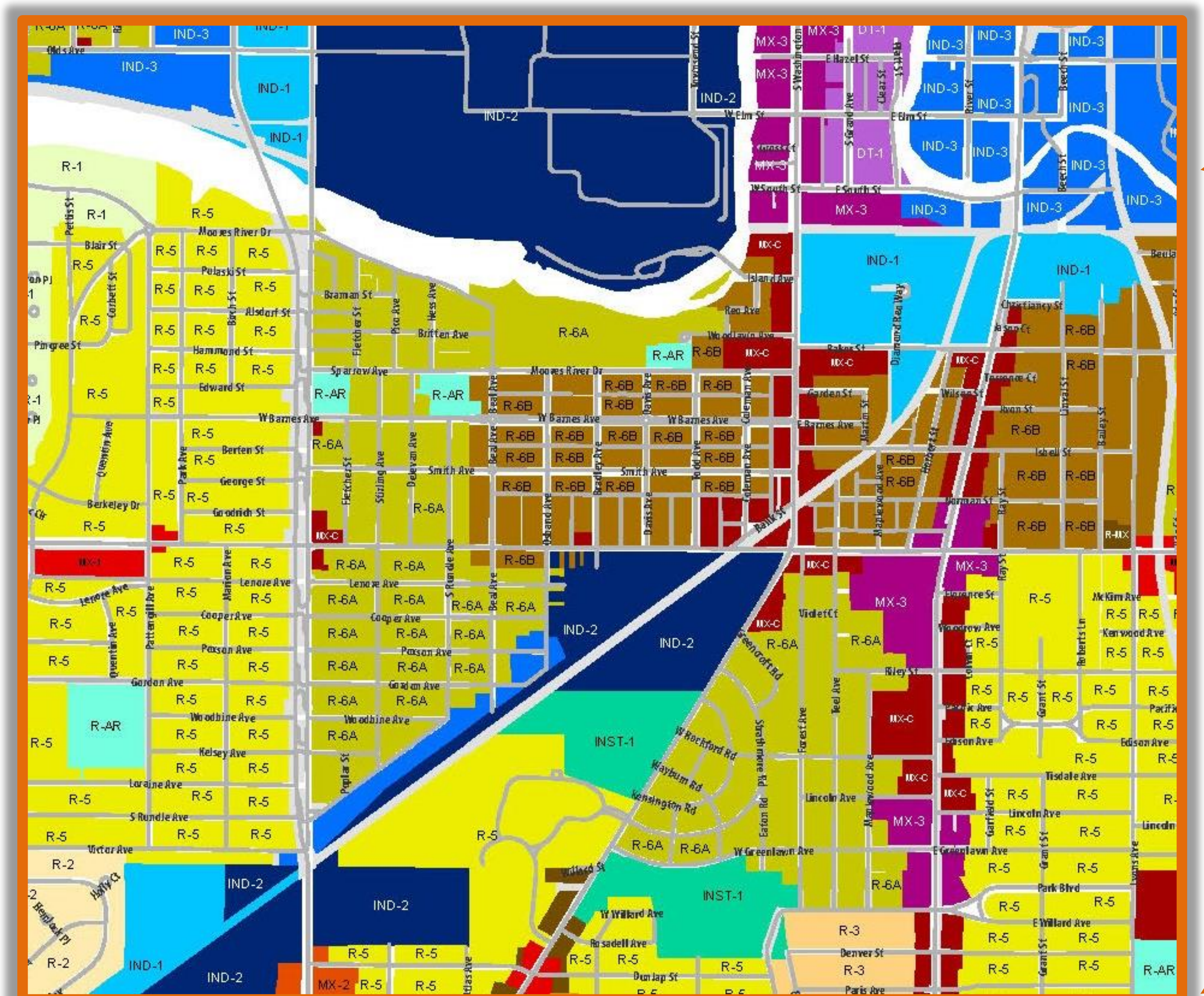
Building Type (example)	***Arterial***	***Prime Connector***	***Neighborhood Connector***
Townhouse		*X*	*X*
Flats / Lofts	*X*	*X*	
Mid-Rise	*X*	*X*	
Multi-Family		*X*	*X*

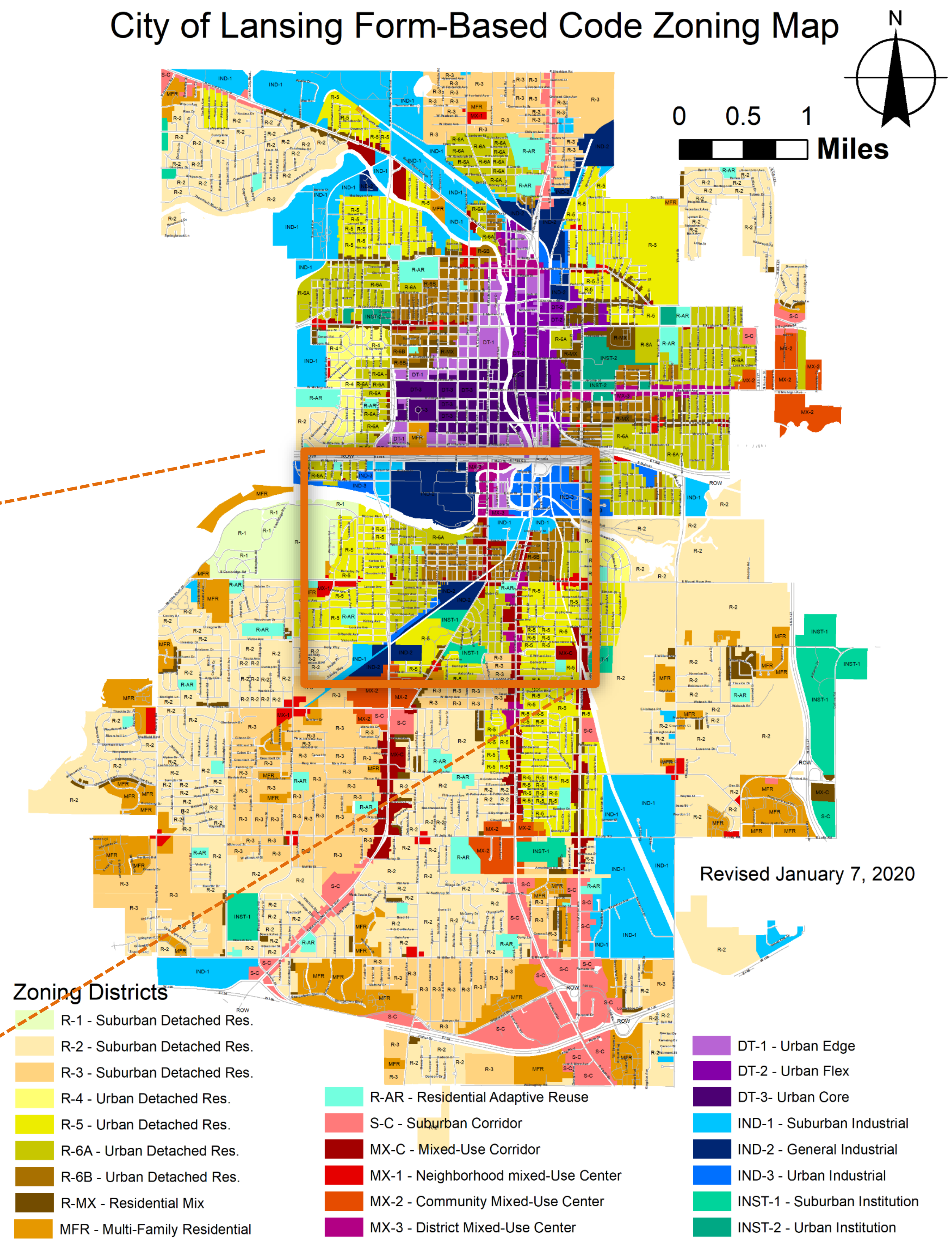
Architectural Regulations:

- Floor heights
- Window area (minimums)
- Primary / Secondary materials
- Roof types
- Building articulation
- Access & Services
- Suggested Building Types to meet the standards

Step 1: Check the Zoning Map

- Ch. 1243 – Commercial Mixed-Use Districts
- Ch. 1244 – Residential Districts
- Ch. 1245 – Special Districts *(Industrial & Institutional Zones)*





Step 2: Check the Use Table for allowed uses in the district

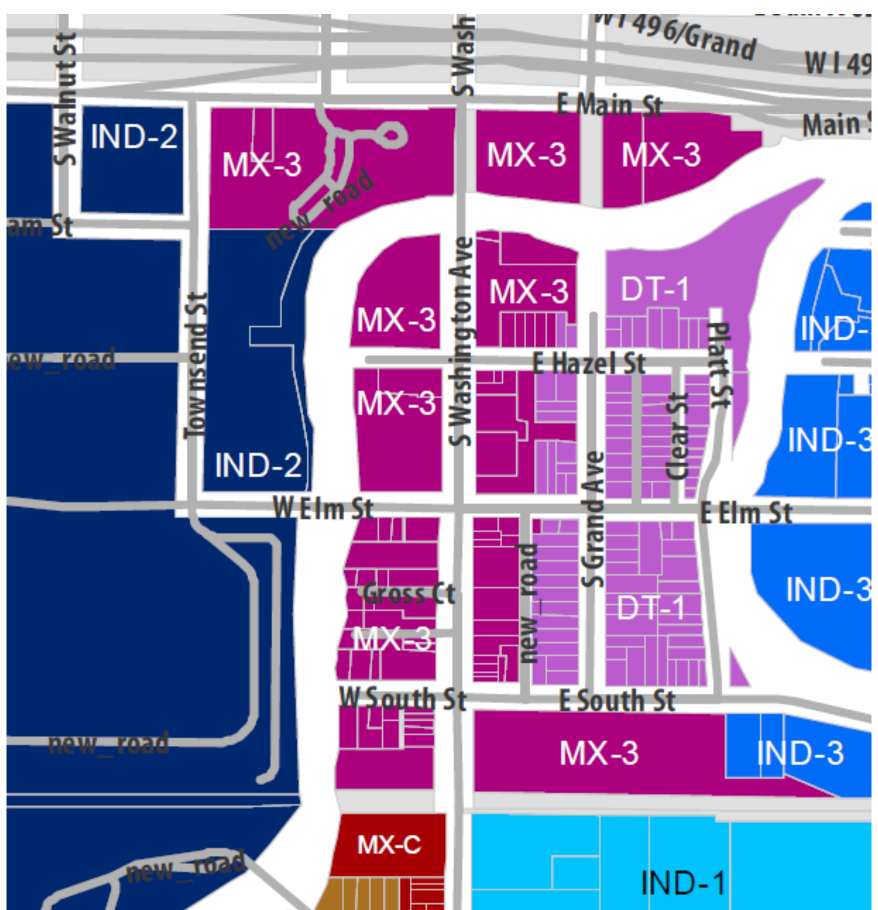
P = Principal Permitted Use C = Conditional Use S = Special Land Use	S-C	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Group day care home (7 to 12 children less than 24 hours per day)	C	C	C	C	C	C	C		1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Office if the specified outdoor area is common open space shared with other dwelling units.
INSTITUTIONAL									
Places of Assembly	S	S	S	S	S	S	S	S	
Hospital	C	C	C	C	C	C	C	C	At least one property line abutting an arterial, suburban or activity corridor
Museum						P	P	P	
Library	P	P	P	P	P	P	P	P	
Park, open space, plaza (public or private)	P	P	P	P	P	P	P	P	
Schools			C		C	C	C		All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Trade school	C	C	C	C	C	C	C	C	
COMMERCIAL/OFFICE									
Retail sales and services	C	C	C	C	C		C	C	Permitted on non-local streets Permitted on local street only within 50' of a non-local street
Restaurant, bar, tavern	C	C	C	C	C		C	C	Permitted on non-local streets Permitted on local street only within 50' of a non-local street
Professional and business offices (e.g. doctor, lawyer, architect)	P	P	P	P	P	P	P	P	
Animal hospital	C	C	C	C	C	C	C	C	No kennels
Bank	P	P	P	P	P	P	P	P	
Brewpub	C	C	C	C	C		C	C	Permitted on non-local streets Permitted on local street only within 50' of a non-local street
Cemetery					S				
Clinic	C	C	C	C	C	C	C	C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor

- **Uses by type by district**
  - Permitted uses
  - Conditional uses
  - Special Land Uses

District Example: MX-3

- Each section describes:
  - **Intent**
  - **Suggested building types**
  - **Layout requirements**

- MX-3
  - *Example area: Michigan Avenue, REO Town, Old Town*



1243.08 MX-3 Mixed-Use District Center

Illustrative example of the intent of this district

1243.08.01 MX-3 INTENT

The intent and purpose of the MX-3 district is to provide primarily a vertical mix of uses with higher density residential. Ground floor uses should be active and pedestrian focused. Development in this district is characterized by tall buildings lining urban streets near the City core. This district represents one of the City's highest intensity and density development because of its location near downtown and the pedestrian activity expected and desired.

1243.08.02 MX-3 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

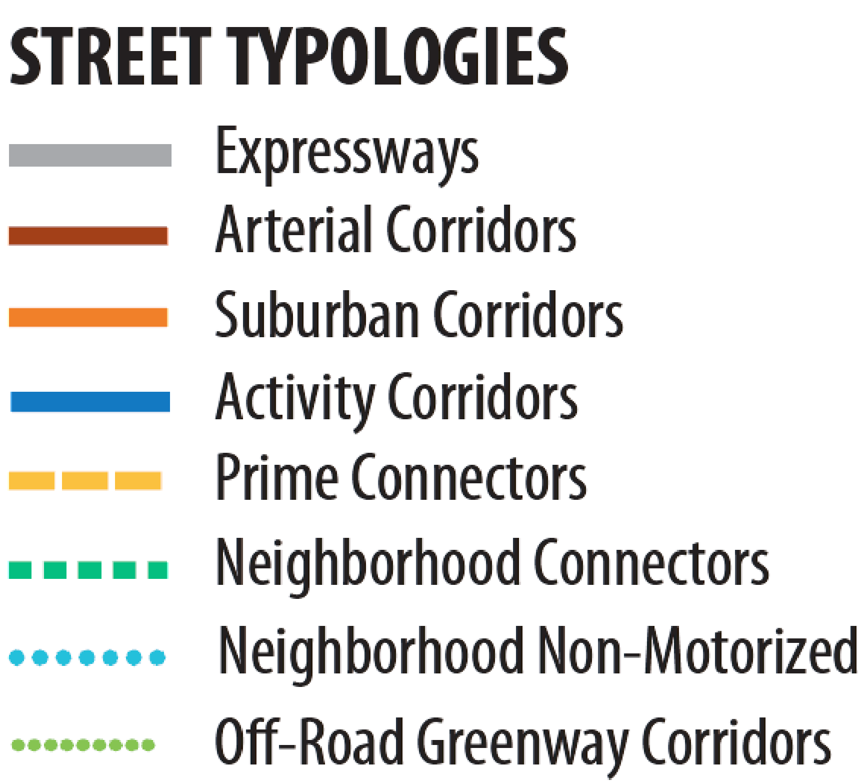
SUGGESTED BUILDING TYPE	STREET TYPE: ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	-	-	-	-	X	X
Urban Mixed-use	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	-	-	-	-	-

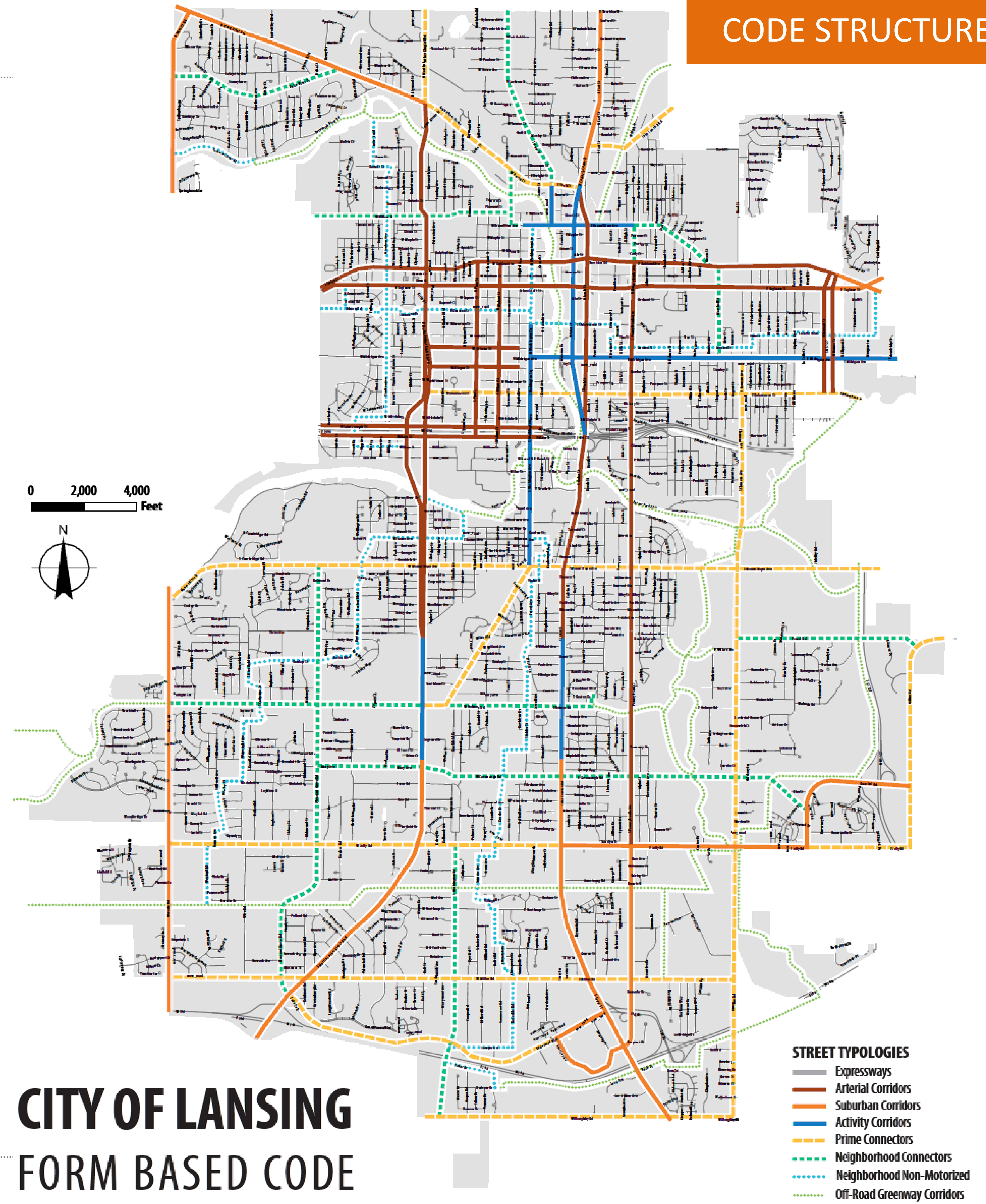
***First floor must be lined with non-parking uses. See Section 1243.03*

Step 3: Cross-check regulations against Street Typologies

Street Typologies developed in the master plan.

- *Desire to create an appropriate balance of activity and mix of land uses in relation to the type of street and modes of travel emphasized.*



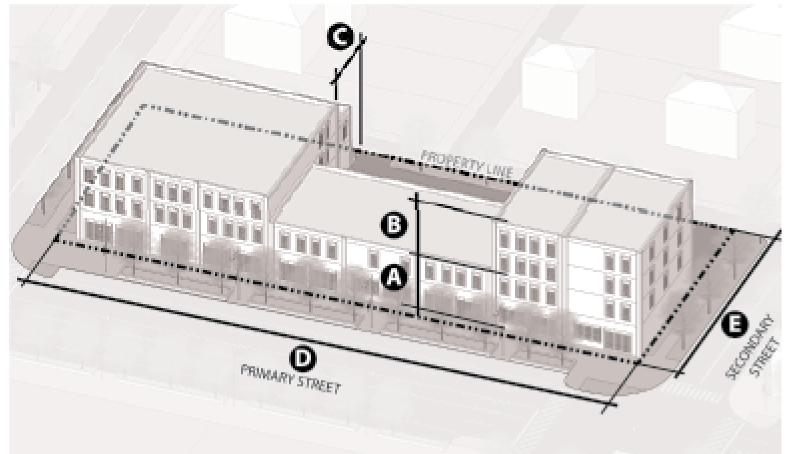


Example: MX-3 (Michigan Avenue)

1243.08.03 MX-3 SITE LAYOUT REQUIREMENTS

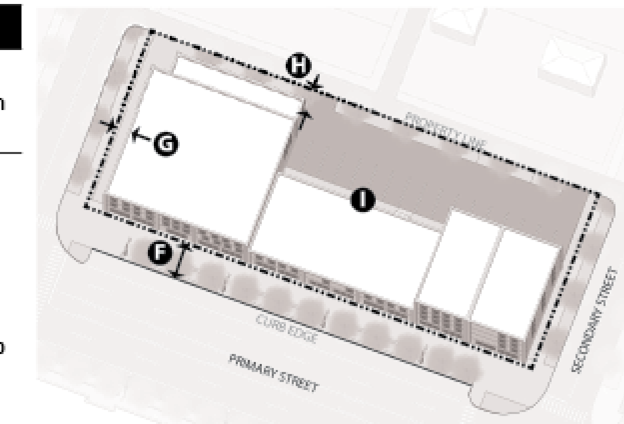
(a) BUILDING MASSING		
-A- Minimum Height	25'	1 story
-B- Maximum Height	80'	6 stories
-C- Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
-D- Minimum Frontage, Primary Street	85%	
-E- Minimum Frontage, Secondary Street	75%	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

See CHAPTER 1246 – BUILDING TYPES for dimensional standards

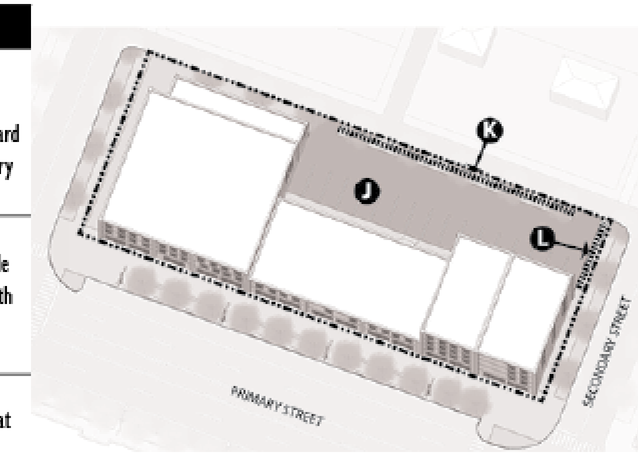


(b) BUILDING PLACEMENT	
Sidewalks	8' minimum width required on all non-local street types. 5' minimum width required on local streets.
-F- Build-to line	Front property line or 15' from street curb, whichever is greater. Planning Office may approve a setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
-G- Minimum Side Setback	0'
-H- Minimum Rear Setback	0'
-I- Maximum Lot Coverage	100%
Minimum Setback from Adjacent Residential Districts	25'
	6' opaque screenwall / fencing required along edge of residentially zoned or used property.

See Section 1250.04.01 for placement of accessory buildings.



(c) PARKING	
-J- Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-site: Side or rear yard, front yard only when corner lot on secondary streets
-K- Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
-L- Front Parking Lot Setback / Screening on Secondary Street Corners	5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	No parking required if adequate on-street and municipal parking is available
	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal



Step 5: Architectural Standards

1246.04 Architectural Regulations

1246.04.01 General Architectural Standards

(a) No part of any building may project forward of the build-to line except overhanging eaves, awnings, shopfronts, bay windows, stoops, steps, balconies, or handicapped ramps approved by the Zoning Administrator.

