

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN**

**TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
LANSING CITY HALL, 10th FLOOR
124 W. MICHIGAN AVENUE**



AGENDA FOR DECEMBER 5, 2022 AT 7:00 PM

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council at the Tony Benavides Lansing City Council Chambers, 10th Floor, City Hall.

Roll Call

Meditation And Pledge Of Allegiance

Approval Of Printed Council Proceedings

1. November 14, 2022

Consideration Of Late Items (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

Tabled Items

Special Ceremonies And Presentations

Comments By Council Members And City Clerk

Community Event Announcements (Time, place, purpose, or definition of event – 1 minute limit)

Speaker Registration For Public Comment On Legislative Matters

Mayor's Comments

Show Cause Hearings

Public Comment On Legislative Matters (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on BLUE form.)

Scheduled Public Hearings

2. Ordinance adding Chapter 291 to establish the HUD conflict of interest policy (PEND-3055)
3. Public Act 425 Agreement; Windsor Township (PEND-3086)

4. South Martin Luther King Jr. Boulevard Corridor Improvement Authority Development and Finance Plan (PEND-3038)

Council Consideration Of Legislative Matters

Referral Of Public Hearings

Consent Agenda

5. Appointment; Karl Dorshimer as an At-Large Member of the Next Michigan Development Corporation Board for a term to expire April 15, 2024 (PEND-3105)
6. Reappointment; Shirley Carter-Powell as an At-Large member of the Arts and Culture Commission for a term to expire June 30, 2026 (PEND-3104)
7. Reappointment; Jennie Gies as a City of Lansing member of the Capital Area Transportation Authority Board for a term to expire September 30, 2025 (PEND-3106)
8. Collective Bargaining Agreement; Capitol City Labor Program (CCLP) Non-Supervisory Unit Contract (PEND-3110)
9. Collective Bargaining Agreement; United Auto Workers Local 2256 Contract (PEND-3118)
10. Brownfield Plan #83; Moneyball Brownfield Redevelopment Project, 923 and 927 West Saginaw St. (PEND-3070)
11. Obsolete Property Rehabilitation Act (OPRA) District; Michigan Certified Development Corporation for property located at 1703, 1717, and 1723 E. Michigan Avenue (PEND-3064)
12. Obsolete Property Rehabilitation Act (OPRA) Certificate Transfer; M3 Group LLC for property located at 221 W. Saginaw St. (PEND-3107)

Resolutions For Action

13. Appointment; Dr. Thomas Woods as an At-Large member of the Human Relations and Community Services Advisory Board for a term to expire June 30, 2025 (PEND-3094)
14. Orders to Make Safe or Demolish to the owners of property located at 304 Regent Street (PEND-3065)
15. Setting a Show Cause Hearing on Orders to Make Safe or Demolish to the owners of property located at 4580 Seaway (PEND-3093)
16. Setting a Public Hearing on SLU-1-2022; Special Land Use Permit, 109 E. Randolph St. for a 20-bed, state-licensed adult foster care, large group home for the aged (PEND-3099)
17. Voter Approved Sale of City Property; portion of North Cemetery (PEND-3089)
18. Substantial Amendment; FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan (PEND-3036)

19. Act 31; Incorporation of the Lansing Public Media Authority (PEND-3075)
20. Issuance and Sale of Limited Tax General Obligation Bonds for Capital Improvements for Ovation Performing Arts Center (PEND-3072)
21. Grant Acceptance; Michigan Enhancement Grant for Ovation Performing Arts Center (PEND-3071)

Reports From Council Committees

Ordinances For Introduction And Setting Of Public Hearings

22. Z-1-2022; 109 E. Randolph, Rezoning from "R-6A" Urban Detached Residential to "R-AR" Residential Adaptive Reuse (PEND-3100)

Ordinances For Passage

23. Ordinance Amending Chapter 1300, Marihuana Operations (PEND-3022)

Speaker Registration For Public Comment On City Government Related Matters

Reports Of City Officers, Boards, And Commissions; Communications And Petitions; And Other City Related Matters (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

Item(s) from the City Clerk re:

24. Minutes of Boards and Commissions placed on file in the Clerk's Office
25. Lansing Housing Commission Financial Report, June 30, 2022
26. Liquor License; Comfort Zone Cigar Lounge request for a Class C license, Sunday Sales (AM/PM), dance, entertainment, and outdoor service permits at 600 S. Pennsylvania Ave. (PEND-3114)
27. Ballot Proposal; Charter general revision question as required by the Charter (PEND-3117)

Item(s) from the Mayor re:

28. Appointment; Robert Benstein as an At-Large member of the Lansing Gateway Corridor Improvement Authority Board of Directors for a term to expire June 30, 2026 (PEND-3095)
29. SLU-2-2022; Special Land Use Permit, 340 E. Edgewood Blvd for a self-storage rental facility (PEND-3111)
30. Setting a Public Hearing on SLU-2-2022; Special Land Use Permit, 340 E. Edgewood Blvd for a self-storage rental facility (PEND-3112)
31. Issuance of sewage disposal system revenue bonds for CSO Program (PEND-3116)
32. Collective Bargaining Agreement; United Auto Workers Local 2256 Contract (PEND-3118)
33. Collective Bargaining Agreement; Capitol City Labor Program (CCLP) Non-Supervisory Unit Contract (PEND-3110)

Communications and Petitions

34. Notice from the Michigan Liquor Control Commission; 7Y97 Store B, LLC request to transfer ownership 2022 SDD & SDM License with Sunday Sales Permit (AM), Sunday Sales Permit (PM) for SDD License- spirits and Sunday Sales Permit (PM) for SDM License mixed spirit drink from Kartar Liquor Inc.; Conditional License (RID # RQ-2202-00957)

Motion Of Excused Absence

Remarks By Council Members

Remarks By The Mayor Or Executive Assistant

Public Comment On City Government Related Matters (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on YELLOW form.)

Adjournment



CHRIS SWOPE, CITY CLERK

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LANSING CITY COUNCIL MEETING

DATE & TIME: 12/5/2022-7:00 PM

Starting Time 722

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

COUNCIL MEMBER	PRESENT	ABSENT	ARRIVED
BROWN	☒	☐	_____
DANIELS	☒	☐	_____
GARZA	☒	☐	_____
HUSSAIN	☒	☐	_____
JACKSON	☒	☐	_____
SPADAFORE	☒	☐	_____
SPITZLEY	☒	☐	_____
WOOD	☒	☐	_____

MEDITATION IN MEMORY OF:

AS- Bishop David Maxwell CW - Claude Leavon

PLEDGE LED BY: _____

Adjournment Time 900

CHRIS SWOPE

\\lansing.local\Group_Storage\Dept\Clerk_Staff\City Council\Administrative\Council
Attendance Sheet.doc

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN

7:22pm
8-0
TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
LANSING CITY HALL, 10th FLOOR
124 W. MICHIGAN AVENUE



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Scheduled Public Hearings

WOOD 2. Ordinance adding Chapter 291 to establish the HUD conflict of interest policy (PEND-3055)

WOOD 