(b) Stoops and Front Porches

(1) Shall not extend into the public right-of-way.

(2) All required front porches shall be completely covered by a roof.

(3) Front porches may be screened (insect screening) when all architectural elements (columns, railings, etc.) occur on the outside of the screen facing the street-space

(4) Finished floor height shall be no more than 8 inches below the first interior finished floor level of the building.

(c) Awnings/Overhangs

When an awning or overhang is incorporated into a building, the following requirements must be met:

(1) Minimum 10 feet clear height above sidewalk, minimum 5 feet depth out from the facade. Maximum projection to within 1 foot of back of curb where there are no street trees, or 1 foot into the tree-planting strip.

(2) Canvas cloth or equivalent (no shiny or reflective materials).

(3) Metal and glass are permitted, when configured as a marquee over an entrance.

(4) No internal illumination through the awning/overhang.

(5) Lettering on awnings limited to 6 inches tall on vertically hanging fabric at curb side of awning.

(6) No one-quarter cylinder configurations.

(7) Awnings and overhangs shall complement the fenestration pattern of the building facade.

(d) Balconies:

(1) Shall not be located within 5 feet of any common lot line and shall not encroach into the public right-of-way.

(2) Balconies may be a single level or multiple balconies stacked vertically for multiple stories.

(3) Where Residential Districts include balconies as a method for achieving the required private open area, the balcony:

a. Shall be enclosed by balustrades, railings, or other means that block at least half of the view through them;

b. Shall not otherwise be enclosed above a height of 42 inches, except with insect screening and/or columns/posts supporting a roof or connecting with another balcony above; and

(e) Windows

(1) Glass shall be clear, with light transmission at the ground story at least 90 percent and for the upper stories 75 percent (modification as necessary to meet any applicable building and energy code requirements).

(2) Ground story windows may not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space).

(3) A minimum of 80 percent of the ground story window surface shall allow a view into the building interior for a depth of at least 12 inches.

- Projections
- Fenestration (windows/doors)
- Building materials
- Façade articulation
- Example building types to meet the district and architectural standards

1246.04.03 COMMERCIAL / MIXED-USE BUILDING TYPES		
Second Floor Finish Elevation		14' min.
Upper Floors Clear Height		8' min.
Ground Floor Finish Elevation Above/Below Sidewalk		Max of 6" above adjacent sidewalk with ramp
Minimum Fenestration Percentage		Storefront 60% Non-storefront Ground Floor 40% Upper Floors 20%
Allowed building materials on primary facades (i.e. facing onto a street)		Brick (masonry); stone; other similar materials as determined by Zoning Administrator
Allowed building materials on secondary facades (i.e. those not facing onto a street)		Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator
Roof Types		Pitched: between 4:12 and 12:12 slope Flat roof: with cornice and parapet All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.
Roof Materials (for pitched roofs)	Primary Material	Asphalt, fiberglass, tile, slate
	Accent Material (up to 25%)	Standing seam metal
Primary Facade Articulation		Walls over 30' in length must include design articulation, windows or recesses
Primary Facade Ground Floor Articulation		Ground floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.
Building Access		At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear. Maximum recessed entry of 5'..
Service		Services. Services and utility hookups shall not be visible from the primary street frontage, preferably located in the rear yard.

LANSING FBC

Introduction

Administration

District Summaries

S-C Suburban Commercial

- Single tenant or strip commercial
- More emphasis on buffers/transitions to nearby residential districts
- More auto-oriented, one double-bay of parking in front allowed
- Mixture of uses still encouraged
- *Example area: South Cedar*

Minimum Height	Maximum Height
16’	40’
1 story	3 stories

MX-C Mixed-Use Urban Corridor

- Mixed-use encouraged but not required
- Buildings fronting the street
- One bay of front-yard parking allowed only along Suburban and Arterial Corridors
- *Example area: Saginaw at MLK*

Minimum Height	Maximum Height
25’	60’
1 story	5 stories

MX-1 Mixed-Use Neighborhood Center

- Neighborhood mixed-use nodes
- Buildings fronting the street
- Front-yard parking only allowed only along Suburban and Arterial Corridors
- *Example area: Pleasant Grove & Holmes*

Minimum Height	Maximum Height
25’	40’
1 story	3 stories

MX-2 Mixed-Use Community Center

- Mixed-use redevelopment of shopping centers
- Larger nodes of community mixed-use
- Buildings fronting the street
- *Example area: Logan Square or Frandor*

Minimum Height	Maximum Height *(dependent on street type)*
25’	60’ / 40’
2 story	5 / 3 stories

MX-3 Mixed-Use District Center

- Dense, active, urban mixed-use close to Downtown
- Buildings fronting the street
- *Example area: Michigan Avenue, REO Town, Old Town*

Minimum Height	Maximum Height
25’	80’
1 story	6 stories

DT-1 Urban Edge

- Edge of Downtown
- Mixture of office and residential
- Retain historic houses / conversion to office uses
- Transition to nearby residential neighborhoods
- *Example area: Washington Ave. north of LCC*

Minimum Height	Maximum Height
25’	40’
2 story	4 stories

DT-2 Urban Flex

- Mixture of residential, commercial, industrial, entertainment
- Transitioning from older industrial and pockets of auto-oriented uses to mixture of uses and “warehouse district” vibe
- Activity Corridors with active storefront first-floor uses
- One bay of front-yard parking allowed
- *Example area: Cedar & Larch north of Shiawassee*

Minimum Height	Maximum Height *(dependent on street type)*
25’	60’ / 40’
1 story	6 / 3 stories

DT-3 Downtown Core

- The heart of Downtown
- Highest density, tall buildings
- Walkable, mixture of uses with active storefronts
- *Example area: Washington Square & Michigan*

Minimum Height	Maximum Height
25’	none
2 story	

IND-1 Suburban Industrial

- Light to medium intensity industrial uses
- Research & Development, manufacturing, warehousing
- Suburban industrial park with greenbelts
- *Example area: Grand River Ave. near airport*

Minimum Height	Maximum Height
16’	45’

IND-2 General Industrial

- Wide range of industrial uses
- Warehousing, manufacturing, trucking terminals
- *Example area: GM Grand River Plant*

Minimum Height	Maximum Height
16’	60’

IND-3 Urban Industrial

- Historic, urban industrial
- Multi-story industrial
- Office, research, manufacturing, lumber yards, heavy auto repair
- *Example area: Hazel Street Area (east of REO Town)*

Minimum Height	Maximum Height
16’	60’

INST-1 Suburban Institutional

- Campus district
- Education, government, medical facilities
- Supporting uses of office and attached residential
- Landscaped greenbelts
- *Example area: Ingham Co. Health Dept.*

Minimum Height	Maximum Height
16’	60’

INST-2 Urban Institutional

- Integrated into urban areas along corridors
- Education, government, medical facilities
- Walkable, mixed-use character
- *Example area: Sparrow Hospital on Michigan Ave.*

Minimum Height	Maximum Height
16’	60’

R-1 Suburban Residential

- Largest, lowest-density, single-family
- Unique architectural detail and quality
- *Example area: Moores River Drive / Frances Park area*

Minimum Height	Maximum Height
20’	35’
2 story	2.5 stories
Min. Lot Width	**Min. Lot Size**
60’	6000 sq. ft.

R-2 Suburban Residential

- Mid-century to modern subdivisions
- Medium-size lots, attached garages
- *Example area: Cavanaugh Park Neighborhood*

Minimum Height	Maximum Height
15’	35’
1 story	2.5 stories
Min. Lot Width	**Min. Lot Size**
50’	5000 sq. ft.

R-3 Suburban Residential

- Flexible, rural character
- Deep lots, variable setbacks
- *Example area: Pleasant View Park area*

Minimum Height	Maximum Height
15’	25’
1 story	2 stories
Min. Lot Width	**Min. Lot Size**
40’	4000 sq. ft.

R-4 Urban Edge Residential

- Historic homes (City Beautiful/Garden City movement)
- High-style historic architectural types (Tudor, Colonial Revival, Craftsman)
- *Example area: West side neighborhoods (east of MLK)*

Minimum Height	Maximum Height
20’	35’
2 story	2.5 stories
Min. Lot Width	**Min. Lot Size**
40’	4000 sq. ft.

R-5 Urban Residential

- Mid-century bungalows
- *Example area: Knollwood Willow*

Minimum Height	Maximum Height
15’	25’
1.5 story	2 stories
Min. Lot Width	**Min. Lot Size**
40’	4000 sq. ft.

R-6 Urban Residential

- Historic, urban neighborhoods
- R-6A: Single-family
- R-6B: multiple-family along corridors, still scale of detached houses (subdivided into multiple units)
- *Example area: Pleasant View Park area*

Minimum Height	Maximum Height
20’	35’
2 stories	2.5 stories
Min. Lot Width	**Min. Lot Size**
40’	4000 sq. ft.

MFR Multi-Family Campus

- Highest residential densities
- Apartment complexes with campus character, shared open space
- *Example area: Georgetown Blvd*

Minimum Height	Maximum Height
15’	40’
1 story	4 stories

R-MX Mixed Residential

- Variety of housing types
- Along corridors and near downtown
- Transition to single-family detached
- *Example area: Pennsylvania Ave. north of Jolly*

Minimum Height	Maximum Height
20’	45’
2 story	4 stories

R-AR Adaptive Reuse

- Former school sites
- Contextual compatible reuse with surrounding neighborhoods
- *Example area: Genesee Elementary*

Minimum Height	Maximum Height
15’	Equal to adjacent residential
1 story	

THANK YOU

Lansing Economic Development and Planning Department

- Brian McGrain, Director
- Sue Stachowiak, Zoning Administrator
- Andy Fedewa, Planner

For more information, see https://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC

Questions can be sent to Andrew.Fedewa@lansingmi.gov

Common Terms

- **Land Use Plan** – a general layout of place types and provides a vision for how spaces within Lansing could be developed
- **Zoning Code** – the law that regulates the activity of land. Lansing's proposed form based code will regulate the building standards as well as the use of land in the city
- **Permitted Use** – the main structure or use that is allowed in a Zoning District
- **Conditional Use –** a use not permitted outright, but requires that special conditions be met before approval.
- **Special Use** – a use or structure that could negatively affect the users of nearby properties and the community as a whole. Requests are reviewed by the Planning Board and City Council
- **Variance** – deviation from a zoning provision granted when strict enforcement would cause undue hardship. Requests are reviewed by the Board of Zoning Appeals
- **Nonconforming** (*grandfathered*) sites and uses - any *legally-established* nonconformity may be continued under the Zoning Code as long as it is not expanded, increased, or the use changed.

City of Lansing Form Based Zoning Code

August 2020

Form-Based Zoning Code

A *form-based code* (FBC) is a zoning approach that focuses more on a building's form and appearance, and less on its use.

– **Conventional zoning** emphasizes which land uses are permitted in which locations, often calling for the separation of uses. There is very limited direction on the design and form of development, generally addressing only building setback minimums, height and density maximums, and parking requirements.

– **Form-based zoning** focuses on what the desired look, feel, and character of a place should be. It addresses the relationship between buildings and the street, the form and mass of buildings in relationship to one another, the pattern of blocks and streets, and the location and type of public spaces.

The Zoning Ordinance needs to reflect the Land Use Plan in the *Design Lansing* Comprehensive Plan. The Comprehensive Plan identified existing character based on things like street patterns, building placement, and age of buildings, then recommended how to further enhance the desired patterns through redevelopment. **The Form-Based Code is the primary tool for implementing the design and land use recommendations of the Design Lansing Plan.** However, these changes won't happen overnight.

Because this will be an entirely new Form-Based Zoning Code, there will be existing structures and uses that do not meet the new standards set for each new district. However, if those structures were *lawfully* built or uses *lawfully* established with the appropriate permits under the previous Zoning Code they will still be allowed to exist as a grandfathered legal non-conformity.

A component of the FBC is a set of General Provisions that include, but are not limited to:

Keeping of Animals on Residential Properties – Prohibits the keeping of wild animals that may be detrimental to the health, safety and welfare of the community, regulates the keeping of livestock and limits the number of dogs that can be kept as household pets.

Recreational Vehicles – Restricts the number of RV's that can be kept on a residential property and regulates where they may be parked or stored on the lot.

Exterior Lighting – Requires that parking lots be adequately lit while regulating the lights to limit off-site glare.

Wind Energy Conversion Systems and Residential Antennae – Regulates the height, placement and allowable number of wind turbines and antennae in residential zones.

Waste Receptacles & Enclosures – Regulates the placement of dumpsters and requires them to be screened/enclosed.

Demolitions – Provides the City with additional controls over authorizing requests to demolish buildings for the purpose of constructing non-required parking.

For more information and requirements please click here or call the Planning Office at 517-483-4066

Form-Based Zoning Code

What uses are allowed and what standards apply?

1 – Check the Zoning District Map

- Review the district intent
- Check the list of allowed uses – including any conditional or special permit uses
- Review the site layout requirements

Site Layout Requirements:

– Building massing (height, frontage, upper floor step backs)

– Building placement (setbacks, build-to-lines, lot coverage)

– Parking configuration & loading

– Other district specific items

2 – Determine the Street Type

- Refer to the street typologies map

3 – Apply Architectural Regulations

- Determine suggested building types
- Cross-reference against street type

Architectural Regulations:

– Floor heights

– Window area (minimums)

– Primary / Secondary materials

– Roof types

– Building articulation

– Access & Services

– Suggested Building Types to meet the standards

Zoning Districts

Residential	Commercial Mixed-Use	Special
R-1 Suburban Residential	S-C Suburban Commercial	IND-1 Suburban Industrial
R-2 Suburban Residential	MX-C Mixed Use Urban Corridor	IND-2 General Industrial
R-3 Suburban Residential	MX-1 Mixed Use Neighborhood Center	IND-3 Urban Industrial
R-4 Urban Edge Residential	MX-2 Mixed Use Community Center	INST-1 Suburban Institutional
R-5 Urban Residential	MX-3 Mixed Use District Center	INST-2 Urban Institutional
R-6 Urban Residential	DT-1 Urban Edge	
R-MX Mixed Residential	DT-2 Urban Flex	
MFR - Multi-Family Residential	DT-3 Downtown Core	
R-AR Adaptive Reuse Residential		

City of Lansing Form Based Zoning Code

January 2020

Non-conforming Structures and Uses

Because Lansing is proposing to adopt an entirely new Form-Based Zoning Code, there will be new zoning districts and existing structures and uses that do not meet the new standards set for each district. However, if those structures were *lawfully* built or uses *lawfully* established with the appropriate permits under the previous Zoning Code they will still be allowed to exist as a grandfathered legal non-conformity.

Q: What is a "non-conformity"?

A: A 'nonconformity' is a use, structure or lot which does not conform with a use and/or dimensional provision of the Form-Based Code, but which use, structure, or land was *lawfully* established prior and is granted authority to continue.

Q: If I have to make repairs or replacements to my structure will my non-conforming use still be permitted?

A: Yes, routine repairs and replacements are permitted, however, if for any reason the structure is damaged to 51% or more of its replacement cost then it shall not be reconstructed except in conformity of the Form-Based Code. If the damage is 50% or less, rebuilding shall be permitted.

Q: If I have a non-conforming use that is discontinued for a period of time, and then decide to begin that same use again at a later date, will I have to conform to the new standards?

A: Possibly. Chapter 1270.04 establishes that if a non-conforming use is abandoned for more than twelve (12) months, any subsequent use shall conform to the requirements of the Form-Based Code. The Zoning Administrator may determine to approve an extension of up to six (6) months for the owner to sell or lease the premises.

Q: Am I permitted to make alterations to my non-conforming structure or use?

A: Yes, a structure may only be enlarged or altered if it does not increase its non-conformity.

A non-conforming use could not be enlarged, increased, or occupy more land unless permitted by the Board of Zoning Appeals.

Q: Am I allowed to change my non-conforming use to another non-conforming use?

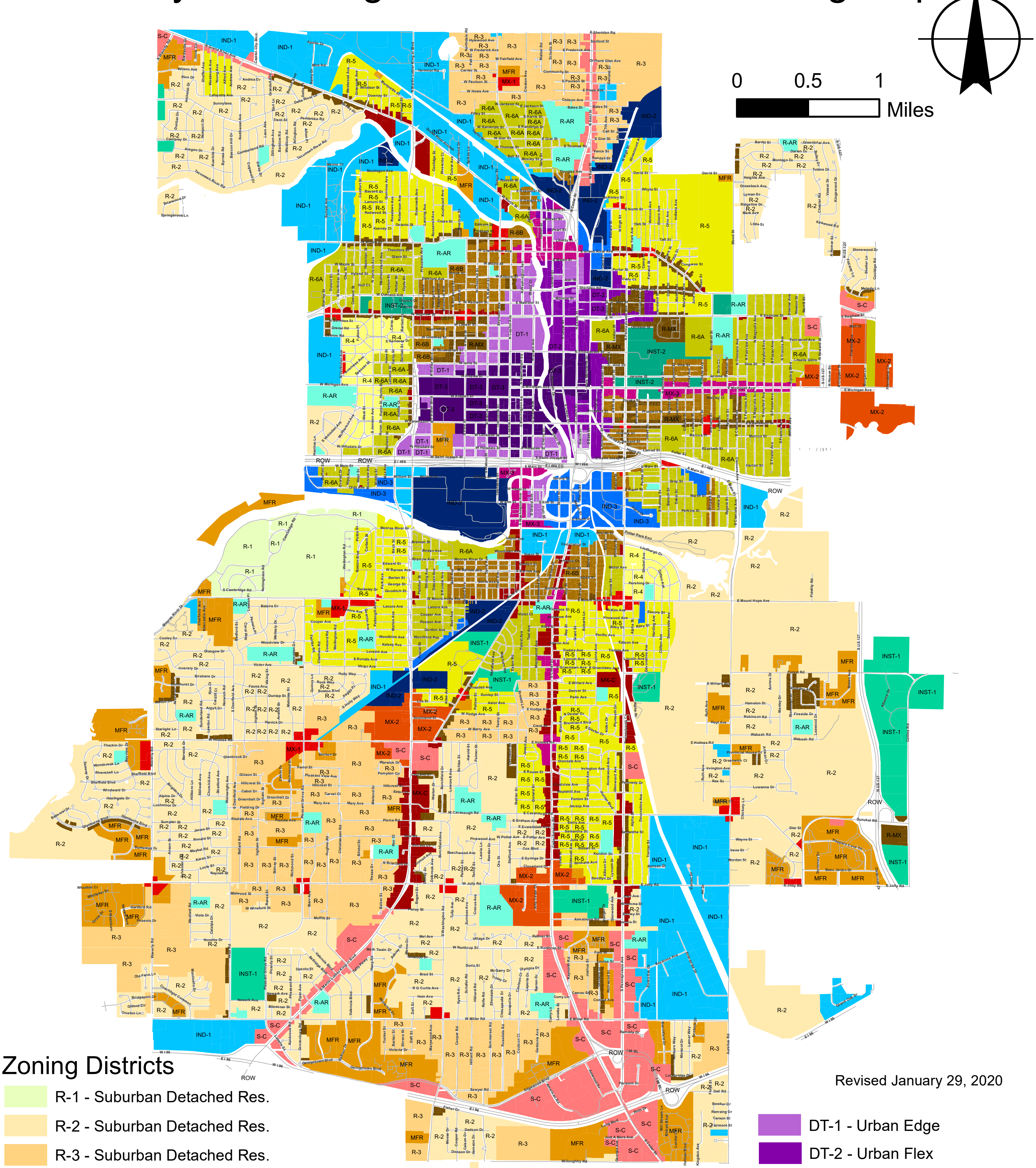
A: It is possible to change uses, such as a retail use to another similar retail use, however, the change cannot be more intense than the existing use. All applications are determined by the Zoning Administrator.

Q: I am in the process of opening a business in a district that is changing to no longer allow that use. Will I have to stop if I am not open by the code's effective date?

A: Even if your building or use is not completely opened you may still be considered with grandfathered status. If you have secured zoning approval and are diligently conducting building construction prior to the new code going into effect, the Planning Office will consider the business/use grandfathered as a legal non-conformity.

For more information and requirements please see Chapter 1270 of the Form-Based Zoning Code or call the Planning Office at 517-483-4060

DRAFT City of Lansing Form-Based Code Zoning Map



Zoning Districts

- R-1 - Suburban Detached Res.
- R-2 - Suburban Detached Res.
- R-3 - Suburban Detached Res.
- R-4 - Urban Detached Res.
- R-5 - Urban Detached Res.
- R-6A - Urban Detached Res.
- R-6B - Urban Detached Res.
- R-MX - Residential Mix
- MFR - Multi-Family Residential
- R-AR - Residential Adaptive Reuse
- S-C - Suburban Commercial
- MX-C - Mixed-Use Corridor
- MX-1 - Mixed-Use Neighborhood Center
- MX-2 - Mixed-Use Community Center
- MX-3 - Mixed-Use District Center
- DT-1 - Urban Edge
- DT-2 - Urban Flex
- DT-3- Urban Core
- IND-1 - Suburban Industrial
- IND-2 - General Industrial
- IND-3 - Urban Industrial
- INST-1 - Suburban Institution
- INST-2 - Urban Institution

City of Lansing Form-Based Code Master Use Table　Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	IND-1	IND-2	IND-3	INST-1	INST-2	Reference
Residential Uses																								
Single-Family detached	P	P	P	P	P	P	P	P		P						P								1244
Two-Family dwelling							C	P	P	P						P						P	P	1244
Multi-Family dwelling							C	P	P	P	P	P	P	P	C	P	P	P	C	C	C	P	P	1244
Mobile Home									S															
Bed and Breakfast																P	P							
Short-Term Rental	C	C	C	C	C	C	C																	Lansing Airbnb/Short-term rental housing policy
Boarding/Lodging House								P	P	P														
Human Care Facilities																								
Adult Day Care Facility								S	S							P	P							1240.04.02
Adult Foster Care (≤ 6)	P	P	P	P	P	P	P	P	P	P														1240.04.02
AFC small group home (≤ 12)	S	S	S	S	S	S	S	P	P							P	P							1240.04.02
AFC large group home (13-20)								S	S	S						S	S					S	S	1240.04.02
AFC Congregate Care								S	S	S														1240.04.02
Child Care centers, preschools, and commercial day care	S	S	S	S	S	S	S			S	C	C	C	C	C	C	C					C	C	1240.04.02
Family Day Care (≤ 6, less than 24 hours/day)	P	P	P	P	P	P	P	P	P															1240.04.02
Group Day Care Home (7-12 children, <24 hours/day)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C							1240.04.02
Foster Family Home (6 or fewer children, 24 hours/day)	P	P	P	P	P	P	P	P	P															1240.04.02
Convalescent or Nursing Home								S	S	S														12.40.04.02
Institutional																								
Places of Assembly	S	S	S	S	S	S	S	S	S	C	S	S	S	S	S	S	S	S	S	S	S	S	S	
Hospital										C	C	C	C	C	C	C	C	C				P	P	
Museum	C	C	C	C	C	C	C	C	C							P	P	P	C	C	C	P	P	
Library	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	C	C	C	P	P	
Schools	C	C	C	C	C	C	C	C	C	C			C		C	C	C					C	C	
Trade school										C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Park, open space, plaza	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	IND-1	IND-2	IND-3	INST-1	INST-2	Reference
Commercial/Office																								Chapter 1243
Retail sales and Personal Services										P	C	C	C	C	C		C	C	P	P	P			
Professional/business offices										P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Animal Hospital											C	C	C	C	C	C	C	C	C	C				
Bank											P	P	P	P	P	P	P	P	P	P	P			
Brewpub											C	C	C	C	C		C	C	P	P	P			
Cemetery	S	S								S														
Clinic										C	C	C	C	C	C	C	C	C	P	P	P	C	C	
Funeral Home											C	C	C	C	C	C	C		P	P	P	P	P	
Golf courses	S	S								S									S					
Hotel											P	P		P	P		P	P	P	P	P			
Kennel											C	C	C	C	C		C		C	C				
Laundromat, dry cleaner											P	P	P	P	P		P		P	P	P			
Mini-golf											P								P					
Mobile Food Vending (Food trucks and carts)										C	C	C	C	C	C		C		C	C	C			
Motor vehicle service station											C	C	C	C	C		C		P	P	P			1246.05.09
Nursery, commercial greenhouse										C	C	C					P		P	P	P			
Parking structure											C	C		C	C		C	C			C	C	C	1246.05.06
Restaurant, bar, tavern											C	C	C	C	C		C	C	C	C	C			
Self-storage rental																			P	P	P			
Studio (dance, health, music, etc)											P	P	P	P	P	P	P	P	P	P	P			
Vehicle sales, vehicle leasing, and other outdoor sales facility											C	C	C	C	S		S		C	C	C			
Drive-thru, as accessory use											C	C	C	C	C	S	S		C	C	C			
Industrial																								Chapter 1245
Cleaning, processing, servicing, or repair of any product																	P		P	P				
Dry cleaning plants																			P	P	P			
Industrial scrap metal processing																				P				
Lumber yards																	P		P		P			
Manufacture of already processed components (bakeries, cosmetics, candies, etc)																	P		P	P	P			

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	IND-1	IND-2	IND-3	INST-1	INST-2	Reference
Manufacture of automobiles parts and car assembly																				P				
Manufacture of toys, furniture, appliances, etc																	P		P	P	P			
Metal forming																	C		P	P	P			
Mining																				S				1245.05
Motor vehicle repair station											P						S		P	C	C			
Power plants																				P				
Production of consumer goods, with 20% GFA retail sales																	P		P	P	P			
Research laboratory										S	S	S	S	S	S	S	P		P		P	P	P	
Salvage yards																				C				
Sanitary land fill																				S				1245.05
Tool, die, and machine shops																			P	P	P			
Truck terminals																			P	P				
Wholesale and warehouse uses																	S		P	P	P			
Wireless Communications Towers																			S	S	S			1250.05
Adult Business Uses											S	S		S					S	S	S			1250.02.11

The tables and text found in each district's chapter in the ordinance govern, this table is for summary purposes only.

AGENDA ITEM E.) INSTITUTE FORM BASED CODE

The Form Based Code information is available on our website:
https://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC

Draft Form Based Zoning Code direct link:
https://www.lansingmi.gov/DocumentCenter/View/5612/Form-Based-Code-PDF?bidId=

DRAFT
NON-EMERGENCY ORDINANCE
DATE: 10/19/2020

ORDINANCE NO. ____________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES (CODE) BY AMENDING CHAPTER 602 SECTION 602.11, TO PREVENT DISEASE, PROLONG LIFE AND PROMOTE PUBLIC HEALTH BY PROVIDING FOR ENFORCEMENT OF LOCAL HEALTH ORDERS OR REGULATIONS ISSUED PURSUANT TO THE MICHIGAN PUBLIC HEALTH CODE, BEING 1978 PA 368, AS AMENDED, MCL 333.1101, ET SEQ.; TO PROVIDE FOR PENALTIES FOR WILLFUL VIOLATION OF SUCH ORDERS OR REGULATIONS WITH PERSONAL KNOWLEDGE AS A MISDEMEANOR, OR UPON BEING INFORMED OF SUCH ORDER OR REGULATION BY A LAW ENFORCEMENT OFFICER, AS A CIVIL INFRACTION.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 602, Section 602.11, of the Code be and is hereby amended in its entirety to read as follows:

(A) NO PERSON SHALL WILLFULLY AND KNOWINGLY FAIL TO OBEY ANY EMERGENCY ORDER OR REGULATION ISSUED BY THE LOCAL HEALTH OFFICER OF INGHAM OR EATON COUNTY PURSUANT TO THE MICHIGAN PUBLIC HEALTH CODE, BEING 1978 PA 368; MCL 333.1101, ET SEQ. TO PROTECT PUBLIC HEALTH AND CONTROL THE SPREAD OF THE COVID-19 PANDEMIC, INCLUDING, BUT NOT LIMITED TO, REGULATED ACTIONS DESCRIBED IN ORDERS NAMED INGHAM 2020-21, INGHAM 2020-22, INGHAM 2020-23 AND INGHAM 2020-24.

(B) VIOLATION OF SUBSECTION (A) IS A MISDEMEANOR PUNISHABLE AS PROVIDED IN CODE SECTION 202.99.

(C) NO PERSON WITH KNOWLEDGE OF AN ORDER OR REGULATION ISSUED BY A LOCAL PUBLIC HEALTH OFFICER DESCRIBED IN SUBSECTION (A), OR AFTER BEING INFORMED OF THE ORDER OR REGULATION BY A LAW ENFORCEMENT OFFICER OF THE ACT PROSCRIBED BY AN ORDER OR REGULATION DESCRIBED IN SUBSECTION (A), SHALL FAIL TO IMMEDIATELY OR REPEATEDLY COMPLY WITH A DIRECTIVE OF A LAW ENFORCEMENT OFFICER TO OBEY THE ORDER OR REGULATION.

(D) VIOLATION OF SUBSECTION (C) IS A MUNICIPAL CIVIL INFRACTION PUNISHABLE AS PROVIDED IN CODE SECTION 202.99(C).

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are 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 take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire December 31, 2029.

Approved as to form:

____
City Attorney
Dated: _____________________________

AGENDA ITEM B) Montgomery Drainage District Improvements
Special Assessment Details

https://www.lansingmi.gov/2054/Montgomery-Drain-Project

TOTAL APPROXIMATE APPORTIONMENTS

JURISDICTION	PERCENTAGE (%)	AMOUNT ($)
City of Lansing	64.0	22,347,200.54
Lansing Township	14.3	4,997,786.83
Michigan Department of Transportation (MDOT)	9.9	3,437,406.88
City of East Lansing	7.2	2,520,819.40
Ingham County Road Department (ICRD)	4.6	1,587,528.78

DRAFT SPECIAL ASSESSMENT ROLL FOR MONTGOMERY DRAIN

Andy Schor, Mayor

This list serves as a draft roll for the Montgomery Drain assessments. The information is in alphabetical order based on street name.

COOLIDGE ROAD

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-476-082	905	0.423	0.423			0.90	0.381	0.310%	$36,718.05
33-01-01-11-476-101	921	0.580	0.580			0.90	0.522	0.425%	$50,346.26
33-01-01-11-430-331	1017	0.193	0.193			0.33	0.064	0.052%	$6,142.82
33-01-01-11-430-341	1023	0.193	0.193			0.30	0.058	0.047%	$5,584.38
33-01-01-11-430-351	1029	0.193	0.193			0.30	0.058	0.047%	$5,584.38
33-01-01-11-430-361	1035	0.193	0.193			0.30	0.058	0.047%	$5,584.38
33-01-01-11-430-381	1047	0.226	0.226			0.30	0.068	0.055%	$6,539.23
33-01-01-11-430-391	1053	0.220	0.220			0.30	0.066	0.054%	$6,365.62
33-01-01-11-430-401	1101	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-430-411	1109	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-430-421	1117	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-430-431	1125	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-430-441	1131	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-430-461	1215	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-430-471	1233	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-426-131	1301	0.259	0.213			0.30	0.064	0.052%	$6,163.08
33-01-01-11-476-053		1.412	1.412			0.90	1.271	1.034%	$122,567.10
33-01-01-11-430-371	1041	0.193	0.193			0.33	0.064	0.052%	$6,142.82
33-01-01-11-430-351	1201	0.234	0.234			0.30	0.070	0.057%	$6,770.70

E. GRAND RIVER AVENUE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-476-031	3121	2.355	2.355			0.90	2.120	1.725%	$204,423.18
33-01-01-11-476-043	3201	1.390	1.390			0.90	1.251	1.018%	$120,657.42

E. MICHIGAN AVENUE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-14-256-064	3003	1.271	1.271	0.036		0.90	1.112	0.905%	$107,202.81
33-01-01-14-226-021	3131	14.481	14.481			0.90	13.033	10.607%	$1,257,007.24
33-01-01-14-226-031	3165	3.368	3.368		0.1	0.90	2.728	2.220%	$263,119.97
33-01-01-14-226-061	3201	18.900	18.900			0.00	0.000	0.000%	$0.00
33-01-01-13-151-002	3301	9.483	9.483	0.21		0.90	8.346	6.793%	$804,932.54
33-01-01-13-151-038	3315	1.301	1.301			0.90	1.171	0.953%	$112,931.87
33-01-01-13-151-014	3335	0.577	0.577			0.90	0.519	0.423%	$50,085.85
33-01-01-13-151-023	3433	1.007	1.007		0.1	0.90	0.816	0.664%	$78,670.37
33-01-01-13-226-051		0.675	0.675	0.675		0.90	0.000	0.000%	$0.00
33-01-01-13-256-071		0.705	0.705	0.0971		0.90	0.547	0.445%	$52,768.09

[SEE NEXT PAGE]

DRAFT SPECIAL ASSESSMENT ROLL FOR MONTGOMERY DRAIN

Andy Schor, Mayor

This list serves as a draft roll for the Montgomery Drain assessments. The information is in alphabetical order based on street name.

E. SAGINAW STREET

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-451-002	3101	0.950	0.950	0.1448		0.90	0.725	0.590%	$69,894.50
33-01-01-11-451-021	3125	0.986	0.986			0.90	0.887	0.722%	$85,588.64
33-01-01-14-226-071	3130	0.999	0.999			0.90	0.899	0.732%	$86,717.09
33-01-01-11-451-031	3201	0.507	0.507			0.90	0.456	0.371%	$44,009.58
33-01-01-14-226-067	3220	1.090	1.090			0.90	0.981	0.798%	$94,616.25
33-01-01-14-226-082	3240	1.035	1.035	0.1739		0.90	0.775	0.631%	$74,746.84
33-01-01-14-226-001	3100	1.414	1.414			0.90	1.273	1.036%	$122,740.71
33-01-01-11-476-071	3435	1.338	1.338			0.90	1.204	0.980%	$116,143.62
33-01-01-11-476-062	3415	2.588	2.588			0.90	2.329	1.896%	$224,648.49

FAIRWAY COURT

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR			
33-01-01-11-428-082	3106	0.276	0.276			0.30	0.083	0.067%	$7,985.96
33-01-01-11-428-132	3109	0.423	0.423			0.28	0.118	0.096%	$11,423.39
33-01-01-11-428-061	3116	0.247	0.247			0.30	0.074	0.060%	$7,146.85
33-01-01-11-428-111	3107	0.338	0.338			0.28	0.095	0.077%	$9,127.91
33-01-01-11-428-071	3110	0.201	0.201			0.30	0.060	0.049%	$5,815.86

FAIRWAY LANE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-429-161	936	0.128	0.128			0.33	0.042	0.034%	$4,074.00
33-01-01-11-429-151	1001	0.307	0.307			0.90	0.276	0.225%	$26,648.80
33-01-01-11-429-151	1008	0.160	0.160			0.33	0.053	0.043%	$5,092.50
33-01-01-11-476-001	1009	0.251	0.251			0.90	0.226	0.184%	$21,787.78
33-01-01-11-429-141	1014	0.184	0.184			0.33	0.061	0.049%	$5,856.37
33-01-01-11-428-142	1019	0.377	0.377			0.28	0.106	0.086%	$10,181.13
33-01-01-11-429-131	1020	0.184	0.184			0.30	0.055	0.045%	$5,323.97
33-01-01-11-429-121	1028	0.216	0.216			0.30	0.065	0.053%	$6,249.88
33-01-01-11-429-111	1032	0.212	0.212			0.30	0.064	0.052%	$6,134.14
33-01-01-11-429-101	1036	0.268	0.268			0.30	0.080	0.065%	$7,754.48
33-01-01-11-429-091	1040	0.220	0.220			0.30	0.066	0.054%	$6,365.62
33-01-01-11-428-052	1043	0.136	0.136			0.33	0.045	0.037%	$4,328.62
33-01-01-11-429-081	1102	0.338	0.338			0.28	0.095	0.077%	$9,127.91
33-01-01-11-428-042	1107	0.284	0.284			0.28	0.080	0.065%	$7,669.61
33-01-01-11-429-071	1108	0.348	0.348			0.28	0.097	0.079%	$9,397.97
33-01-01-11-429-061	1114	0.256	0.256			0.28	0.072	0.058%	$6,913.45
33-01-01-11-428-031	1119	0.226	0.226			0.30	0.068	0.055%	$6,539.23

[SEE NEXT PAGE]

Andy Schor, Mayor

DRAFT SPECIAL ASSESSMENT ROLL FOR MONTGOMERY DRAIN

This list serves as a draft roll for the Montgomery Drain assessments. The information is in alphabetical order based on street name.

33-01-01-11-429-051	1120	0.249	0.249			0.30	0.075	0.061%	$7,204.72
33-01-01-11-428-022	1127	0.490	0.490			0.25	0.122	0.100%	$11,814.97
33-01-01-11-429-041	1128	0.242	0.242			0.30	0.073	0.059%	$7,002.18
33-01-01-11-429-031	1136	0.248	0.248			0.30	0.074	0.061%	$7,175.79
33-01-01-11-428-012	1141	0.369	0.369			0.28	0.103	0.084%	$9,965.09
33-01-01-11-429-021	1144	0.248	0.248			0.30	0.074	0.061%	$7,175.79
33-01-01-11-429-011	1202	0.231	0.231			0.30	0.069	0.056%	$6,683.90
33-01-01-11-429-001	1210	0.290	0.290			0.28	0.081	0.066%	$7,831.64
33-01-01-11-476-021	3101	3.261	3.261			0.90	2.935	2.389%	$283,067.51

FRESNO LANE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-476-131	6107	0.207	0.207			0.33	0.068	0.056%	$6,588.42

FRIENDSHIP CIRCLE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-13-151-036	200	3.900	3.900			0.90	3.510	2.857%	$338,535.20
33-01-01-13-151-034		0.849	0.849			0.90	0.764	0.622%	$73,696.51

HILLGATE CIRCLE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-427-011	3201	0.379	0.379			0.28	0.106	0.086%	$10,235.14
33-01-01-11-427-021	3209	0.267	0.267			0.28	0.075	0.061%	$7,210.51
33-01-01-11-427-031	3213	0.313	0.313			0.28	0.088	0.071%	$8,452.77

HILLGATE WAY

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-429-271	1105	0.256	0.256			0.30	0.077	0.063%	$7,407.27
33-01-01-11-427-081	1114	0.191	0.191			0.33	0.063	0.051%	$6,079.17
33-01-01-11-429-281	1115	0.307	0.307			0.28	0.086	0.070%	$8,290.74
33-01-01-11-427-071	1122	0.237	0.237			0.30	0.071	0.058%	$6,857.51
33-01-01-11-429-291	1123	0.303	0.303			0.28	0.085	0.069%	$8,182.71
33-01-01-11-429-301	1131	0.247	0.247			0.30	0.074	0.060%	$7,146.85
33-01-01-11-427-061	1132	0.275	0.275			0.28	0.077	0.063%	$7,426.56
33-01-01-11-429-311	1139	0.237	0.237			0.30	0.071	0.058%	$6,857.51
33-01-01-11-427-052	1142	0.209	0.209			0.30	0.063	0.051%	$6,047.34
33-01-01-11-429-321	1147	0.245	0.245			0.30	0.074	0.060%	$7,088.98
33-01-01-11-429-331	1155	0.219	0.219			0.30	0.066	0.053%	$6,336.68

[SEE NEXT PAGE]

DRAFT SPECIAL ASSESSMENT ROLL FOR MONTGOMERY DRAIN

Andy Schor, Mayor

This list serves as a draft roll for the Montgomery Drain assessments. The information is in alphabetical order based on street name.

33-01-01-11-429-352	1211	0.166	0.166			0.33	0.055	0.045%	$5,283.46
33-01-01-11-429-342	1203	0.250	0.250			0.30	0.075	0.061%	$7,233.66

HOLIDAY DRIVE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-476-241	3100	0.327	0.327			0.90	0.294	0.240%	$28,384.87
33-01-01-11-476-231	3106	0.292	0.292			0.90	0.263	0.214%	$25,346.74
33-01-01-11-476-201	3115	0.209	0.209			0.30	0.063	0.051%	$6,047.34
33-01-01-11-476-221	3120	0.578	0.578			0.90	0.520	0.423%	$50,172.65
33-01-01-11-476-211	3208	0.646	0.646			0.90	0.581	0.473%	$56,075.32
33-01-01-11-476-201	3218	0.920	0.920			0.90	0.828	0.674%	$79,859.59
33-01-01-11-476-191	3225	0.476	0.476			0.90	0.428	0.349%	$41,318.66
33-01-01-11-476-181	3227	0.417	0.417			0.90	0.375	0.305%	$36,197.23

MELODY LANE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-476-121	3320	0.193	0.193			0.30	0.058	0.047%	$5,584.38
33-01-01-11-476-111	3328	0.215	0.215			0.30	0.064	0.052%	$6,220.95
33-01-01-11-430-241	3201	0.255	0.255			0.30	0.076	0.062%	$7,378.33
33-01-01-11-476-171	3206	0.256	0.256			0.90	0.230	0.188%	$22,221.80
33-01-01-11-430-251	3207	0.243	0.243			0.30	0.073	0.059%	$7,031.12
33-01-01-11-430-261	3211	0.202	0.202			0.30	0.061	0.049%	$5,844.80
33-01-01-11-476-161	3212	0.166	0.166			0.33	0.055	0.045%	$5,283.46
33-01-01-11-430-271	3215	0.215	0.215			0.30	0.064	0.052%	$6,220.95
33-01-01-11-476-151	3220	0.178	0.178			0.33	0.059	0.048%	$5,665.40
33-01-01-11-430-282	3301	0.332	0.332			0.28	0.093	0.076%	$8,965.88
33-01-01-11-430-292	3307	0.257	0.257			0.30	0.077	0.063%	$7,436.20
33-01-01-11-476-141	3308	0.207	0.207			0.33	0.068	0.056%	$6,588.42
33-01-01-11-430-301	3313	0.249	0.249			0.30	0.075	0.061%	$7.204.72
33-01-01-11-430-321	3331	0.220	0.220			0.30	0.066	0.054%	$6,365.62
33-01-01-11-430-311	3321	0.281	0.281			0.28	0.079	0.064%	$7,588.59

N. CLIPPERT STREET

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-14-256-080	125	0.549	0.549			0.90	0.494	0.402%	$47,655.34
33-01-01-14-256-102	203	0.274	0.274			0.90	0.247	0.201%	$23,784.27
33-01-01-14-256-111	211	0.129	0.129			0.90	0.116	0.094%	$11,197.70
33-01-01-14-256-121	215	0.124	0.124			0.90	0.112	0.091%	$10,763.68
33-01-01-14-256-022	223	1.112	1.112			0.90	1.001	0.815%	$96,525.93

[SEE NEXT PAGE]

DRAFT SPECIAL ASSESSMENT ROLL FOR MONTGOMERY DRAIN

Andy Schor, Mayor

This list serves as a draft roll for the Montgomery Drain assessments. The information is in alphabetical order based on street name.

N. HOMER STREET

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-14-256-042	200	0.664	0.664			0.90	0.598	0.486%	$57,637.79

NO FRONTAGE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-426-037		0.413	0.114			0.22	0.025	0.020%	$2,418.94

OAKRIDGE DRIVE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-13-151-041	1275	0.774	0.774			0.90	0.697	0.567%	$67,186.22

RANDOR AVENUE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-14-256-015	300	32.000	32.000	0.719		0.90	28.153	22.913%	$2,715,312.72

S. CLIPPERT STREET

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-14-426-001	203	20.000	20.000			0.00	0.000	0.000%	$0.00
33-01-01-14-426-001	203	35.440	31.280		0.1	0.90	26.982	21.960%	$2,602,380.85

SHELTER LANE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-430-221	1000	0.254	0.254			0.30	0.076	0.062%	$7,349.40
33-01-01-11-429-171	1001	0.245	0.245			0.30	0.074	0.060%	$7,088.98
33-01-01-11-430-211	1004	0.180	0.180			0.33	0.059	0.048%	$5,729.06
33-01-01-11-429-181	1005	0.259	0.259			0.30	0.078	0.063%	$7,494.07
33-01-01-11-430-201	1010	0.180	0.180			0.33	0.059	0.048%	$5,729.06
33-01-01-11-429-191	1011	0.321	0.321			0.28	0.090	0.073%	$8,668.82
33-01-01-11-430-191	1016	0.207	0.207			0.33	0.068	0.056%	$6,588.42
33-01-01-11-429-201	1019	0.247	0.247			0.30	0.074	0.060%	$7,146.85
33-01-01-11-430-181	1020	0.221	0.221			0.30	0.066	0.054%	$6,394.55
33-01-01-11-429-211	1025	0.245	0.245			0.30	0.074	0.060%	$7,088.98
33-01-01-11-430-171	1026	0.196	0.196			0.30	0.059	0.048%	$5,671.19
33-01-01-11-430-161	1028	0.199	0.199			0.30	0.060	0.049%	$5,757.99
33-01-01-11-429-221	1029	0.270	0.270			0.30	0.081	0.066%	$7,812.35

[SEE NEXT PAGE]

Andy Schor, Mayor

DRAFT SPECIAL ASSESSMENT ROLL FOR MONTGOMERY DRAIN

This list serves as a draft roll for the Montgomery Drain assessments. The information is in alphabetical order based on street name.

33-01-01-11-430-151	1030	0.176	0.176			0.33	0.058	0.047%	$5,601.74
33-01-01-11-430-141	1032	0.233	0.233			0.30	0.070	0.057%	$6,741.77
33-01-01-11-430-131	1034	0.330	0.330			0.28	0.092	0.075%	$8,911.87
33-01-01-11-429-231	1035	0.353	0.353			0.28	0.099	0.080%	$9,533.00
33-01-01-11-430-121	1036	0.336	0.336			0.28	0.094	0.077%	$9,073.90
33-01-01-11-429-241	1037	0.388	0.388			0.28	0.109	0.088%	$10,478.19
33-01-01-11-429-251	1039	0.262	0.262			0.28	0.073	0.060%	$7,075.48
33-01-01-11-430-111	1044	0.271	0.271			0.30	0.081	0.066%	$7,841.29
33-01-01-11-430-101	1048	0.248	0.248			0.30	0.074	0.061%	$7,175.79
33-01-01-11-429-261	1049	0.219	0.219			0.30	0.066	0.053%	$6,336.68
33-01-01-11-430-091	1056	0.248	0.248			0.30	0.074	0.061%	$7,175.79
33-01-01-11-430-081	1100	0.185	0.185			0.33	0.061	0.050%	$5,888.20
33-01-01-11-427-091	1103	0.279	0.279			0.28	0.078	0.064%	$7,534.58
33-01-01-11-430-071	1110	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-427-101	1115	0.218	0.218			0.30	0.065	0.053%	$6,307.75
33-01-01-11-430-061	1118	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-427-112	1123	0.238	0.238			0.30	0.071	0.058%	$6,886.44
33-01-01-11-430-051	1126	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-427-123	1129	0.315	0.315			0.28	0.088	0.072%	$8,506.78
33-01-01-11-430-041	1132	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-427-132	1139	0.293	0.293			0.28	0.082	0.067%	$7,912.66
33-01-01-11-430-031	1140	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-427-141	1145	0.230	0.230			0.30	0.069	0.056%	$6,654.97
33-01-01-11-430-021	1148	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-427-151	1151	0.230	0.230			0.30	0.069	0.056%	$6,654.97
33-01-01-11-430-011	1152	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-427-161	1159	0.244	0.244			0.30	0.073	0.060%	$7,060.05
33-01-01-11-430-001	1164	0.235	0.235			0.30	0.070	0.057%	$6,799.64

STONEWOOD DRIVE

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-11-427-001	3208	0.240	0.240			0.30	0.072	0.059%	$6,944.31
33-01-01-11-426-035	3211	0.316	0.316			0.28	0.088	0.072%	$8,533.79
33-01-01-11-427-201	3218	0.203	0.203			0.33	0.067	0.055%	$6,461.10
33-01-01-11-426-042	3221	0.426	0.186			0.28	0.052	0.042%	$5,023.05
33-01-01-11-427-191	3226	0.233	0.233			0.30	0.070	0.057%	$6,741.77
33-01-01-11-426-052	3227	0.263	0.140			0.30	0.042	0.034%	$4,050.85
33-01-01-11-426-061	3231	0.230	0.127			0.30	0.038	0.031%	$3,674.70

[SEE NEXT PAGE]

DRAFT SPECIAL ASSESSMENT ROLL FOR MONTGOMERY DRAIN

Andy Schor, Mayor

This list serves as a draft roll for the Montgomery Drain assessments. The information is in alphabetical order based on street name.

33-01-01-11-427-181	3232	0.239	0.239			0.30	0.072	0.058%	$6,915.38
33-01-01-11-426-071	3237	0.230	0.117			0.30	0.035	0.029%	$3,385.35
33-01-01-11-427-171	3240	0.239	0.239			0.30	0.072	0.058%	$6,915.38
33-01-01-11-426-081	3245	0.258	0.100			0.30	0.030	0.024%	$2,893.46
33-01-01-11-436-092	3251	0.215	0.042			0.30	0.013	0.010%	$1,215.25
33-01-01-11-426-102	3301	0.215	0.041			0.30	0.012	0.010%	$1,186.32
33-01-01-11-426-111	3307	0.230	0.057			0.30	0.017	0.014%	$1,649.27
33-01-01-11-426-121	3315	0.230	0.060			0.30	0.018	0.015%	$1,736.08
33-01-01-11-430-481	3322	0.234	0.234			0.30	0.070	0.057%	$6,770.70
33-01-01-11-426-022		0.435	0.435			0.00	0.000	0.000%	$0.00

VINE STREET

PARCEL NUMBER	ADDRESS NUMBER	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G'S	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	ASSESSMENT (% OF TOTAL)	APPROX. TOTAL ASSESSMENT
33-01-01-14-256-001	3000	0.618	0.618			0.90	0.556	0.453%	$53,644.81
								100%	**$11,850,307.04**

[END]

Montgomery Drain Assessment Methodology

The Montgomery Drainage District Drain Board set the City's apportionment at 64.049% of the overall project cost. This equates to an estimated amount of approximately $23.7 million for the City of Lansing.

Given the scope and cost of the Drain Improvements by the Drainage District, the City has recommended assessing 50% of the project cost to benefitted properties within the district. The draft assessment roll distributes these costs by computing the runoff contribution of each parcel (equivalent runoff area/acreage) as a fraction of the overall runoff of the parcels as follow:

To calculate the Equivalent Runoff Acreage of a parcel, the total size of parcel within the district (in acres) is multiplied by a factor, based on land use.

Land Use Factor – These industry accepted factors are based on the relative storm water contribution of each land use type on a per acre basis. For example, a commercial property contributes three times the amount of storm water that a ¼ acre residential property does (0.9/0.3 = 3).

Land Use	**Factor**
Park	0.00
Single Family Residential (1/8) acre	0.33
Single Family Residential (1/4) acre	0.30
Single Family Residential (1/3) acre	0.28
Single Family Residential (1/2) acre	0.25
High Density Multi Family Residential/ Apt	0.90
Commercial	0.90

Adjustments – On a case by case basis, a reduction is applied to acreage used for rain gardens and other low impact development features within the project. A reduction of 10% is also applied to the portion of any parcel which drains to a storm water management facility approved by the Ingham County Drain Commission and implemented during development or redevelopment of a site.

Once the equivalent runoff acres are calculated for all parcels in the district, these are summed to calculate the total equivalent runoff acreage in the district (122.8 acres)

The amount assessed to the parcels is the percentage of each parcel's equivalent runoff area to the total equivalent runoff area multiplied by the assessed amount ($11,850,307.04). This equates to $96,493.50 per equivalent runoff acre.

The individual parcel assessments can be calculated by applying this per acre rate to the equivalent runoff acreage for a parcel.

Example Calculations

Assessment = Parcel Size x Runoff Factor x Rate
Residential (.25 acre lot) 0.25 x .3 x $96,493.50 = $7,237.01
Commercial (1.0 acre lot) 1.00 x .9 x $96,493.50 = $86,844.15

Jackson, Brian

From: Joel Sharkey <joelsharkey@ameritech.net>
Sent: Wednesday, October 7, 2020 5:44 PM
To: Clerk, City
Cc: Peter Spadafore; Betz, Brandon

Subject: [EXTERNAL] Appeal from the Montgomery Drain Project assessment

Due to continued flooding in my backyard and into the basement of my home, I contracted with Land Design Collaborative,428 E. Cherry St, Mason, Mi., in March of 2010 for the installation of a rain garden to handle the flooding. The work was completed that year, along with other landscaping, and the flooding was handled. The total cost of the project was over $9000. I called the Drain Commissioner's office and asked for help but, after a number of phone calls, I was told there was nothing they could do.

In addition, the water continued to build up under the foundation and cracked the floor of basement and leaked down the walls. We have invested an additional $9000 dollars to add drainage tile around the walls of the foundation and we have had a sump pump installed.

To date, I have spent over $18,000.00 of my own money to deal with the water problems on my property Due to the failure of the Drain Commissioner to alleviate my flooding problem, I feel that I have invested more than twice the assessed charges for the drain project.

I still have the landscape architect's plans and, of course, the rain garden, available for your inspection. In addition, I will make my basement available for your inspection.

Respectfully,

Joel A. Sharkey
1139 Hillgate Way
Lansing, Mi, 48912
Parcel Number 33-01-01-11-429-311

Sent from my iPad

October 15, 2020

RECEIVED
OCT 21 2020
City of Lansing
City Council

Ms. Sherrie Boak
Lansing City Council
124 West Michigan Avenue
10th Floor City Hall
Lansing, MI 48933

Dear Ms. Boak:

Enclosed is my letter to Councilman Betz regarding my assessment for the Montgomery Drain.

Also enclosed are copies for each of the other members of City Council.

Please distribute them to each Council member.

Thank you.

Sincerely,

Pat Barnes

Pat Barnes

3301 Melody Lane
Lansing, MI 48912

Phone: (517) 351-5169

October 12, 2020

Mr. Brandon Betz
Lansing City Council
124 West Michigan Avenue
10th Floor City Hall
Lansing, MI 48933

Dear Mr Betz:

Thank you for attending our neighborhood meeting on October 6 regarding the Montgomery Drain assessment. Council President Spadafore's and your presence was appreciated by me and, I am sure, many of my neighbors here in the Frandora Hills subdivision.

I wish to here reiterate my case for a downward adjustment in my assessment for the Montgomery Drain.

As I mentioned at the meeting my lot (street address 3301 Melody Lane) is in the shape of a giant fan with the base of the fan (the narrowest part) being the Melody Lane curb and the top of the fan (the widest part) being my backyard lot line.

By any measure my backyard which is terraced (upper terrace and lower terrace) is very large. To illustrate, my backyard lot line abuts two backyard lots on Shelter Lane in their entirety and half of a third lot.

It is this very large lower terrace to which I wish to call your attention. In the forty-seven and half years that my wife and I have lived in our home, we have noticed that whenever there is heavy precipitation, the lower terrace becomes marshy. Eventually, in the course of a day or several days the water disappears into the ground. From our observations over time it is apparent that the water in this area has never and could never reach a drain. In order for it to do so it would have to travel uphill as the lower terrace is the lowest part of my lot.

What we have here then is an assessment being made for drainage purposes on a lot a substantial part of which cannot ever be drained owing to the contours of the land.

In the interest of fairness I ask that the assessment, currently almost nine thousand dollars, be reduced to reflect the reduction in land actually being drained.

If you or any other council member or their staff or any interested city official wish further information or wish to inspect the property, please do not hesitate to contact me. My phone number is 517-351-5169.

Thank you.

Sincerely,

Pat Barnes

Pat Barnes

3301 Melody Lane
Lansing, MI. 48912

c: P. Spadafore
K. Dunbar
P. Spitzley
C. Wood
J. Garza
A. Hussain
B. Jackson

Jackson, Brian

From: sean zielinski <zielinski.sean@gmail.com>
Sent: Wednesday, October 7, 2020 9:56 PM
To: Clerk, City
Subject: [EXTERNAL] Montgomery Drain Tax Assessment Appeal

Dear City Clerk,

This is an email in objection to the Montgomery Drain project. I received a notice regarding this public hearing due to owning parcel number 33-01-01-11-476-111 - 3328 Melody lane. I also own another parcel 33-01-01-11-476-131- 3312 Melody lane

From what I have read about this project the cost will be split 50/50 between lansing tax and those property owners that will benefit from this drain improvement.To start, the drain commission has picked a horrible time to assess any lansing residents this type of cost. I find it atrocious that they would push something like this through and then put all of the cost on the taxpayers. If this project were funded by the state or federal funds that would be great but when the struggling taxpayer receives an additional hit like this it makes me question motives. Is this due to the development off of Michigan Ave that is going in? Why now with a depressed economy?

Despite the fact that my house is on the drain I do not feel as though I am creating pollution and or toxic runoff. The houses have their own natural rain gardens that hold run off water within the property.

I also understand the sewer will be upgraded despite it already functioning at historical standards. In my honest opinion it appears to be an extravagant project at the expense of the vulnerable residents which happen to live on this drainage system. The neighborhood I am part of Frandora Hills - is a self contained lower income area that is honestly already strapped and will have an even harder time with this large burden tossed on top of current living costs.

Please consider removing the assessment from the personal residences along the drainage system. This is a community issue which is largely due to the commercial business pollution along the drain not the single family houses. Please don't punish the residents that live close to the Frandor area for the sewer waste and run off all of the businesses create.

Thank you

Sean Zielinski
734 837 6343

Jackson, Brian

From: Joel Sharkey <joelsharkey@ameritech.net>
Sent: Wednesday, October 7, 2020 5:44 PM
To: Clerk, City
Cc: Peter Spadafore; Betz, Brandon
Subject: [EXTERNAL] Appeal from the Montgomery Drain Project assessment

Due to continued flooding in my backyard and into the basement of my home, I contracted with Land Design Collaborative,428 E. Cherry St, Mason, Mi., in March of 2010 for the installation of a rain garden to handle the flooding. The work was completed that year, along with other landscaping, and the flooding was handled. The total cost of the project was over $9000. I called the Drain Commissioner's office and asked for help but, after a number of phone calls, I was told there was nothing they could do.
In addition, the water continued to build up under the foundation and cracked the floor of basement and leaked down the walls. We have invested an additional $9000 dollars to add drainage tile around the walls of the foundation and we have had a sump pump installed.
To date, I have spent over $18,000.00 of my own money to deal with the water problems on my property Due to the failure of the Drain Commissioner to alleviate my flooding problem, I feel that I have invested more than twice the assessed charges for the drain project.
I still have the landscape architect's plans and, of course, the rain garden, available for your inspection. In addition, I will make my basement available for your inspection.

Respectfully,

Joel A. Sharkey
1139 Hillgate Way
Lansing, Mi, 48912
Parcel Number 33-01-01-11-429-311

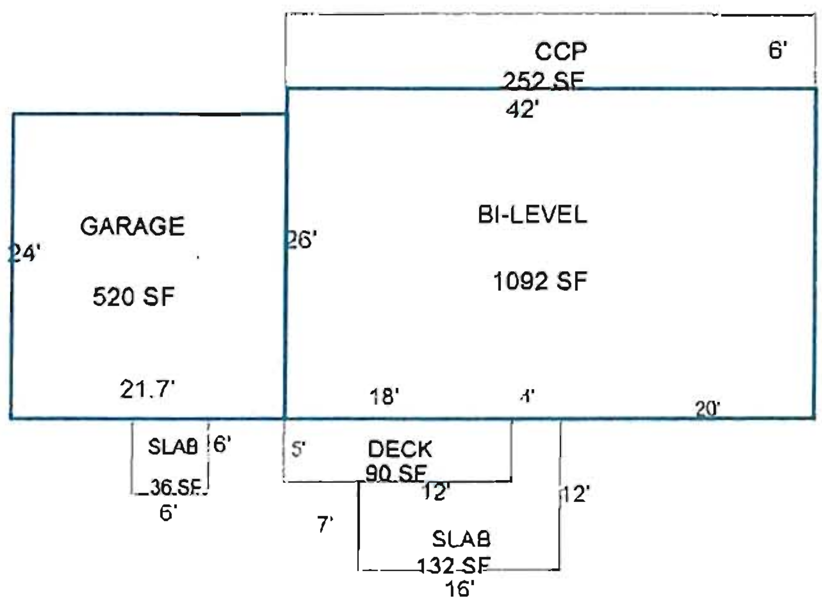
Sent from my iPad

Hi,

I am appealing my assessment on the grounds that my property generates far less runoff into the sewer system than the land use factor that was applied.

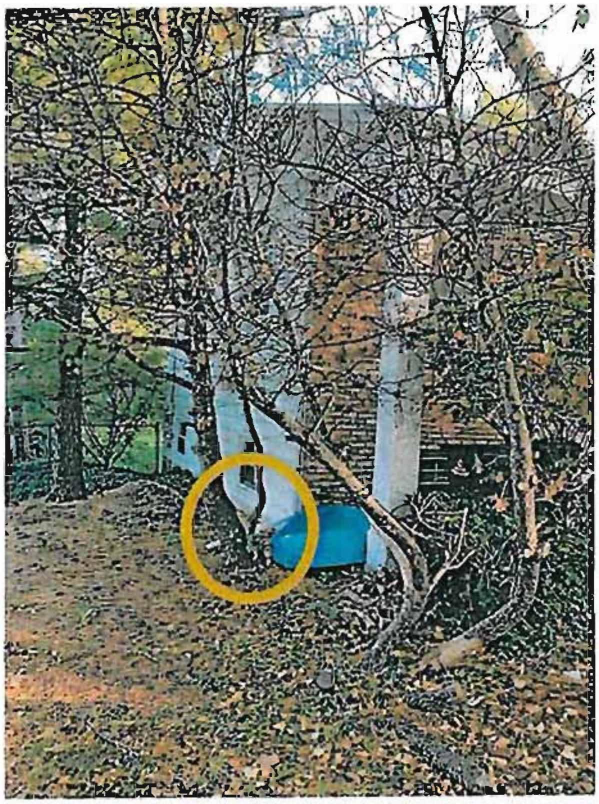
My assessment utilized a land use factor of 0.28, on 0.388 acres. According to Ingham County property search, that is the right acreage to the 1/1000th of an acre, but more precisely my property is 17,193 square feet.

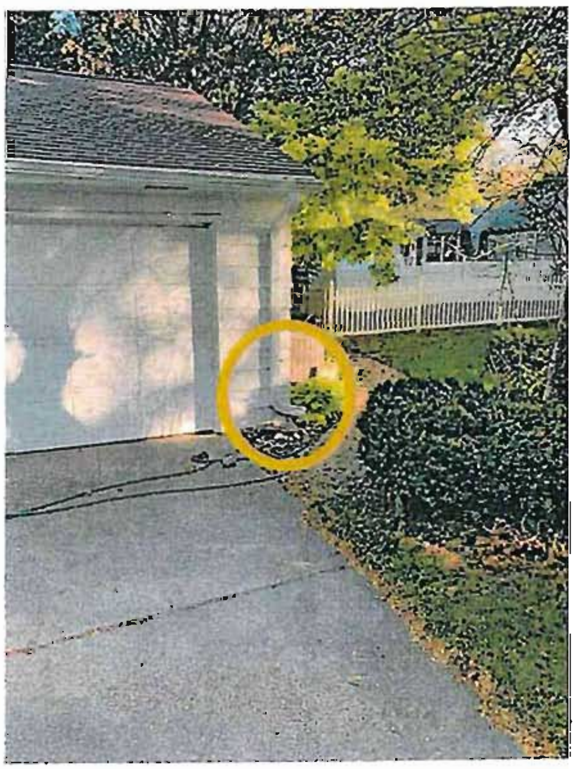
First, I am contesting it on the basis that my actual impermeable surfaces are far less than the runoff factor according to property search. The diagram below comes from the web site. Adding up all of these areas results in 2,122 sq feet. To that I will add my walkway and driveway, which are 4 x 31 (124) and 49 x 16 (784) square feet respectively. This gives a total of 3,030 square feet. 3,030 / 17,193 = 17.623%. So that is argument #1 for 0.28 being too high.

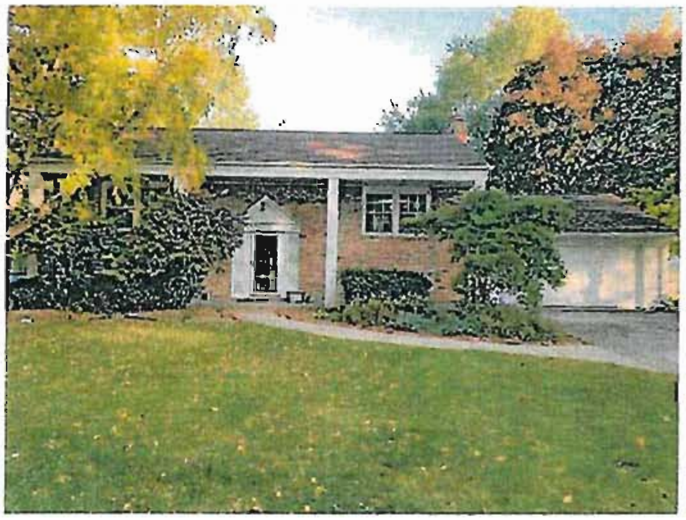


Second, I am contesting it on the basis that the calculation's methodology is centered around an estimate of runoff into the sewer as a proxy for the benefits my property will receive. Regardless of the proportional size of the impermeable surfaces on my property most of the water that hits these surfaces does not go into a city drain. I have several reasons to make this assertion:

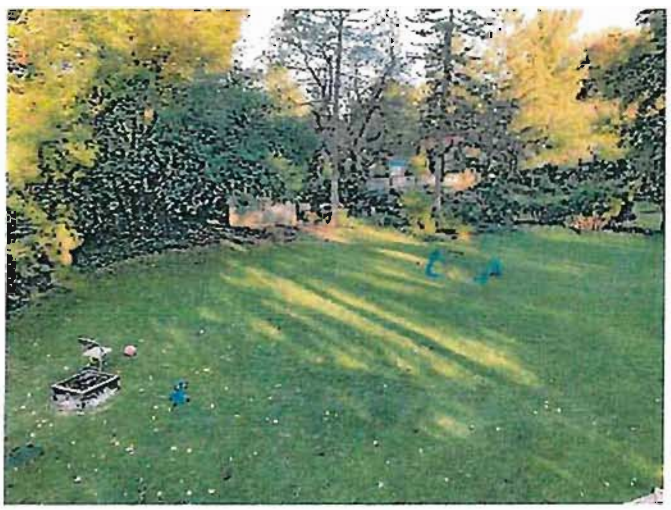
- No downspouts point toward the street. Pictures that show the downspouts on the front side of my house go into my landscaping.

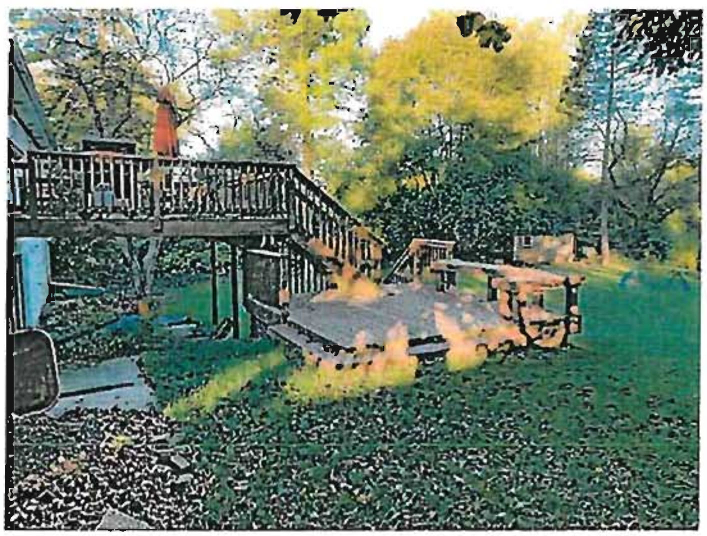






- My backyard is sloped towards the back, and my backyard connects to a bunch of other residences' backyards. Water pools up here and can take days to go into the ground or evaporate; it does not go to the drains. Pictures show my backyard.





- The water that hits the concrete slabs on the backside of my house, and the deck, goes right into my yard. There are no downspouts or pipes taking it elsewhere.

- My driveway is flat until the very end and gets puddles in it that evaporate. I'd guess conservatively that at least 50% of the water on my driveway evaporates or goes into cracks, and none of the water on my walkway goes to the street. I have one picture that shows water pooling up on the driveway.
    - I would not have thought to make this point until after reading or hearing that part of the justification for commercial properties in Frandor only getting a 0.90 runoff factor was that they have cracks in their pavement. My cracked driveway should get the same favorable treatment.

I understand that the assessment should not be literally equal only to the runoff that goes to the street. Certainly, if none of my runoff went to the drain I would still receive benefits from the project. That said, if you are using a runoff calculation to justify my assessment then I am arguing that it is grossly overestimated. Using my actual impermeable surfaces means it should be no higher than 17.5%, and based on the contours and conditions of my yard and concrete, it should be much lower than that.

Jackson, Brian

From:	Kathryn Lipnicki <lipnicki@gmail.com>
Sent:	Monday, October 12, 2020 4:31 PM
To:	Clerk, City
Cc:	Beanie Gottschalck
Subject:	[EXTERNAL] Resident Assessment Appeal - Special Assessment Roll # MD-2020

Re: Special Assessment Roll # MD-2020 (Montgomery Drain Improvements)

Dear Mr. Swope:

I am writing on behalf of my mother, Bernice Gottschalck. Bernice lives at 3321 Melody Lane (Parcel # 33-01-01-11-430-311) and received information regarding the City Council's public hearing on the Special Assessment Roll #MD-2020 (Montgomery Drain Improvements). Bernice is a 94-year-old widow, living on a fixed Social Security income, and fortunate enough to be able to live independently in her home.

She is currently able to pay her bills, but I can assure you that she lives very modestly, and the addition of an assessment bill in the amount of $7592.11 (or the interest-charged monthly payment option of approximately $265) could pose a financial hardship for her.

Additionally, the proposal that 50% of the City's cost of the project ($11,850,307.04) be on the shoulders of the "benefitting properties" feels excessive, given the fact that those "benefiting properties" were not invited to the table when these discussions took place. My mother and several of her neighbors attended a public hearing (in 2014?) where nothing specific was shared regarding the potential financial impact on these homeowners, nor the supposed benefit to their properties.

I personally find the timing of this assessment to be unfortunate, with so many families currently suffering financial hardship due to the COVID-19 pandemic that has altered daily lives unlike anything seen before in our lifetime.

I would appreciate if consideration would be given based on my mother's financial situation and her stage of life to minimize the impact that this assessment would have on her living expenses.

Respectfully,

Kathryn G. Lipnicki
on behalf of Bernice Gottschalck, homeowner

Jackson, Brian

From: David Fisher <fisherdavidp@gmail.com>
Sent: Monday, October 12, 2020 3:00 PM
To: Clerk, City
Subject: [EXTERNAL] Montgomery Drain assessment appeal

Greetings,

Please consider this email as my official notification to appeal the Montgomery Drain assessment on my residence in the Frandora Hills neighborhood. I have not been able to find any sort of information as to what is required to go about this process or what is to be expected. I don't know if there are any forms to file or what should be included in this notice. The only information we were given was in the assessment notification stating, "send an email appealing the assessment via email to city.clerk@lansingmi.gov".

I assume that there is much more to the process than this simple email, but we weren't told what that is. With that in mind, I won't go into all of my reasons to justify my appeal at this time. Please confirm receipt of this notice and what is expected going forward. I will be happy to explain my reasoning in complete detail once I understand the appropriate format and what is to be expected.

Thank you for your attention to this matter.

David Fisher
1151 Shelter Ln
Lansing, MI 48912
(517)648-0970
fisherdavidp@gmail.com

Jackson, Brian

From:	Florkowski, Elizabeth <EFlorkowski@fb-firm.com>
Sent:	Monday, October 12, 2020 3:40 PM
To:	city.clerk@lansing.mi.gov; Clerk, City
Cc:	Bohn, Paul; stephanie.skidmore@gpshospitality.com; jrefalo@sbcglobal.net
Subject:	[EXTERNAL] Objection to Special Assessment #MD-2020
Attachments:	Objections to Special Assessment MD-2020 101220.pdf

Please see the attached Objection to Special Assessment #MD-2020 with respect to 3125 E Saginaw St., Parcel Number 33-01-01-11-451-021.

ELIZABETH FLORKOWSKI
Administrative Assistant

FAUSONE BOHN, LLP

41700 West Six Mile Road, Suite 101
Northville, Michigan 48168-3460
(248) 912-3219
(248) 380-3434 fax
eflorkowski@fb-firm.com
www.fb-firm.com
Follow us on Facebook www.facebook.com/FausoneBohnLLP

Check out our Legal Help for Veterans practice group at www.legalhelpforveterans.com
Follow our presence on Twitter @Lawyer4Veterans and
Facebook www.facebook.com/legalhelpforveterans to keep up-to-date on the latest happenings within the VA system.

Jackson, Brian

From: Powers, Barbara <bpowers@ath.msu.edu>
Sent: Monday, October 12, 2020 9:11 AM
To: Clerk, City
Subject: [EXTERNAL] Montgomery Drain Project

To Whom it May Concern:
I am writing to express my opposition to the Montgomery Drain Project assessment that was given to the Frandora Hills neighborhood residents. After attending the neighborhood meeting last week and listening to city council officials, I am having a hard time understanding the direct benefit our neighborhood is receiving from this assessment living in a property with no drainage issues. It seems that if there is a benefit, it is to the whole city of Lansing's water quality which in turn the entire city should be assessed sharing the burden of this expense.
The city council officials mentioned that if it was shared among the whole city of Lansing that some of the Frandor businesses would be getting off the hook. I am unfamiliar with all of the nuances, but I believe there must be a better solution to this problem than penalizing the neighborhood that doesn't expect much from the City of Lansing.

Thank you for your time and consideration,

Barbara Powers
1140 Shelter Lane

Jackson, Brian

From: Deborah Foster <dlfdoll@aol.com>
Sent: Monday, October 12, 2020 8:55 AM
To: Clerk, City; city@aol.com; Clerk, City
Subject: [EXTERNAL] parcel Number 33-01-01-11-428-022

Good Morning

Please include this email as a vote to appeal the Montgomery Drain Project. Parcel Number: 33-01-01-11-428-022 , Property Address 1127 Fairway Ln, Lansing MI 48923.

Again, Deborah and Gerald Foster Appeal this project. We do not agree to pay any assessment installments. This is a project the city should take full responsibility of cost. **No** cost should be dumped on residents.

Thank You
Gerald & Deborah Foster

Jackson, Brian

From:	Tim Musson <tlm63o10@gmail.com>
Sent:	Monday, October 12, 2020 8:54 AM
To:	Clerk, City
Subject:	[EXTERNAL] Written Appeal of Special Assessment Roll # MD-2020

My backyard is down hill (about 4 feet lower) from the front of my house.

The only thing that really drains to the street is my driveway... The house roof drains to the back yard, and the flat front yard absorbs the rain.

The water that falls on my property runs down hill and collects in my backyard. Every time it rains, my backyard has standing water in it...

Tim Musson
1131 Hillgate Way, Lansing, MI 48912
Parcel Number 33-01-01-11-429-301

Jackson, Brian

From: Steve Dembski <dembskis6446@gmail.com>
Sent: Monday, October 12, 2020 8:52 AM
To: Clerk, City; Laura Bix
Subject: [EXTERNAL] Special Assessment Protest

To whom it may concern,

I am writing this email to serve as protest to the special assessment proposed for our neighborhood. My wife and I have been at this address for almost 20 years. In that time, we have voted for most, if not all, taxes or levies that go toward infrastructure or community improvements, schools, and public safety. We understand the value and need for upkeep in these areas.

The burden imposed on residents for this project is excessive, particularly at this time of financial uncertainty for so many. We are facing a salary cut from MSU while supporting a student at MSU and two more children of high school age. We know that many others have faced worse than us.

A bill of this magnitude is something that we would plan for before undertaking, and frankly I don't recall any recent correspondence regarding the project. I do recall quite some time ago getting information that some improvements would be required, but at that time the information was limited and certainly did not imply this type of commitment from homeowners on short notice.

While we do understand that infrastructure improvements inevitably become necessary, and that we do benefit from them, the current developments in a Red Cedar River flood plain seem to exacerbate this issue. I have noted that developers will be responsible for a piece of this as well, but what is their burden versus their long term gain, given that these developments will be a long-term source of income for them? Further, how much does their development along the Red Cedar make the improvements urgent?

This deal reeks of money making for developers on the backs of taxpayers.

Steve Dembski
1016 Shelter Lane
Lansing 48912

Jackson, Brian

From: Brad LaMacchia <blamacch1@yahoo.com>
Sent: Sunday, October 11, 2020 8:48 PM
To: Spadafore, Peter; Clerk, City
Subject: [EXTERNAL] Montgomery Drainage Project Assessment Appeal, Parcel# 33-01-01-11-429-291

Hello Mr. Spadafore/Mr. Swope,

My name is Brad LaMacchia and my wife Liz and I would like to protest the special assessment we received for the Montgomery Drainage project in the form of this Appeal email. The grounds on which we'd like to appeal the assessment value of $8,186.51 for Parcel# 33-01-01-11-429 are the cost expenditures that we've already had to put into our property represented by Parcel# 33-01-01-11-429 at 1123 Hillgate Way. About 2 weeks after purchasing and moving into the property in November of 2015 we found that our backyard was a flood area where many other neighbors run-off would drain to (this was not stated on the sellers disclosure). After having standing water up to 16" in our backyard for the next 6 months we reached out to companies to correct the issue which resulted in our landscaping/yard being torn up and a drainage system consisting of 3 drains being installed to help quell the flooding. The total cost of the project was $25,000 to correct drainage on Parcel# 33-01-01-11-429. In spring 2019 we also experienced repeated flooding in our finished basement resulting in another project related to drainage issues on the parcel, the partial interior drainage system installed cost $3,000, and if needed a full system will have to be added costing up to $10,000. The cost of these two projects related to correct poor drainage at this parcel have resulted in $28,000 to date and could exceed $35,000; it seems excessive to request that we put another $8,186.51 towards drainage when we have incurred so much cost related to the topic already. Thanks.

Sincerely,
Brad and Liz LaMacchia

Jackson, Brian

From:	McCarrick, Leslie
Sent:	Monday, October 12, 2020 12:27 PM
To:	Jackson, Brian
Subject:	FW: Voice Message From: WIRELESS CALLER, 1 (517) 2240288
Attachments:	VoiceMsg[ID=415923 F=300 G=40 A=82D1D930-8441-41F6-9E0F-487CB5C063B1 C=1].mp3

From: WIRELESS CALLER <tel=1_517_2240288@officelinx.lansingmi.gov>
Sent: Wednesday, October 7, 2020 4:23 PM
To: mayor 4141vm <mayor.4141vm@lansingmi.gov>
Subject: Voice Message From: WIRELESS CALLER, 1 (517) 2240288

Jackson, Brian

From: McCarrick, Leslie
Sent: Monday, October 12, 2020 12:27 PM
To: Jackson, Brian
Subject: FW: Voice Message From: WIRELESS CALLER, 1 (517) 2240288
Attachments: VoiceMsg[ID=415923 F=300 G=40 A=82D1D930-8441-41F6-9E0F-487CB5C063B1 C=1].mp3

From: WIRELESS CALLER <tel=1_517_2240288@officelinx.lansingmi.gov>
Sent: Wednesday, October 7, 2020 4:23 PM
To: mayor 4141vm <mayor.4141vm@lansingmi.gov>
Subject: Voice Message From: WIRELESS CALLER, 1 (517) 2240288

Lucille M. Nilan
2846 Alisop Place #303
Troy, MI 48084
248-207-2989

October 12, 2020

Via email to: city.clerk@lansingmi.gov

City Clerk for the City of Lansing
Attn: Chris Swope
9th Floor, City Hall
124 West Michigan Avenue
Lansing, MI 48933

RE: Parcel Number: 33-01-01-11-430-401
Property Address: 1101 Coolidge Road

Dear City of Lansing:

I am sending this letter of appeal in regard to the above-referenced property and parcel. Please note that I do object to the special assessment roll number MD-2020.

Specifically, it has come to my attention that the City of East Lansing is paying 100% of the costs for their citizens. I think it is very unfair of the City of Lansing to not offer the same benefit to its property taxpayers.

As this City should no doubt well be aware, ever since the beginning of the Covid pandemic, this has caused serious financial hardship for many people. This has certainly caused serious financial hardship for myself. In addition, I have owned this house for over forty (40) years. I have been a very responsible property owner. I have always promptly paid my property taxes. I maintain my property. The grass is mowed. The snow is shoveled. I have kept up with all necessary improvements.

Further, I am an elderly person on a fixed income. I do not have independent financial means to be able to pay this very large assessment. Further, this work to be performed is not going to add to the value of my house because in the 40+ years that I have owned this property I have had absolutely zero problems with the storm drain.

In other words, I am an elderly person with limited financial means. I am on a fixed income. I have kept my property in good shape. I have been an extremely responsible property owner. I have also been an extremely responsible taxpayer. Quite frankly, as a taxpayer, I am surprised to say the least that after all these years paying property taxes the City now wants me to pay an additional assessment on this property. This is going to work an undue financial hardship on me for the reasons stated herein. I am an elderly person on a limited income and I simply cannot afford this special assessment. I believe

I have been a very responsible property owner and taxpayer and I do believe it is time for the City to help its elderly tax payers in their time of need and certainly during a Pandemic.

In closing, thank you for your time and consideration. Please feel free to contact me with any questions.

Very truly yours,

Lucille Nilan

Jackson, Brian

From: Connie Frantz <cfrantz84@gmail.com>
Sent: Monday, October 12, 2020 5:31 PM
To: Clerk, City
Subject: [EXTERNAL] APPEAL SPECIAL TAX ASSESSMENT ROLL #MD-2020 PARCEL NUMBER: 33-01-11-430-471 PROPERTY ADDRESS: 1233 COOLIDGE ROAD

APPEAL LETTER -- October 12, 2020

APPEAL TO MONTGOMERY DRAIN IMPROVEMENT STORM DRAINAGE PROJECT
SPECIAL TAX ASSESSMENT ROLL #MD-2020
PARCEL NUMBER: 33-01-11-430-471
PROPERTY ADDRESS: 1233 COOLIDGE ROAD

PROPERTY OWNER: CONNIE FRANTZ
EMAIL: cfrantz84@gmail.com
PHONE: 517 775-8461

Dear City Clerk:

I am writing to appeal the special tax assessment on my property at 1233 Coolidge Road for the Montgomery Drain Improvement project. The proposed assessment amount for my property is $6,773.84. Since the assessment amount is calculated from the parcel's runoff area, I request my property have an individual assessment due to the minimal runoff from my property.

My driveway does not slope down to the street, it slopes toward my house. At the base of my driveway is a drain that takes the runoff away from the street and down into the ground into a drain at the base of my driveway near the garage (see photo).

1233 Coolidge Road

In addition, commercial properties in the affected area have large impermeable surfaces such as parking lots that create large amounts of runoff. Therefore, it would best serve those homeowners affected if the commercial properties in the affected area would be assessed a larger tax comparable to the commercial runoff than homeowners with minimal runoff.

In summary, please accept my appeal for my property's (1233 Coolidge Road) special tax assessment of $6,773.84 and grant a new individual assessment specific to the amount of my property's runoff.

Thank you.

Connie Frantz

HALLAHAN & ASSOCIATES, P.C.

Attorneys at Law

Laura M. Hallahan
Seth A. O'Loughlin

1750 S. Telegraph Road, Suite 202
Bloomfield Hills, Michigan 48302
phone (248) 731-3089 ◊ fax (248) 731-3086

lhallahan@hallahanlaw.com
direct phone and fax
(248) 731-3090

October 12, 2020

SENT VIA EMAIL – city.clerk@lansingmi.gov

City Clerk's Office
City of Lansing
9th Floor, City Hall
124 W. Michigan Avenue
Lansing, MI 48933

Re: ***Montgomery Drain Proposed Special Assessment Parcel Nos. 33-01-01-14-226-015, 33-01-01-14-226-051 and 33-01-01-14-226-001***

Dear Sir/Madam:

On behalf of Lansing Retail Center LLC, we hereby protest the proposed special assessment for the Montgomery Drain improvements to be assessed against the properties located at 300 Frandor Ave., E. Michigan Ave. and 3100 E. Saginaw Street identified as Parcel Nos. 33-01-01-14-226-015, 33-01-01-14-226-051 (no address) and 33-01-01-14-226-001. This protest is being filed to preserve our rights of appeal upon confirmation of the special assessment.

Thank you in advance for your anticipated cooperation in this matter. Should you have any questions or comments, please call me.

Very truly yours,

Laura M. Hallahan

Laura M. Hallahan

HALLAHAN & ASSOCIATES, P.C.

Attorneys at Law

Laura M. Hallahan
Seth A. O'Loughlin

1750 S. Telegraph Road, Suite 202
Bloomfield Hills, Michigan 48302
phone (248) 731-3089 ◊ fax (248) 731-3086

lhallahan@hallahanlaw.com
direct phone and fax
(248) 731-3090

October 12, 2020

SENT VIA EMAIL – city.clerk@lansingmi.gov

City Clerk's Office
City of Lansing
9th Floor, City Hall
124 W. Michigan Avenue
Lansing, MI 48933

Re: ***Montgomery Drain Proposed Special Assessment Parcel Nos. 33-01-01-13-151-038, 33-01-01-13-151-034 and 33-01-01-13-151-002***

Dear Sir/Madam:

On behalf of 3301 East Michigan Partnership, we hereby protest the proposed special assessment for the Montgomery Drain improvements to be assessed against the properties located at 3315 E. Michigan Avenue, Friendship Circle and 3301 E. Michigan Ave. identified as Parcel Nos. 33-01-01-13-151-038, 33-01-01-13-151-034 (Friendship Circle) and 33-01-01-13-151-002. This protest is being filed to preserve our rights of appeal upon confirmation of the special assessment.

Thank you in advance for your anticipated cooperation in this matter. Should you have any questions or comments, please call me.

Very truly yours,

Laura M. Hallahan

Laura M. Hallahan

HALLAHAN & ASSOCIATES, P.C.

Attorneys at Law

Laura M. Hallahan
Seth A. O'Loughlin

1750 S. Telegraph Road, Suite 202
Bloomfield Hills, Michigan 48302
phone (248) 731-3089 ◊ fax (248) 731-3086

lhallahan@hallahanlaw.com
direct phone and fax
(248) 731-3090

October 12, 2020

SENT VIA EMAIL – city.clerk@lansingmi.gov

City Clerk's Office
City of Lansing
9th Floor, City Hall
124 W. Michigan Avenue
Lansing, MI 48933

Re: ***Montgomery Drain Proposed Special Assessment Parcel Nos. 33-01-01-11-476-053 and 33-01-01-11-476-062***

Dear Sir/Madam:

On behalf of Frandorson Properties we hereby protest the proposed special assessment for the Montgomery Drain improvements to be assessed against the properties located at Coolidge Road and 3415 E. Saginaw Street identified as Parcel Nos. 33-01-01-11-476-053 (no address) and 33-01-01-11-476-062 and, including but not limited to, for failure to receive credit for the storm water detention. This protest is being filed to preserve our rights of appeal upon confirmation of the special assessment and to obtain the credit.

Thank you in advance for your anticipated cooperation in this matter. Should you have any questions or comments, please call me.

Very truly yours,

Laura M. Hallahan

Laura M. Hallahan

Boak, Sherrie

From: Boak, Sherrie
Sent: Tuesday, November 3, 2020 8:01 AM
To: Swope, Chris
Subject: FW: [EXTERNAL] Fwd: appeal of property tax for drain project in Frandor

For the public hearing on Montgomery Drain

Sherrie Boak
City Council Office Manager
124 W. Michigan Ave. | Lansing, MI 48933
O: 517-483-7683 | C: 517-290-5592 | sherrie.boak@lansingmi.gov |city.council@lansingmi.gov
www.lansingmi.gov/City_Council| Facebook | Twitter | Instagram | Census 2020 Website

From: Renee Hoffman <reborn.hoffman@gmail.com>
Sent: Monday, November 2, 2020 6:03 PM
To: City Council <City.Council@lansingmi.gov>; Renee Hoffman <reborn.hoffman@gmail.com>
Subject: [EXTERNAL] Fwd: appeal of property tax for drain project in Frandor

I sent an appeal to Chris Swope but today I received a postcard saying appeals should be sent to The Lansing City council,
hence, I have forwarded my original letter to the clerk concerning my appeal.
Thank you.
---------- Forwarded message ---------
From: **Renee Hoffman** <reborn.hoffman@gmail.com>
Date: Fri, Oct 30, 2020 at 8:22 PM
Subject: appeal of property tax for drain project in Frandor
To: <city.clerk@lansingmi.gov>, Peter Hoffman <hoffmanp@msu.edu>

Dear Mr. Swope,

I would like it to be noted that we want to appeal the taxation that is to be assessed to our property 3307 Melody Lane Lansing, 48912.

Our neighborhood, Frandora Hills, is going to be assessed a lion's portion, compared to other homes in Lansing. I think the additional revenue needed for the drain project should be spread out equally. If the river is cleaned up and flooding is prohibited, this benefits all the citizens of Ingham county and the Lansing area, not just our homes.

Our homes are sitting on grass and so rain water is absorbed by our yards, not contributing to flood water in Frandor.

If you say that we will benefit from the walking trails being made, so will other neighborhoods nearby, like ones between Saginaw and Kalamazoo in the Foster Community and Allen Community centers.

Please consider reducing our assessment for the homes in the Frandora Hills neighborhood.

Thank you,

Renee and Peter Hoffman
3307 Melody Lane
Lansing, MI
48912
phone: 517-580-8434

Boak, Sherrie

From:	Ray Vernagus <r.vernagus@gmail.com>
Sent:	Monday, October 12, 2020 4:03 PM
To:	City Council
Subject:	[EXTERNAL] Montgomery Drain Project
Follow Up Flag:	Follow up
Flag Status:	Flagged

From:
Raymond and Karenn Vernagus
3322 Stonewood Dr, Lansing, Mi 48912

Dear City Council Members--
We have two disputes with the special assessment on our property at the above address--one general and one specific to our property.

First, we dispute the amounts being paid by the "benefitted property owners" in Frandora Hills and surrounding residences. We have become aware that a significant portion of the overall project cost is going toward a new park adjacent to the Frandor shopping district. This is not a direct "benefit" to our neighborhood whereas the drain is and, thus, the costs of the park should not be assessed against our properties. Residential properties north of Saginaw should contribute to the cost of the drain and associated repairs that lie north of Saginaw and not improvements that are a significant distance away.

Second, we dispute our particular assessment as it relates to the runoff that our property contributes to the drain district. We recently installed a new sump system wherein we took significant care in ensuring that we were compliant with city codes. Our sump drains into a dry well that lies a good distance away from the gutters on our street. As a result, we deal with very wet soil in the spring as the runoff from our sump goes into the soil on our property instead of draining off into the gutter. There are quite a few non-compliant groundwater drainage systems in the neighborhood that contribute a large amount of runoff directly into the local streets. Property assessments should not only consider the acreage of the contributing parcel but also the compliance or non-compliance of their underground drainage systems.

Thank you for your time and consideration in this matter.
--Raymond and Karenn Vernagus

Boak, Sherrie

From: Steve Japinga <sjapinga@lansingchamber.org>
Sent: Monday, October 12, 2020 10:21 AM
To: Boak, Sherrie
Subject: RE: [EXTERNAL] Lansing Regional Chamber Correspondence on Montgomery Drain Project_10-12-2020

Thanks Sherrie! I have a few more coming your way! LOL

From: Boak, Sherrie <Sherrie.Boak@lansingmi.gov>
Sent: Monday, October 12, 2020 10:05 AM
To: Steve Japinga <sjapinga@lansingchamber.org>
Subject: RE: Lansing Regional Chamber Correspondence on Montgomery Drain Project_10-12-2020

Thanks for reaching out to our office on the public hearing.

I have forwarded your email and attachments to the City Clerk to be placed on the record tonight for the public hearing.

Sherrie Boak

City Council Office Manager
124 W. Michigan Ave. | Lansing, MI 48933
O: 517-483-7683 | C: 517-290-5592 | sherrie.boak@lansingmi.gov |city.council@lansingmi.gov
www.lansingmi.gov/City_Council| Facebook | Twitter | Instagram | Census 2020 Website

From: Steve Japinga <sjapinga@lansingchamber.org>
Sent: Monday, October 12, 2020 10:01 AM
To: City Council <City.Council@lansingmi.gov>
Cc: Schor, Andy <Schor.Andy@lansingmi.gov>; Harkins, Samantha <Samantha.Harkins@lansingmi.gov>; Swope, Chris <Chris.Swope@lansingmi.gov>; Boak, Sherrie <Sherrie.Boak@lansingmi.gov>; Tim Daman <tdaman@lansingchamber.org>; Ashley Sandborn <asandborn@lansingchamber.org>
Subject: [EXTERNAL] Lansing Regional Chamber Correspondence on Montgomery Drain Project_10-12-2020

Lansing City Council members,

Please find attached correspondence to the Ingham County Board of Commissioners and committees regarding the Montgomery drain project. We wanted to provide these documents for the scheduled public hearing section of today's agenda.

While we believe investing in our infrastructure is vital, the assessments for these drains will only further impact the financial challenges to small businesses and residents that will be required to pay for these projects. Both small businesses and residents have already been severely affected by this pandemic – additional assessments above what is necessary will only further their financial hardships. We will continue to ask the Ingham County Board of Commissioners and the Ingham County Drain Commissioner to continue to review this project and reduce the scope of this project, when feasible.

If you have any questions, please do not hesitate to contact us. Thank you in advance!

Steven D. Japinga
Vice President, Public Affairs Department
Lansing Regional Chamber of Commerce
O: (517) 853-6467 | C: (517) 449-3732 | www.lansingchamber.org

LANSING REGIONAL CHAMBER

UNITED STATES CHAMBER OF COMMERCE ACCREDITED

Boak, Sherrie

From:	Steve Japinga <sjapinga@lansingchamber.org>
Sent:	Monday, October 12, 2020 10:01 AM
To:	City Council
Cc:	Schor, Andy; Harkins, Samantha; Swope, Chris; Boak, Sherrie; Tim Daman; Ashley Sandborn
Subject:	[EXTERNAL] Lansing Regional Chamber Correspondence on Montgomery Drain Project_ 10-12-2020
Attachments:	LRCC Letter to Ingham County Board of Commissioners_Full Faith and Credit_ 4-15-2020.pdf; LRCC Memo to Ingham County Finance Committee_5-6-2020.pdf; LRCC Memo to Ingham County Services Committee_6-2-2020.pdf

Lansing City Council members,

Please find attached correspondence to the Ingham County Board of Commissioners and committees regarding the Montgomery drain project. We wanted to provide these documents for the scheduled public hearing section of today's agenda.

While we believe investing in our infrastructure is vital, the assessments for these drains will only further impact the financial challenges to small businesses and residents that will be required to pay for these projects. Both small businesses and residents have already been severely affected by this pandemic – additional assessments above what is necessary will only further their financial hardships. We will continue to ask the Ingham County Board of Commissioners and the Ingham County Drain Commissioner to continue to review this project and reduce the scope of this project, when feasible.

If you have any questions, please do not hesitate to contact us. Thank you in advance!

Steven D. Japinga
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Lansing Regional Chamber of Commerce
O: (517) 853-6467 | C: (517) 449-3732 | www.lansingchamber.org

LANSING REGIONAL CHAMBER

UNITED STATES CHAMBER OF COMMERCE ACCREDITED

LANSING REGIONAL CHAMBER

MEMO TO: Ingham County Board of Commissioners

FROM: Tim Daman, President & CEO

DATE: April 15, 2020

SUBJECT: Full Faith and Credit

With such economic uncertainty due to the COVID-19 pandemic, the Lansing Regional Chamber of Commerce respectfully asks that the Ingham County Board of Commissioners pause and refrain from providing full faith and credit on projects. There will be significant budget challenges for businesses and government. We believe this is an opportunity for the County to prepare and ensure you have all financial options available to move forward.

During this time of pause and preparation, we would also ask that the County review projects, such as the Montgomery Drain Project, and reduce the scope of such projects whenever feasible. The drain assessment will only further impact the financial challenges to small businesses and residents in the City of Lansing, Lansing Township and City of East Lansing that will be required to pay for this project. In addition, both small businesses and residents have already been severely impacted by this pandemic – additional assessments above what is necessary will only further their financial sustainability.

As we reopen our economy, we strongly encourage the County to re-bid major projects to explore cost savings as we move forward and find our new normal.

500 E. Michigan Avenue, Suite 200
Lansing, MI 48912
p 517.487.6340
f 517.484.6910

www.lansingchamber.org

LANSING REGIONAL CHAMBER

TO: Ingham County Board of Commissioners County Services Committee

FROM: Steve Japinga, Public Affairs

DATE: June 2, 2020

SUBJECT: Substitute – AGENDA Item 1 – Montgomery Drain

This is our third communication with the Ingham County Board of Commissioners regarding the Montgomery Drain Project.

With tremendous economic uncertainty due to the COVID-19 pandemic, the Lansing Regional Chamber of Commerce (LRCC) has respectfully asked the Ingham County Board of Commissioners pause and refrain from approving full faith and credit on this project. The reason we asked this request was that until the county better understands the depth of the financial impact of COVID-19, we believe it will be better served to prepare and ensure all finance options are available as we move forward.

The LRCC has also asked the Ingham County Drain Commissioner and Ingham County Board of Commissioners to review the project and reduce the scope of the project, when feasible. The substitute language now is asking the County Board to approve full faith and credit for $56,125,000 rather than the original proposed amount of $35 million. We would ask, were there any considerations on reducing this project?

While we believe investing in our infrastructure is vital, the assessments for these drains will only further impact the financial challenges to small businesses and residents that will be required to pay for these projects. Both small businesses and residents have been severely affected by this pandemic, and additional assessments above what is necessary will only further their financial hardships.

500 E. Michigan Avenue, Suite 200
Lansing, MI 48912
p 517.487.6340
f 517.484.6910

www.lansingchamber.org

GILLESPIE GROUP

November 4, 2020

To Whom It May Concern:

As an authorized representative of the professional management company, Gillespie Property Management, Inc., for the following listed parcels, please accept this letter as formal written notice of the property owners wish to appeal the Montgomery Drain Special Assessment.

- 33-01-01-13-151-014 at 3335 E Michigan Ave, Lansing, MI 48912
- 33-01-01-13-151-023 at 3433 E Michigan Ave, Lansing, MI 48912
- 33-01-01-14-226-021 at 3131 E Michigan Ave, Lansing, MI 48912

It is the owners understanding that there is a public hearing scheduled for Monday, November 9, 2020 at 7:00 pm. A representative for the owner will be present during this hearing to take any additional steps that are necessary.

Sincerely,

Jason Armistead
Commercial Manager
517-333-4123
jarmistead@gillespie-group.com

FAUSONE BOHN, LLP
ATTORNEYS AT LAW

October 12, 2020

VIA EMAIL ONLY (city.clerk@lansing.mi.gov)

City Clerk's Office, 9th Floor
Lansing City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933

RE: Objection to Special Assessment #MD-2020

Dear City Clerk:

This office represents GPS Hospitality Partners III, LLC (GPS) regarding the above referenced special assessment concerning property with a street address of 3125 E. Saginaw St.; Parcel Number: 33-01-01-11-451-021 (the "Property"). GPS is a party in interest as it relates to this special assessment pursuant to its tenancy under a triple net lease, wherein GPS is responsible for certain property taxes and special assessments.

Without limiting any and all related arguments, GPS protests the special assessment for the following reasons:

The methodology utilized in determining the special assessment is imprecise, inappropriate and does not reflect the actual amount of stormwater and its associated costs in managing the same to the City. This includes by way of example only, utilizing inappropriate run off coefficients; the determination of the impervious nature of each property and how that may affect stormwater contributions from said property; as well as errors in calculating the size and dimension of properties contributing stormwater to the drainage district.

GPS also requests to be given notice of and be allowed to participate in the Committee of the Whole meeting and all subsequent City meetings regarding this matter. Please provide notice to: Paul F. Bohn, Fausone Bohn, LLP, 41700 W. Six Mile Road, Suite 101, Northville, Michigan 48168, pbohn@fb-firm.com and Stephanie Skidmore, GPS Hospitality, 2100 Riveredge Parkway, Suite 850, Atlanta, Georgia 30328, stephanie.skidmore@gpshospitality.com.

If you have any questions or comments, please do not hesitate to contact me.

City Clerk's Office
October 12, 2020
Page Two

Respectfully submitted,

on behalf of GPS
Paul F. Bohn

On behalf of Refalo Management, LLC, Landlord to GPS and Owner of the Property, we join in and support the objections to the special assessment stated herein.

Landlord/Property Owner:

Refalo Management, LLC

By: Theresa Refalo
Theresa Refalo, Partner

PFB:emf

X:\PFB\GPS Hospitality Group\Objections to Special Assessment MD-2020 101220.doc

Boak, Sherrie

From:	Todd Selin <tselin@mclpc.com>
Sent:	Tuesday, November 3, 2020 8:34 AM
To:	City Council; Clerk, City
Cc:	Karen Selin; Todd Selin
Subject:	[EXTERNAL] Montgomery Drain assessment APPEAL: SELIN - 1049 SHELTER LANE Lansing, MI 48912

OWNER NAME: SELIN FAMILY TRUST (Trustees: Todd S. Selin & Karen L. Selin)

PROPERTY ADDRESS: 1049 Shelter Lane, Lansing, MI 48912

PROPERTY PARCEL NUMBER: 33-01-01-11-429-261

To Whom it may concern:

This correspondence serves as a formal objection/appeal regarding the Montgomery Drain Project Assessment (Special Assessment Roll # MD-2020) for the above- named property, located in the city of Lansing, Michigan.

If you have any questions, comments, or concerns, please do not hesitate to contact me.

Todd S. Selin

Mallory, Lapka, Scott & Selin, PLLC

Todd S. Selin

Attorney at Law, practice dedicated to family law matters

605 South Capitol Avenue

Lansing, MI 48933

Website: www.mclpc.com

Ph: 517.482.0222

Fax: 517.482.9019

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL CITY OF LANSING November 9, 2020

Via ZOOM Conferencing, Meeting ID

The City Council of the City of Lansing met in regular session and was called to order at 7:01 p.m. by President Spadafore

PRESENT: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

ABSENT: Council Member

A quorum was present.

During the moment of meditation, Council Member Wood asked people to remember Mark Brown, who recently passed away. Council Member Hussain asked people to remember Mike Smith, who recently passed away. Mayor Schor asked people to remember Kim Coleman, whose daughter recently passed away. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Spadafore.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Hussain spoke about the Southwest Action Group's spaghetti dinner fundraiser.

Council Member Jackson thanked the public for their input.

Council Member Spadafore thanked Clerk Swope for his administration of the election.

City Clerk Swope spoke about the administration of the election.

COMMUNITY EVENT ANNOUNCEMENTS

Mike Lynn spoke about a Lansing for Black Lives event.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public needed to electronically "raise their hand" in order to speak during public comment period.

MAYOR'S COMMENTS

Mayor Schor spoke about neighborhood cleanups, walk-in Wednesdays, City Academy graduates, Veterans Day, and COVID-19 policies.

Executive Assistant to Mayor Schor, Samantha Harkins, spoke about

REFERRAL OF SHOW CAUSE HEARINGS

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of the Lease Agreement; Lansing Shuffleboard and Social Club, LLC 325 Riverfront Drive
2. In consideration of a Downtown Lansing Riverfront Project; Lansing Shuffleboard and Social Club, LLC 325 Riverfront Drive
3. In consideration of the Special Assessment; Montgomery Drainage District Improvements
4. In consideration of the Commercial Rehabilitation District; 329-337 S. Washington Square for Washington Square at Kalamazoo, LLC
5. In consideration of the Commercial Rehabilitation Certificate; 329-337 S. Washington Square for Washington Square at Kalamazoo, LLC
6. In consideration of an Ordinance to Amend Chapter 602, Section 602.11, To Prevent Disease, Prolong Life and Promote Public Health by Providing for Enforcement of Local Health Orders or Regulations issues pursuant to the Michigan Public Health Code

Council Member Hussain gave an overview of the public hearings.

Public Comment on Legislative Matters:

Chris Umphlett spoke about the Montgomery Drainage District Special Assessment.

Emily Syria spoke about the resolution to invest in the people of Lansing.

Cathleen Edgerly spoke about various city matters.

John spoke about the resolution to invest in the people of Lansing.

Julia Kramer spoke about the resolution to invest in the people of Lansing.

Meghan Martin spoke about various city matters.

Chris Sell spoke in support of the Lansing Shuffleboard and Social Club.

Nancy Parson-Mahlow spoke about the Montgomery Drainage District Special Assessment.

Dan Dekker spoke about the Montgomery Drainage District Special Assessment.

Merry Stanford spoke about the resolution to invest in the people of Lansing.

David Fisher spoke about the Montgomery Drainage District Special Assessment.

Erica Lynn spoke about the resolution to invest in the people of Lansing.

Sarah Williams spoke about the resolution to invest in the people of Lansing.

Ethan Schmidt spoke about the resolution to invest in the people of Lansing.

Loretta Stanaway spoke about various city matters.

Michael Lynn spoke about various city matters.

Beth Kuiper spoke about various city matters.

Stan Shuck about the Montgomery Drainage District Special Assessment.

Rachel Diskin spoke about the resolution to invest in the people of Lansing.

Apryl Pooley spoke about the resolution to invest in the people of Lansing.

Toren Chenault spoke about the resolution to invest in the people of Lansing.

Daniel spoke about various city matters.

Anna Parker spoke about the resolution to invest in the people of Lansing.

Angie spoke about various city matters.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

CONSENT AGENDA

By Council Member ____

To approve all items on the Consent Agenda. OR To approve items ____ on the Consent Agenda.

Council Member ____ asked that items 1a, 1b, 1c, 2a, 2b, 2c, 2d, 2e, and 3a be removed from the Consent Agenda.

Vice President Hussain asked that items all items be removed from the Consent Agenda.

There were no items remaining on the Consent Agenda.

Adopted as part of the Consent Agenda

Adopted as part of the Consent Agenda

Adopted as part of the Consent Agenda

Adopted as part of the Consent Agenda

Adopted as part of the Consent Agenda

RESOLUTIONS

By Council Member

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

By Council Member

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

By Council Member

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

By Council Member

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

By Council Member

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

By Council Member

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

By Council Member

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

Andy Schor
Mayor

City Hall - 9th Floor
124 W. Michigan Avenue
Lansing, MI 48933-1694
PH: 517.483.4141 – FAX: 517.483.6066
Lansing.Mayor@lansingmi.gov

Andy Schor, Mayor

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

MEMORANDUM

To: Lansing City Council

From: Andy Schor, Mayor of Lansing AS

cc: Robert J. F. Widigan, Finance Director

Date: October 27, 2020

Re: 2020 Bond Sales Results Memorandums

Dear City of Lansing Councilmembers,

The Finance Department saved the City a net $1.3M by recently completing three financings with the City of Lansing's municipal advisor, Baird. These savings will benefit our parking services and further economic development in the City of Lansing.

Attached you will find the sales result memorandums for the City's Capital Improvement and Refunding Bonds, Series 2020 and the Tax Increment Finance Authority ("TIFA") and Lansing Building Authority ("LBA") Refunding Bonds issues.

In summary:

- The City's Capital Improvement and Refunding Bonds, Series 2020 resulted in $265,085 net total nominal savings on $1,740,000 of par amount of bonds sold.

- The TIFA and LBA Refunding Bonds resulted in $1,063,575 net total nominal savings on $13,220,000 of par amount of bonds sold.

- These resulted in a combined net total nominal savings of $1,328,660.

Regards,

Brian J. Lefler
Managing Director
Public Finance

MEMORANDUM

To: Robert Widigan, Finance Director
City of Lansing, Michigan

Cc: Jake Brower, Budget Director
City of Lansing, Michigan

Date: October 7, 2020

Re: Results Related to: City of Lansing | Capital Improvement and Refunding Bonds, Series 2020

Background

On March 16, 2020 City Council approved two bond authorizing resolutions for the purpose of (i) paying the cost of certain public improvements related the City's parking system (the "Parking Project"); (ii) refinancing the City's 2010 General Obligation Limited Tax Bonds (Taxable – Recovery Zone Economic Development Bonds) (the "Refunding Project"); and, 3) paying the cost of issuance incurred with the respect to the bonds to be issued.

Capital Improvement and Refunding Bonds, Series 2020 (Limited Tax General Obligation)

Capital Improvement and Refunding Bonds, Series 2020 (Limited Tax General Obligation) (the "2020 Bonds") provided proceeds for the Parking Project which consisted of improvements at the North Grand and South Capital Parking Structures and the Refunding Project which would refinance $2,005,000 2010 RZEDB from a federally taxable interest rate to a tax-exempt interest rate to provide the City interest savings net of the prorate costs of issuance.

On July 30, 2020, the marketing and sale of the 2020 Bonds was led by Siebert Williams Shank & Co., LLC as senior managing underwriter (selected pursuant to an RFP process) and purchased the 2020 Bonds from the City. Municipal bond insurance was also employed to elevate the rating on the 2020 Bonds to "AA" by S&P Global Ratings to increase the marketability and to reduce the interest rates of the 2020 Bonds. The economic benefit exceeded the cost of purchasing the municipal bond insurance. Having a final maturity of 2035, the 2020 Bonds had an all-inclusive true interest cost (includes the cost of issuance) of 1.86%.

Project	Bond Proceeds	Cost of Issuance [1]	Net Total Nominal Savings	Net Present Value Savings	NPV Savings as % of Par Refunded
Refunding	$2,102,670	$45,555	$265,085	$240,425	11.99%
Parking	8,829,125	179,415	N/A	N/A	N/A
Totals	$10,931,795	$224,970			

1 The estimated cost of issuance for the proposed TIFA and LBA 2020 Refunding Bonds represents its pro-rata share of the total estimated cost of issuance for these bonds, which includes, but is not limited, to underwriting, bond insurance, legal, financial advisory, verification, and bond rating.

Robert W. Baird & Co.
Public Finance Department
124 W. Allegan St. Suite 2200
Lansing, MI 48933
(517) 371-2607

Brian J. Lefler
Managing Director
Public Finance

MEMORANDUM

To: Board of Directors | Tax Increment Finance Authority of Lansing
Board of Commissioners | City of Lansing Building Authority

Date: August 7, 2020

Re: Results Related to Refinancing:
Tax Increment Finance Authority | 2014 Refunding Bonds (Federally Taxable) (LTGO)
Lansing Building Authority | 2014 Building Authority Refunding Bonds (Federally Taxable) (LTGO)

Background

Since the beginning of the Great Recession in 2008 until 2013 and a change in the tax status of certain properties (e.g. House Office Building), the total tax base of the taxable properties located in the tax increment district located in downtown Lansing declined approximately 45%. As a result, the corresponding capture of tax increments also declined by 45% to pay the debt service on Tax Increment Finance Authority (TIFA) and Lansing Building Authority (LBA) bond issues, which also have a pledge of the City's full faith and credit from the City's General Fund. With the passage of legislation in 2014, the TIFA and the LBA refinanced and restructured its debt service to better match the projected tax increment capture to eliminate the potential contribution from the City's General Fund to pay debt service. In 2014 and 2017, the TIFA and or the LBA issued refunding bonds to realign its debt service to better match the then projected tax capture. In 2019, the TIFA issued refunding bonds to refinance for interest savings its 2009 TIFA bonds.

Results of Refinancing the TIFA 2014 Bonds and LBA 2014 Bonds

Earlier this year, the TIFA and the LBA adopted resolutions which authorized the refinancing of their respective 2014 Refunding Bonds. On July 29, 2020, the marketing and sale of the TIFA and LBA's 2020 Refunding Bonds was completed. The table below provides the net total nominal savings and net present value interest savings, which are net of the estimated cost of issuance. The TIFA and LBA 2020 Refunding Bonds have an all-inclusive true interest cost (includes the estimated cost of issuance) of 2.76%[1] and have the same final maturity as their respective 2014 Refunding Bonds. The interest savings were structured to occur each fiscal year on a uniform basis.

Issuer	Par Amount Refunded	Estimated Cost of Issuance[2]	Net Total Nominal Savings	Net Present Value Savings	NPV Savings as % of Par Refunded
TIFA	$3,720,000	$93,050	$358,037	$286,990	7.71%
LBA	$7,245,000	$177,300	$705,478	$559,945	7.72%
Totals	**$10,965,000**	**$270,350**	**$1,063,515**	**$846,935**	**7.72%**

1 Interest rates as of July 29, 2020.

2 The estimated cost of issuance for the TIFA and LBA 2020 Refunding Bonds represents its pro-rata share of the total estimated cost of issuance for these bonds, which includes, but is not limited to, underwriting, bond insurance, legal, financial advisory, verification, and bond rating.

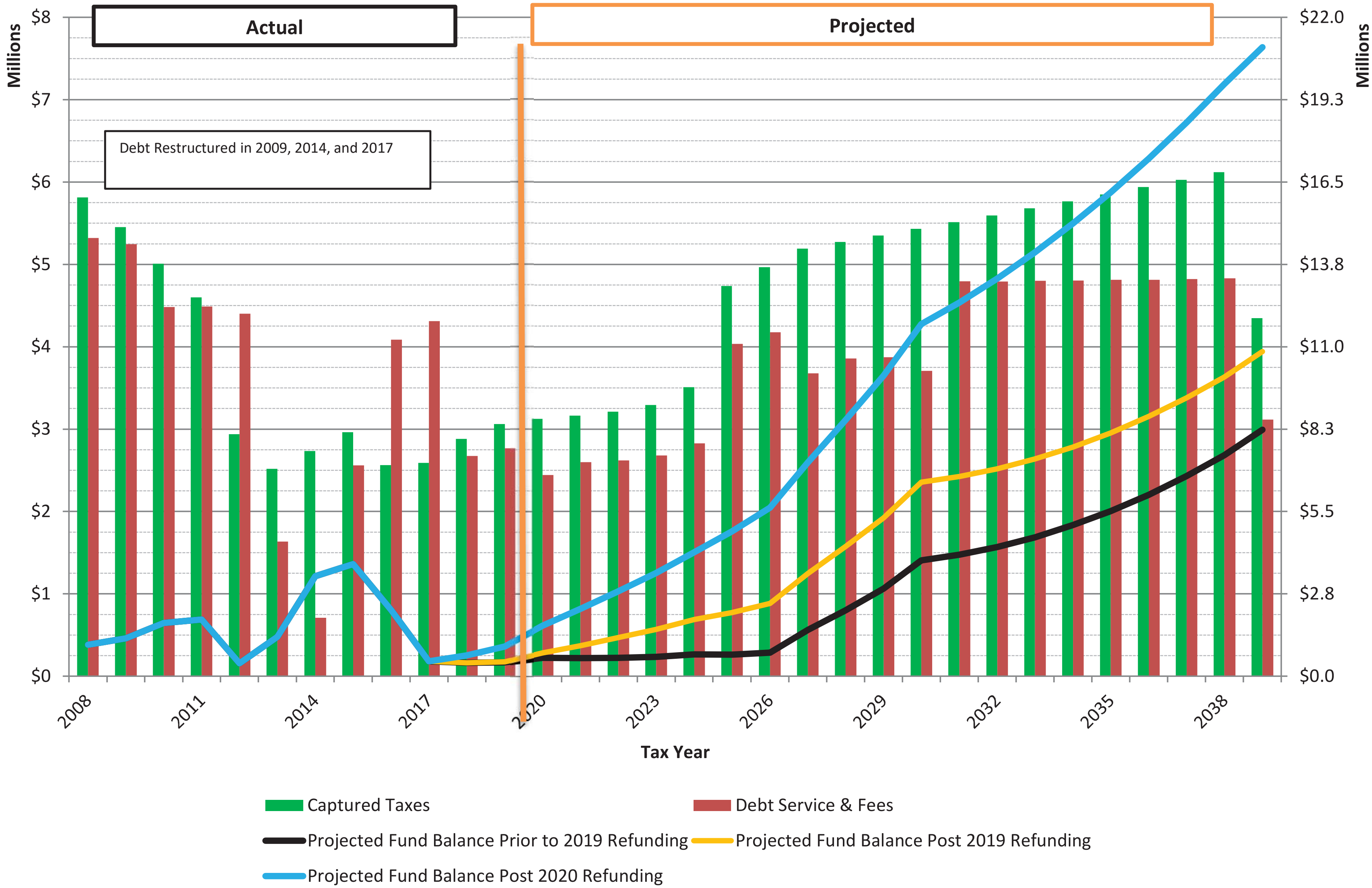
Using the FY2019 tax capture, projected growth, and the net interest savings from the 2020 Refunding Bonds issues, the TIFA fund balance is projected to remain positive without any support from the City's General Fund.

Robert W. Baird & Co.
Public Finance Department
124 W. Allegan St. Suite 2200
Lansing, MI 48933
(517) 371-2607

Tax Increment Finance Authority of Lansing | City of Lansing Building Authority

Revenue Versus Expenditure Analysis and Cumulative Fund Balance

Estimated Fund Balance After 2020 TIFA & LBA Refinancing



Prepared by: Baird

8/3/2020

Tax Increment Finance Authority of Lansing
Projected Tax Increment Revenues, Protected Obligations, Expenditures and Debt Service Coverage (Estimated)

				Protected Obligations | Projected Net Debt Service Requirements															
A	B	C	D	E	F	G	H	I	J	K	L	M	N = Sum(E:M)	O	P = N + O	Q = D x 5%	R = P + Q	S = D - R	T = Prior T + S
Tax Year	Fiscal Year Ended	% Change	Total Revenue Available	1994 TIFA	2009 LBA CAB	2014 TIFA CIB [1]	2014 LBA CIB [1]	2017 LBA NET CIB	2017 TIFA NET CIB	2019 TIFA CIB	2020 TIFA CIB	2020 LBA CIB	Total Protected Obligations	Share of 2005 Courts Refunding	Total Projected Capital Expenditures	5% TIFA Operating Expenses	Total Projected Expenditures	Revenue Less Proj. Expenditures	Projected FYE Fund Balance
2018	2019		2,879,420	1,685,000	-	-	-	-	-	-			1,956,370	573,367	2,529,737	143,971	2,673,708	205,712	701,141
2019	2020	6.33%	3,061,687	1,530,000	-	82,461	172,069	-	-	255,386	-	-	2,039,916	571,900	2,611,816	153,084	2,764,900	296,787	997,928
2020	2021	2.10%	3,125,983		1,613,355			-	-	260,451	138,647	272,366	2,284,818	-	2,284,818	156,299	2,441,117	684,866	1,682,793
2021	2022	1.20%	3,163,495		1,705,000			-	-	260,451	160,498	314,836	2,440,785	-	2,440,785	158,175	2,598,959	564,535	2,247,328
2022	2023	1.50%	3,210,947		1,725,000			-	500	260,451	160,137	314,115	2,460,203	-	2,460,203	160,547	2,620,750	590,197	2,837,525
2023	2024	2.55%	3,292,815		1,155,000			9,000	618,384	260,451	159,717	313,274	2,515,825	-	2,515,825	164,641	2,680,466	612,349	3,449,874
2024	2025	6.62%	3,510,635					423,373	629,884	1,125,451	159,194	312,229	2,650,130	-	2,650,130	175,532	2,825,662	684,973	4,134,848
2025	2026	34.91%	4,736,163					898,373	1,299,884	1,129,068	158,622	311,084	3,797,030	-	3,797,030	236,808	4,033,838	702,325	4,837,173
2026	2027	4.82%	4,964,284					757,674	1,162,740	1,540,876	157,910	309,660	3,928,860	-	3,928,860	248,214	4,177,074	787,211	5,624,383
2027	2028	4.62%	5,193,398					595,757	1,023,842	1,332,488	157,143	308,126	3,417,356	-	3,417,356	259,670	3,677,026	1,516,373	7,140,756
2028	2029	1.50%	5,271,299					613,647	1,063,378	1,453,293	156,252	306,344	3,592,914	-	3,592,914	263,565	3,856,479	1,414,821	8,555,577
2029	2030	1.50%	5,350,369					590,423	1,305,469	1,237,408	160,311	309,462	3,603,072	-	3,603,072	267,518	3,870,591	1,479,778	10,035,355
2030	2031	1.50%	5,430,624					607,537	1,352,306	1,010,880	159,248	307,434	3,437,405	-	3,437,405	271,531	3,708,936	1,721,688	11,757,043
2031	2032	1.50%	5,512,084					1,223,596	1,665,915		552,911	1,074,880	4,517,301	-	4,517,301	275,604	4,792,905	719,179	12,476,221
2032	2033	1.50%	5,594,765					1,220,443	1,665,811		551,967	1,073,600	4,511,820	-	4,511,820	279,738	4,791,559	803,206	13,279,428
2033	2034	1.50%	5,678,686					1,225,510	1,668,123		550,779	1,071,834	4,516,246	-	4,516,246	283,934	4,800,180	878,507	14,157,934
2034	2035	1.50%	5,763,867					1,224,008	1,668,471		549,349	1,074,581	4,516,409	-	4,516,409	288,193	4,804,602	959,265	15,117,199
2035	2036	1.50%	5,850,325					1,225,649	1,671,200		552,675	1,071,720	4,521,244	-	4,521,244	292,516	4,813,760	1,036,564	16,153,763
2036	2037	1.50%	5,938,080					1,225,700	1,671,743		548,850	1,069,907	4,516,200	-	4,516,200	296,904	4,813,104	1,124,976	17,278,739
2037	2038	1.50%	6,027,151					1,224,161	1,670,099		554,745	1,072,396	4,521,402	-	4,521,402	301,358	4,822,759	1,204,392	18,483,131
2038	2039	1.50%	6,117,558					1,224,948	1,674,789		555,082	1,069,047	4,523,866	-	4,523,866	305,878	4,829,744	1,287,815	19,770,945
2039	2040	-28.95%	4,346,525					1,224,450	1,673,415				2,897,865	-	2,897,865	217,326	3,115,191	1,231,334	21,002,279
Totals			101,140,741	3,215,000	6,198,355	82,461	172,069	15,514,246	23,485,950	10,126,651	6,144,038	11,956,896	77,167,036	1,145,267	78,312,303	5,201,008	83,513,311		

[1] Refinanced by the Bonds described herein

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT
DETROIT FIELD OFFICE
477 MICHIGAN AVENUE, STE. 1600
DETROIT, MI 48226-2592
DetroitCPD@hud.gov

October 22, 2020

Ms. Kim Coleman
Director, Department of Human Relations
& Community Services (HRCS)
City of Lansing | City Hall
124 W. Michigan Ave, 4th Floor
Lansing, MI 48933

SUBJECT: Federal Single Audit Report – HUD's Management Decision Letter Response #2
- Continuum of Care Program – CFDA Number: 14.267
- Emergency Solution Grants Program – CFDA Number: 14.231
- Community Development Block Grant Program – CFDA Number: 14.218

Fiscal Year 2019 Single Audit Report (For the period ended June 30, 2019)

Dear Ms. Coleman:

Our Office is in receipt of your reply letter dated September 29, 2020 to HUD's initial Audit Management Decision Letter, dated June 12, 2020, for the four findings contained in the City of Lansing's FY 2019 Single Audit Report related to our federal programs, CoC, ESG and CDBG. After careful review and consideration of your reply, our response and determination to this letter follows:

Finding 2019-005 – Conflict of Interest: City Payments to Sub-Recipients.

Condition: Five (5) instances of conflict of interest violations were [detailed and] noted during the grant compliance meeting [associated with the HRCS Director and the CoC Program].

Criteria: City policies, and clauses in external contracts and grant agreements, require reporting of any potential conflicts of interest related to payments to outside organizations for services provided to or on behalf of services provided by the City. (2 CFR 200.112, 318 | 24 CFR 578.95)

HUD's 06/12/2020 Management Decision: HUD sustains the finding of questioned cost for $195,747.00 (CoC) and $37,963.28 (ESG), respectively. To close this finding, HUD requests the following documents:

(1) Develop an internal conflict of interest policy that covers both Employees and Organizational interests. Detail the process to include a step-by-step policy procedure for vetting during hiring of Employees, selection of Executive (Board Members) or Agents.
(2) During the procurement process, the City must administer a test for compliance of inappropriate relationships with vendors, and all payment requests must include a review and sign-off by the City's Finance department prior to payment.

(3) A copy of the Memo to staff to implement these policies/procedures along with a copy of the internal control procedures must be forwarded to HUD for review.
(4) Repayment of $233,710.28 for questioned costs must be returned to HUD by 06/30/2020 via wire transfer. A 36-month repayment agreement is also an available option.

City of Lansing's 9/29/2020 Response: The City of Lansing's reply letter included the following documents related to this finding in response to HUD's request to strengthen internal controls to thwart future conflict of interest behaviors related to Employee, Board, Organizational and/or Procurement Activities:

Conflict of Interest Memo to Staff, 9/29/2020, with the following attachments:

- Administrative Policy, ethics disclosure (9/29/2020)
- Ethics Policy | not dated – NOTE: Penalty = $50 fine, cumulative
- MC1, City of Lansing Ethics Policy (8/27/2020)
- Code of Conduct Policy (9/22/2020)
- HRCS Vendor Test Policy (9/28/2020) (Board of Director disclosures)
- HR Memo, 9/28/2020 + Training Video's on Ethics, Sexual Harassment & OSHA
- Ethics Manual 3/14/1968 | Conflict of Interest, p. 13
- Employee Handbook + Ethics Manual (p. 9-35) 01/30/2018
- City Charter | Board of Ethics | Standards of Conduct, Chapter 5, 9/22/2020
- *Affidavit of Disclosure* Form (Blank)

In addition, the City of Lansing's reply letter requested "an appeal for the return of CoC and ESG funds in the amount of $195,747 and $37,963.28, respectively. We provided documentation and evidence that the funds were used appropriately for allowable costs for the payment of rehousing qualified participants who would have otherwise been homeless. Appropriate management of these grants were witnessed and verified during a [monitoring] site visit by HUD-Detroit Field Office (C. Hines) July 29-August 2, 2019, Portia McGoy, and noted in the subsequent monitoring letter dated September 30, 2019. The Continuum of Care funds were used in accordance with 24 CFR 578.39 through 578.63 to pay for eligible costs. We believe the documentation is appropriate for providing the funding and shows the proper use of funds. Repayment would be a hardship for the City of Lansing, especially, during the COVID pandemic as our local funds are needed to continue supporting homeless persons. … Our appeal is based on the fact that the funds were not misspent, nor did an individual profit from them and there is no evidence to the contrary regarding MI0417L5F081704 and the ESG program. Although we acknowledge a deficiency in the policy, procedure, and disclosure surrounding conflict of interest, we ask that the City of Lansing be absolved from repayment of expenses for reasons noted."

HUD's 10/22/2020 Management Response #2: The documents submitted by the City were requested, because the HRCS Department lacked internal controls at the time of the single audit report to prevent the conflict of interest violation, and (2) the finding was sustained because the violation required reporting of any potential conflict(s) of interest related to payments to outside organizations for services provided to or on behalf of services provided by the City prior to the payments being made.

Although the attachments submitted are acceptable, HUD requests that (**1a**) the penalty of $50 for mistrust and abuse of conflict of interest behaviors using government [local, state and federal] funds, in light of the current situation, be increased to a more severe penalty that is more in line with the offense and violation at hand; (**1b**) the City submit a list of the current HRCS Staff and CoC Board Members to HUD along with the date that the conflict of interest form was recently signed by each Employee or Board Member. Going forward, this list and a current roster with HRCS Staff and CoC Board must be updated annually and kept on file to comply with the Conflict of Interest Policy; and (**1c**) HUD's response related to conflict of interest policies regarding Procurement Activities and Payments for this finding is addressed under Finding 2019-008 to provide more detail. A copy of the requested documents in **1b** should be scanned to HUD for review and acceptance within 30 days from the date of this letter.

In further response to your reply, HUD believes it is appropriate to distinguish between the terms *monitoring* and *auditing* – although similar, they are vastly different. Monitoring can be defined as an *internal evaluation* and is the principle means by which HUD ensures that programs and technical areas are carried out efficiently and effectively and that the programs comply with applicable laws and regulations. Auditing is defined as a *formal* review that is conducted by independent, licensed Auditor(s) who are governed by professional industry standards and government regulations.

These two terms, *monitoring* and *auditing,* are not interchangeable, and should not be construed to mean the same type or kind of review when completed. Furthermore, the sample documents requested during a review, whether monitoring or auditing, are both selective, (random or otherwise), and are generally, comprised of a diverse set of requested documents, which are seldom identical.

The City of Lansing's reply letter referenced the September 30, 2019 monitoring letter and report for the on-site visit that HUD held during the period 07/29/2019 - 08/02/2019 (M-F). The visit reviewed seven areas of the CoC Program and used ten internal Exhibits to determine the programs' compliance. As noted in our report and, included in these reviews were CoC Match (Exhibit 29-11) and Financial Management (Exhibit 34-1). In these two areas, this Office did not issue either a finding or a concern based on the selected sampling of financial documents that were reviewed (p. 10).

In the same letter, under the heading Recipient (Exhibit 29-3) and Sub-Recipient Grants Management (Exhibit 29-4), our Office determined Finding 3, "*a potential conflict of interest*." Specifically, she wrote, "The City of Lansing's Director of HRCS is also the Director of the Subrecipient, One Church One Family. The dual responsibilities of the Director of the Lansing HRCS leaves potential for roles to influence the decisions of the subrecipient organization. When requested, the agency was not able to provide a disclosure document" (p. 7).

Please be reminded that it was in the HUD September 30th monitoring letter, Finding 3, that HUD (and possibly the City of Lansing) first learned that "a potential conflict of interest" existed in the City of Lansing's Human Relations & Community Services

Department with Dr. Joan Jackson-Johnson, its Director, and a Sub-Recipient associated with the CoC Program. HUD's 5-day monitoring review did not investigate the finding to the extent needed to determine the validity of this Office's observation. The extent was subsequently identified through a third-party forensic audit, hired independently and exclusively by the City of Lansing for this potential conflict and, thereafter reported in the FY 2019 Single Audit Report prepared by the Independent Auditors, Rehmann, Inc., in which HUD's June 12, 2020 management decision letter is based.

HUD sustains the finding for this violation and requests repayment using non-federal funds of $195,747.00 and $37,963.28 to reimburse the CoC and ESG Programs, for questioned costs of $233,710.28.

As stated throughout the published reports referenced above, Dr. Joan Jackson-Johnson's non-compliance occurred over several of the last years with multiple interests, financial and/or otherwise. The consequences of her conflicts resulted in unethical behavior, a lack of integrity and mistrust, misuse of power in an official business capacity; profiting from governmental resources (city, state, federal); perceived favoritism with select Sub-Awardees; and a conscious decision to choose private interests over her employee obligations.

More specifically, the violations are identified in the FY 2019 Single Audit Report, as **Finding 4** (p.15-16), that detected five (5) separate conflicts of interest violations related to City business that involved Dr. Joan Jackson-Johnson, former HRCS Director, discovered by a third-party forensic accounting firm, hired by the City of Lansing:

- The <u>Director, her husband and daughter</u> have been directly or indirectly involved in the governing boards of several area non-profits that have received payments from HRCS during the last several years, which is in violation of the City's policy, as noted above.
  Funding to these entities varied from general fund dollars to federal awards (see finding 2019-005 for impact on the related grants).
- The third-party forensic team discovered <u>no evidence that these relationships were disclosed to the City Council as is required by City policy</u>.
- Despite submitting a letter of resignation to one payee, the third-party forensic team <u>discovered that the entity's state filing still showed the Director as a member of the governing board.</u>
- The third-party forensic team <u>cited an instance where a grant reimbursement request from one payee was signed by the Director, as President of that Organization, and showed the Director as approving</u> the disbursement of grant funds for the City.
- The third-party forensic team <u>cited a couple of invoices for home rehabilitation work, funded with general fund dollars, that appears to be for the benefit of property that the third-party forensic team believes is owned by the HRCS Director.</u>

In addition to the violations listed in Finding 4; there were six (6) additional conflict incidents documented, and, identified as **Finding 5** in the FY 2019 Single Audit Report (p. 17-18), that are specific to HUD's Continuum of Care (CoC) and Emergency Solution Grants (ESG) programs, that totaled $233,710.28 in questioned costs. This finding is directly related to the non-disclosed, conflicts of interest relationships between the Recipient (HRCS, City of Lansing) and its CoC and ESG Sub-Recipients and payments made using federal funds:

- The Human Relations and Community Services (HRCS) Director was identified on a monitoring checklist as the Director of a Sub-Recipient entity.
- The HRCS Director was also noted as the Executive Director in a subsequent organization chart (her daughter is also listed as a Director).
- The HRCS Director signed checks on behalf of the Sub-Recipient agreement, submitted in support of the Sub-Recipient reimbursement requests.
- The HRCS Director signed off on the Sub-Recipient Agreement and Sub-Recipient Reporting, as evidence of independent review and approval, as the HRCS Director.
- The Sub-Recipient's form 990-EZ, included in the grant file was also signed on behalf of the Sub-Recipient, by the HRCS Director.
- We noted that conflict of interest questions included in a Sub-Recipient monitoring compliance checklist were marked N/A and contained one comment, "No incidents [were] reported to [the] Recipient."

Overall, these violations acknowledged that Dr. Jackson-Johnson had conflicts of interest in many nonprofit organizations that served as Sub-Recipients to the CoC and ESG Programs, but neither finding in the single audit report cited or insinuated that CoC or ESG funds were expended on ineligible homeless activities. However, contrary to the City's written reply to HUD's 6/12/2020 letter, both the forensic audit and the annual independent audit found that Dr. Jackson-Johnson and her family profited from the very funds she was entrusted to oversee. This finding is about the management process and violation of all protocols put in place to protect and deter conflict of interest behaviors by Joan Jackson-Johnson. The federal funds in question are *disallowed costs* based on the unauthorized payments that were executed to outside organizations for services provided to or on behalf of services provided by the City's HRCS Department.

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Again, Dr. Jackson-Johnson failed to disclose her relationships to the City Council, federal funders, and to nonprofit organizations that she was serving in dual roles as both the sponsor and the receiver of local, state, and federal funds. She failed to follow the Uniform & Administrative Guidance related to several federal government requirements, including *internal controls* (2 CFR 200.61-62, 69); *cost principles* (2 CFR 200.400-404); *conflict of interest* (24 CFR 578.95; 2 CFR 112); and *procurement activities* (2 CFR 200.318-326). She was biased in the award selection process and in the administration of federal contracts; signed unauthorized checks using federal funds to nonprofits for which she and/or her family served in either a leadership position and/or benefitted financially; and, failed to recluse herself when the need arose. We believe the FY 2019 Single Audit Report said it best:

> "**Effect.** As a result of this condition, the City HRCS Department was in violation of the City's internal conflict of interest policy, as well as conflict of interest clauses in the grant agreement related to the Continuum of Care and Emergency Solutions Grant programs. The fact that payments to these entities do not constitute an "arm's length transaction," causes the costs reported by these subrecipients to be in noncompliance with federal cost

principles. Additionally, because these relationships were not properly disclosed, along with the fact that there does not appear to be a process in place for testing for these of relationships, the procurement process fails to comply with the requirements set forth in the Uniform Guidance." (p.18).

To be clear, "an *arm's length transaction* refers to a business deal in which the buyers/seller (in this case, recipient/sub-recipients) act independently without one party influencing the other." (Source: *https://www.investopedia.com/terms/a/armslength.asp, 10/13/2020).*

The single audit working papers prepared and used by Rehmann, Inc. were obtained by HUD per our request on June 23, 2020 for use in verifying the financial instruments prepared during the single audit that rendered a finding and questioned costs of $233,710.28.

Specifically, the working papers identified seven (7) financial instruments (or records) that were selected for review, which showed a conflict of interest for the CoC Grant #MI0417L5F081704 in the amount of $195,747.00 by Dr. Jackson-Johnson, in which she clearly held a conflict of interest role with more than one Sub-Recipient. The $37,963.28 shown in the chart is identified as questioned costs for the ESG program funding that identified the entity with whom Dr. Jackson-Johnson also had a vested interest.

The Rehmann working papers highlighted the questioned costs as shown in the chart below:

Subrecipient Monitoring Testing
For the June 30, 2019 Audit

☑ Selected for testing per sampling forms

	Fund	Proje	vendor	Vendor Name	Total	Selecte	
1	264	02018	V010583	BOYSVILLE OF MICHIGAN INC (DBA Holy Cross Children's Services)	40,588.76		
2	264	02018	V010841	VOLUNTEERS OF AMERICA	16,397.24		
3	264	02018	V010608	HAVEN HOUSE	10,894.00		
4	264	02018	V033830	NATIONAL COUNCIL ON ALCOHOLISM (Changed name to Mid-Michigan Recovery Services)	21,789.00	☑	
5	264	02018	V010831	LOAVES AND FISHES MINISTRIES	10,894.00		①
6	264	02018	V004315	GATEWAY YOUTH SERVICES DIVISION (DBA CFC - Gateway)	14,246.00		
7	264	02018	V029012	LEGAL SERVICES OF SOUTH CENTRAL MICHIGAN	25,141.00		
8	264	02018	V006685	EVE INC	10,894.00	☑	
9	273	18803	V010583	BOYSVILLE OF MICHIGAN INC (DBA Holy Cross Children's Services)	134,655.06	☑	
10	273	18803	V010841	VOLUNTEERS OF AMERICA	71,259.02		
11	273	18803	V010608	HAVEN HOUSE	21,702.74	☑	
12	273	18803	V033830	NATIONAL COUNCIL ON ALCOHOLISM (Changed name to Mid-Michigan Recovery Services)	14,139.97		
13	273	18803	V010831	LOAVES AND FISHES MINISTRIES	16,850.87	☑	①
14	273	18803	V004315	GATEWAY YOUTH SERVICES DIVISION (DBA CFC - Gateway)	11,006.26		
15	273	18803	V012086	ADVENT HOUSE MINISTRIES INC	11,796.01	☑	
16	273	18820	V010583	BOYSVILLE OF MICHIGAN INC (DBA Holy Cross Children's Services)	109,779.05		
17	273	18820	V010608	HAVEN HOUSE	19,362.75		
18	273	18820	V033830	NATIONAL COUNCIL ON ALCOHOLISM	9,736.98		
19	273	18820	V010831	LOAVES AND FISHES MINISTRIES	10,218.41		①
20	273	18820	V004315	GATEWAY YOUTH SERVICES DIVISION (DBA CFC - Gateway)	8,389.47	☑	
21	273	18820	V012086	ADVENT HOUSE MINISTRIES INC	6,586.43		

Sum of	①	37,963.28	Total paid to Loaves and Fishes during 2019 fiscal year
		195,747.00	Total subrecipient payments - Continuum of Care MI0417L5F081704
		233,710.28	Total

Again, HUD sustains the finding and requests $233,710.28 be returned in questioned costs using non-federal funds. Funds can be via wire transfer as instructed using the enclosed instructions. For the wire transfer, please include in the memo section the following: FY

2019 Single Audit Finding #2019-005, your TIN and DUNS # and Grant Award Number (MI0417L5F081704). **(See Attachment #2)**. The second option for the City of Lansing is to enter into a Repayment Agreement to make 36 monthly installment payments until the balance is paid in full. If the repayment option is selected, please request the instructions from HUD via your official reply to this letter. Please scan the City's reply to: DETFY2018CoC@hud.gov and DetroitCPD@hud.gov. **This finding remains open.**

Finding 2019-006: Interdepartmental Rental Facilities (CDBG)

Condition: The City charged to the CDBG grant a monthly rental charge for facilities owned by the City without having the documentation of the actual costs related to the facility to support the amount of the charge.

Criteria: Per 2 CFR 200.465(c), rental costs under "less-than-arm's length" leases are allowable only up to the amount that would be allowed if the non-federal entity owned the property, including expenses such as depreciation (subject to related limits), maintenance, taxes, and insurance.

Cause: The cause of this issue appears to be the lack of understanding related to the principle around charging of interdepartmental rental of facilities to federal awards.

Effect: As a result of this condition, the City charged amounts to the CDBG that were not supported by documentation of actual costs incurred.

Questioned Costs: The total amount of the rent charged to the CDBG grant for the year ended June 30, 2019 was $29,612.

HUD's 6/12/2020 Management Decision: This finding is sustained and remains open pending HUD's approval of the City's corrective actions. The City must pay whatever amount of the $29,612 that cannot be properly documented by actual costs. Within the next 30 days, the City must provide HUD with sufficient support including cost documentation and payment verifications. The City must provide the IDIS drawdown voucher numbers for the questioned amount in order for proper repayment instructions to be issued for the unsupported amount.

City of Lansing's 9/29/2020 Response: In response/appeal to the corrective action, the City of Lansing has provided the documentation to support the actual costs for the facility that exceeded the amount charged to the grant (**Exhibit B**). The documentation includes the general ledger documents as verification of actual costs. We are optimistic the documentation will be sufficient to close this finding, but will provide other information, if needed.

HUD's 10/22/2020 Management Response #2: The City must repay whatever amount of the $29,612 that cannot be properly documented by actual costs. The September 29, 2020 letter from the City of Lansing stated that, "Since the actual costs exceeds the amount the City charged, we respectfully request that you close this Finding with no reimbursement from the City required." This response is not in compliance with 2 CFR Part 200. Per 2 CFR Part 200.302(b)(3) and 2 CFR Part 200 Subpart E – Cost Principles, the City must identify the specific costs paid for with CDBG funds and maintain source documentation to support that the costs complied with applicable Federal regulations. Please note an area of concern in the "GL Transaction by Date Range" document: there were highlighted entries for Summer 2018, Winter 2018, and Winter 2017 property taxes. Property taxes levied by the grantee are not eligible CDBG costs.

Within in the next 30 days the City must provide HUD with the "GL Transaction by Date Range" document that highlights the specific costs that were covered by the $29,612 in CDBG. In addition, the City must provide documentation to support the CDBG costs only. Do not include any supporting documentation for costs outside of the questioned $29,612 in CDBG. The support must include cost documentation, payment verifications, and the IDIS drawdown voucher numbers specific for those costs. **This finding remains open.**

Finding 2019-007: **Lack of Support for Matching Funds – Sub-Recipients (CoC)**

Condition: For two of the fourteen (14) grant files tested, we were not able to verify the matching funds provided by the associated Sub-Recipients. The files contained summaries of Matching amounts provided, but appropriate documentation to support the amount claimed was not attached.

Criteria: During the award, monitoring of Sub-Recipients should provide reasonable assurance(s) that the Sub-Recipient has adhered to all compliance areas that are direct and material to the grant being passed-through.

HUD's 06/12/2020 Management Decision: HUD sustains the finding that Recipient's must match all grant funds awarded, except Leasing, with no less than 25% of either cash or in-kind contributions (donations) from 3rd party or other sources (24 CFR 578.73). Documentation to verify this compliance can be requested by any HUD Representative. To close this finding, HUD requests copies of the match support documents for the two grants that failed the Match test during the single audit. Please contact the Sub-Recipient(s) and obtain the Match source documentation and accounting records to show the pledge (donor letter or donor MOU) of the obligation prior to expenditure, the receipts (cash, check, invoice, bank transfer, bank statements) for all Match. In addition, please provide a list of the uses in the CoC Program for the missing documents.

City of Lansing's 9/29/2020 Response: To respond and close this finding, extensive documentation is being provided to show cash funds and in-kind match supplied by the Sub-Recipient and the City of Lansing to account for the required 25% match for Grants MI0582L5F081700 and MI0507L5F081601. The documentation for the match was missed by the Auditing Firm but is kept in proximity to the other documentation in a secure cabinet and locked file room. See **Exhibit C** for the matching funds evidence. We hope this will be sufficient to close this finding, but will provide other information, if needed.

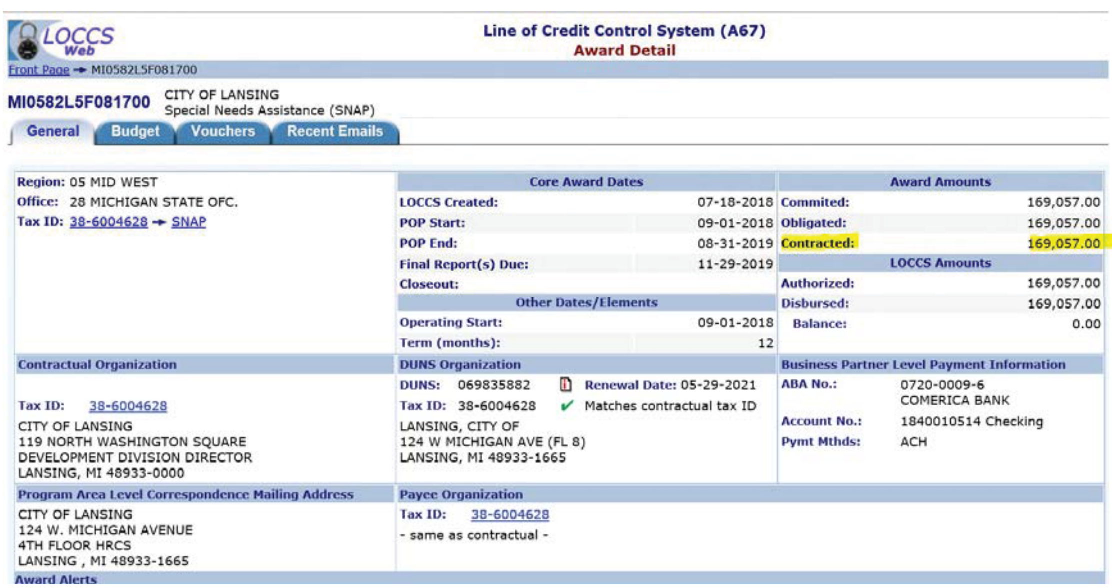
HUD's 10/22/2020 Management Response #2: A review of the match documentation submitted for this finding revealed a lack of missing and required documents, as detailed herein.

We agree with the Auditors that the files contained summaries of Matching amounts provided, but appropriate documentation to support the amount claimed was not attached. It must be noted also that the documents submitted did not followed the CoC or Federal Match requirements (24 CFR 578.73, 2 CFR 200.306) for support documents. As such, we have summarized both cash and in-kind contribution requirements (**See Attachment #1**) and provided a determination for the (2) grants for which Match documentation was submitted for HUD's review.

<u>**CoC Match: Document #1:**</u>

1. **Grant** #MI0582L5F081700 **| Awarded:** $169,057 **| Sub-Recipient:** Child & Family Services | **Term Dates**: 09/01/2018 to 08/31/2019. **Match required: <u>$42,264.25</u>**

   For this award, there is a discrepancy in the final amount that HUD awarded this project. Both the Auditors and City's paperwork shows the grant was awarded for $163,724, but HUD records, both the grant agreement and eLOCCS, show the awarded amount as $169,057 (see the screenshot below). These awarded funds did not include a Leasing budget line item, and the awarded amount was exhausted by the City of Lansing. The entire amount was calculated and required 25% Match (or $42,264.25) either in cash or in-kind contributions.



LOCCS Web

Line of Credit Control System (A67)
Award Detail

Front Page → MI0582L5F081700

MI0582L5F081700 CITY OF LANSING
Special Needs Assistance (SNAP)

General | Budget | Vouchers | Recent Emails

Region: 05 MID WEST
Office: 28 MICHIGAN STATE OFC.
Tax ID: 38-6004628 → SNAP

Core Award Dates	
LOCCS Created:	07-18-2018
POP Start:	09-01-2018
POP End:	08-31-2019
Final Report(s) Due:	11-29-2019
Closeout:	
Other Dates/Elements	
Operating Start:	09-01-2018
Term (months):	12

Award Amounts	
Commited:	169,057.00
Obligated:	169,057.00
Contracted:	169,057.00
LOCCS Amounts	
Authorized:	169,057.00
Disbursed:	169,057.00
Balance:	0.00

Contractual Organization
Tax ID: 38-6004628
CITY OF LANSING
119 NORTH WASHINGTON SQUARE
DEVELOPMENT DIVISION DIRECTOR
LANSING, MI 48933-0000

DUNS Organization
DUNS: 069835882 Renewal Date: 05-29-2021
Tax ID: 38-6004628 ✔ Matches contractual tax ID
LANSING, CITY OF
124 W MICHIGAN AVE (FL 8)
LANSING, MI 48933-1665

Business Partner Level Payment Information
ABA No.: 0720-0009-6
COMERICA BANK
Account No.: 1840010514 Checking
Pymt Mthds: ACH

Program Area Level Correspondence Mailing Address
CITY OF LANSING
124 W. MICHIGAN AVENUE
4TH FLOOR HRCS
LANSING , MI 48933-1665

Payee Organization
Tax ID: 38-6004628
- same as contractual -

Award Alerts

- HUD's review noted several deficiencies in the C&FS submission packet, to include: The Ingham County MOU Agreement is missing its signature page; the date of the final Match letter (11/7/2019) is three months past the expiration of the grant, which expired on 08/31/2019 and is signed by the Sub-Recipient. CoC Match regulations state that Match is required to be finalized prior to the expiration of the grant. This letter altered the source of Match contributions and used salaries and wages to cover the Match shortfall. The Excel spreadsheets submitted cannot be substituted as timesheets. Timesheets are required for capturing the required information when used as Match. The spreadsheets do not provide enough detail to determine what tasks were performed on any given day, and the sheets are not signed or dated by an Employee and/ or Supervisor. These spreadsheets were not accompanied by payroll registers nor a General Ledger to verify the employee, title, salary, or time worked, or which showed wages tied to a CoC Sub-Recipient or a specific project. Although the federal (pass-through) grant can be used as Match, the supporting documents submitted are not valid for this use.

- The 16 rental receipts (Program Income) were not supported by a Revenue/ Expense Report that detailed receipt of cash funds, disbursement, or CoC end uses. There was no General Ledger showing the cash funds receipted or bank statements to verify funds were deposited in a financial institution.

- In light of this review, HUD was not able to verify or support the receipt, disbursement or use of a large portion of the Match documents submitted for this project. All in all, using the original documents, the Match submitted by the City of Lansing for this project fell short and did not meet the Match required. In order to meet this Match requirement, the City of Lansing must resubmit to HUD all of the Match support documents as outlined above for the required match equivalent to $42,265.25 for this award.

2. **CoC Grant** #MI0507L5F081601 **| Awarded:** $172,321 **| Sub-Recipient:** Advent Housing Ministries (AHM) | **Term Dates**: 10/01/2017 to 09/30/2018. **Match required: $43,080.25**

   For this award, there is a discrepancy in the amount that HUD awarded for this project, as both the Auditors and City's paperwork shows the grant was awarded for $166,988, but HUD records, both the grant agreement and eLOCCS, shows the awarded amount as $172,321 (see screenshot below). These awarded funds did not include a Leasing budget line item, and the entire amount funded by HUD was expended by the City of Lansing. The entire amount was calculated and required 25% Match (or $43,080) in cash and/or in-kind contributions.

LOCCS Web

Line of Credit Control System (A67)
Award Detail

Front Page → MI0507L5F081601

MI0507L5F081601 CITY OF LANSING
Special Needs Assistance (SNAP)

General | Budget | Vouchers | Recent Emails

	Core Award Dates		Award Amounts	
Region: 05 MID WEST	LOCCS Created:	04-20-2017	Commited:	172,321.00
Office: 28 MICHIGAN STATE OFC.	POP Start:	10-01-2017	Obligated:	172,321.00
Tax ID: 38-6004628 → SNAP	POP End:	09-30-2018	Contracted:	172,321.00
	Final Report(s) Due:	12-29-2018	**LOCCS Amounts**	
	Closeout:		Authorized:	172,321.00
	Other Dates/Elements		Disbursed:	172,321.00
	Operating Start:	10-01-2017	Balance:	0.00
	Term (months):	12		

Contractual Organization	DUNS Organization	Business Partner Level Payment Information
Tax ID: 38-6004628 CITY OF LANSING 119 NORTH WASHINGTON SQUARE DEVELOPMENT DIVISION DIRECTOR LANSING, MI 48933-0000	DUNS: 069835882 Renewal Date: 05-29-2021 Tax ID: 38-6004628 ✓ Matches contractual tax ID LANSING, CITY OF 124 W MICHIGAN AVE (FL 8) LANSING, MI 48933-1665	ABA No.: 0720-0009-6 COMERICA BANK Account No.: 1840010514 Checking Pymt Mthds: ACH
Program Area Level Correspondence Mailing Address	**Payee Organization**	
CITY OF LANSING 124 W. MICHIGAN AVENUE 4TH FLOOR HRCS LANSING , MI 48933-1665	Tax ID: 38-6004628 - same as contractual -	

- HUD's review noted several deficiencies in the AHM submission packet, to include: The timesheets submitted throughout the term of the grant (10/1/2017 – 09/30/2018) had no MOU or contract attached to show it was an in-kind contribution for time donated (staff on loan) from another company. The 26 timesheets were for a specific individual (SC) and was accompanied by bi-weekly payroll registers. There was no documentation provided for what task was being performed or for what program. There was no Employee signature on the timesheets, as SC signed in the Supervisor block, (an employee cannot sign their own time sheet) and none of the timesheets had a date near the signature block to show when the time was authorized for payment in a payroll registry.

- There were 12 months of facility usage calculated monthly and used as Match that totaled $28,421.25. However, there was no MOU or contract submitted to determine if the facility(s) used during the term of the grant benefitted the CoC Program. There are two different buildings being used as Match for this award – (1) 9,000 sq. ft. (used 10/1/2017 to 6/30/2018) and value assessed at $24,502.50) and (2) 7,500 sq. ft. (07/01/2018 to 09/30/2018) and value assessed as $3,918.75, respectively.

  However, no support documents were submitted to show the building make-up and/or how the square footage was determined, no data to show the dates the building was used by the CoC or its Sub-Recipient (rental agreement); no attendance rosters (sign-in sheets) of CoC program participants (to include the name of the training, date of training, location/address, name of the Trainer), procurement contract, etc.

- There were 12 months of utilities used as Match. The value for BW&L (Water/ Lighting) was assessed at 22% or $2,817.52 and Consumer Powers (Gas) was assessed at 22% or $2,255.43 – for a total of $5,072.95 being gifted by AHM towards the grant. The utility invoices and AHM checks were submitted to show that these costs were paid for by AHM and a percentage of the totals were used as Match. Missing from these utility bills were the General Ledger and Bank Statements.

- In the final quarter (July - September 2018) of the grant, there were ten rent payments used as Match on behalf of 7 program participants. Since HUD awards grant funds specifically for housing (rental and/or leasing), and AHM is *the* Sub-Recipient that is reimbursed for these payments, HUD has determined these rental payments, which totaled $5,820.64 are disallowed for use as Match for this grant.

- Lastly, there were costs for a sliding glass door repair ($1,250) on 01/12/2018 that was also used as Match. HUD has determined, this cost, too, is disallowed, as it should have been paid for either by the Landlord/Property Manager or submitted as a direct cost (reimbursement) for housing damages (security deposit) – not credited as Match.

- As a result of this review, HUD was not able to verify or support the receipt, disbursement or use of a large portion of the Match documents submitted for this project. All in all, using the original documents, the Match submitted by the City for Lansing for this CoC project, the amount of support fell short and did not meet the Match required. However, in order to meet this Match requirement, the City of Lansing must re-submit to HUD, all of the Match support documents as outlined above for the required match of $43,080.00 for this award.

HUD was not able to verify the matching funds provided by the associated Sub-Recipients for Grant #MI0582L5F081700 and Grant #MI0507L5F081601. Overall, the files contained various receipts, but appropriate and required documentation to support the amounts calculated was not included. As such, please resubmit the required Match documentation as outlined above for HUD's review and acceptance by scanning your reply to DETFY2018CoC@hud.gov and DetroitCPD@hud.gov. **This finding remains open.**

Finding 2019-008: Written Policies required by the Uniform Grant Guidance (Repeat 2018-004) (CoC, ESG and CDBG).

Condition: Although the City has processes in place to cover these areas, there are no formal written policies covering payment, procurement and allowability of costs that address these areas required by the Uniform Guidance. The City does have a written conflict of interest policy related to the procurement process.

Criteria: The Uniform Guidance requires a non-federal entity that has expended Federal Awards for a grant awarded on or after December 26, 2014, to have written policies pertaining to various areas, including (1) Payments (draws of federal funds and how to minimize the time lapse between the receipt of federal funds and the disbursement to contractor/employees/Sub-Recipients (2 CFR 200.302(6)); (2) Procurement including bidding and a conflict of interest policy (2 CFR 200.318-326); and (3) Allowability of Costs charged to the federal programs (2 CFR 200.302(7).

HUD's 06/12/2020 Management Decision: HUD sustains this finding. The *Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards* was issued December 14, 2014 by the U.S. Office of Management & Budget (MB). The Guidance unified, streamlined and consolidated eight (8) OMB Circulars into one Uniform Guide. It required a non-federal entity to prepare policies and procedures to adhere to the new Guidance in 2015. HUD extended this requirement by 2 years requiring all HUD Grantee's and Recipients to update their records accordingly. This is a requirement of all Grantees.

To close this finding, effective immediately, please prepare or update your current internal control policies and procedures to include: (1) Payments (2 CFR 200.302(6), 302(7), 400-404; (2) Procurement (2 CFR 200.318-326); and (3) Allowability of Costs charged to the federal programs (2 CFR 200.302(7).

City of Lansing 09/29/2020 Response: To respond and close this finding, please see **Exhibit D**. This is the updated internal control policies and procedures that cover payments, procurement and allowable costs for grants. This [these] will be used to manage grants going forward. We believe the updated internal control policy and subsequent procures shows official written policies covering payments, procurement and allowability of costs that addresses the requirements of the Uniform Guidance.

HUD's 10/14/2020 Management Decision #2: HUD's review of your submitted documentation for Finding 2019-008 included both procurement methods and allowable costs. It did not include the required federal language for procurement contracts or a policy for payments requiring review and sign off of the invoice by the Finance Department prior to the instrument being paid.

Furthermore, HUD recommends that your internal control documents, which are now separate, independent policies, be formulated as inclusive policies. It would be easier to review one procurement policy instead of several individual limited policies that are paginated and encompass the entirety of the procurement process (procurement standards, the 5 procurement methods, thresholds, policies, bonds requirements, W/MBE, Affirmative Action, etc.), instead of being perceived as piecemeal. The same with internal financial control policies – all of them should be inclusive policies encompassing the entire policies within one file for your financial controls (payments, allowed/disallowed costs, cost principles, time and attendance, Match, fidelity bond requirements, conflicts of interests, record retention, records storage, etc.).

Although some of the policies individually submitted hint at a structure being in place, they miss the mark for the overall language required by the OMB Uniform Regulations and Administrative Requirements. As such, **(1)** please submit a copy of your procurement policies that govern the entire procurement process up to contracts for Sub-Recipients using HUD funds complete with the required procurement language. This language must include the required OMB procurement language (2 CFR 200.112, 318-326). (**2**) Although requested, the attachments submitted by the City lacked a separate internal control policy detailing the payment policy. Language in the policy must state that the Finance Department must sign off [approve] all submitted invoices prior to writing the check for Sub-Recipient payments. (Payments (2 CFR 200.302(6), 302(7), 400-404).

Please submit the required procurement and payment policies as outlined above for HUD's review and acceptance by scanning your reply to DETFY2018CoC@hud.gov and DetroitCPD@hud.gov. **This finding remains open.**

With this letter, the Single Audit findings contained within the FY 2019 Audit Report and identified as 2019-005, 2019-006, 2019-007 and 2019-008 remain open. Please respond to (this) HUD's Management Decision #2 Letter not later than November 25, 2020.

Please forward all requested documents to DETFY2018CoC@hud.gov and DetroitCPD@hud.gov as your official reply to close any of the remaining findings. Please use the subject: City of Lansing FY 2019 Single Audit Response in the email of your reply to our Office. We ask that you do not send your reply to our Office via regular mail, as we are working remotely.

Should you have any questions, please feel free to email either Margaret A Momon, Senior Financial Analyst at Margaret.a.momon@hud.gov or Cynthia C. Vails, Senior Financial Analyst at Cynthia.c.vails@hud.gov for further assistance.

Sincerely,

Keith E. Hernández, AICP, PMP
Director
Office of Community Planning and Development

Attachments: #1 - Match Requirements
#2 - HUD Wire Transfer Instructions

cc: The Honorable Andy Schor, Mayor, City of Lansing, MI
Katrina Urista, HRCS Contract Manager, City of Lansing, MI
Toni Young, HRCS Contract Manager, City of Lansing, MI

- Match documentation must be in place prior to the signing of the grant agreement for the CoC awarded project. Match documentation may be updated throughout the year as funds fall through; but must be in place for the full 25% Match requirement prior to the expiration of the grant. Match is calculated on each individual award, not cumulative, for all CoC funds granted to the Recipient. If Match is cumulative, it must list all grants individually in the body of the donor letter for grants covered, whether a cash match or an in-kind contribution.

- Cash Match:
  - Cash must be documented, tracked in your accounting system; and submitted upon request.
  - The financial gift must be written from the donor on company letterhead with contact info, the letter must be addressed to the Recipient and be signed by a company authorized rep. along with their name and title clearly printed. The letter must provide details for the cash (i.e., name of the CoC organization, CoC project name, TIN/DUNS #, Grant Number, Term, Gift Amount) and this must be clearly spelled out in the body of the donor letter.
  - Cash donations must be traceable (i.e., in the form of a check, electronic funds transfers (EFT), purchase orders (POs), invoices, written receipt, etc.), and these instruments are to be used to support the receipt of cash along with the CoC's General Ledger (G/L) to show that Cash Match was received by the CoC organization.
  - Both the G/L and a Revenue/Expense Report must be submitted to show Program Income (PI), name of the Donor, cash receipt, receipted/disbursement/end uses in the CoC program.
  - Program Income used as Match (30% received from CoC program participants' rental payment contributions) are eligible to be used for the Program, provided they are receipted properly. Also, some federal grant programs allow their awarded funds for use as match.
  - All cash donations, to include other federal funds and program income payments must be deposited in your bank or financial institution and bank statements must be submitted to demonstrate deposits were receipted and disbursed on behalf of the CoC Match program.

- In-Kind Match:
  - In-Kind Match is defined as a donation or contribution (**not cash**) received from third parties that support the CoC program. All donations must be tracked in your accounting system. A tracking log must list all in-kind gifts with donor, date receipt, value, uses, etc.
  - The CoC Recipient and 3rd Party Donors must enter into a formal *Memorandum of Understanding* (MOU) or Contract on company letterhead for the CoC Program.
  - The MOU/Contract must be signed and dated by authorized reps from both parties.
  - The body of the letter must clearly show the donor, contact information, the name of the CoC nonprofit, CoC project name, TIN, DUNS #, Grant Number, Term, and Gift donation.
  - The in-kind donation must state that the gift is an unconditional commitment.
  - A system must be established to document the actual total value ($) of goods/services that will be provided during the term of the grant in the MOU (i.e., if staff is on "loan", include the name of person, person's profession, type of service, hourly rate and dates of service, which must coincide with the grant term. A timesheet is required, which identify duties and it must be fully executed by employee/manager. When using facilities as Match, the scope, sq. ft., uses, dates of use, persons using it/attendance log/tracking log must be disclosed.
  - Prior to HUD's conditional award, an initial executed MOU commitment letter/contract must be written and must include all Match required documents in advance of executing a formal HUD grant agreement for a specific project
  - Prior to the expiration of the grant, the Match MOU and all supporting documents must be updated and finalized to include all Match being considered for credit in the CoC Program.

U.S. Department of Housing and Urban Development

Abbreviated Wire-Transfer Instructions

Bank Name:	**U.S. Treasury FRB New York**
Bank Address:	33 Liberty St, **New York, NY** 10045
ABA Routing Number:	**021030004**
Beneficiary:	**D**
Account Number:	**86011101**
Account Holder:	**U.S. Department of HUD (Washington,DC)**

Originator to Beneficiary Info

City of Lansing, MI - TIN: 38-6004628 - DUNS #069835882 (CoC, ESG & CDBG Findings).

FY 2019 Audit Finding - 2019-005 $233,710.28 CoC Grant #: MI0417L5F081704

124 Michigan Avenue, 4th Floor, HRCS, Lansing, MI 48933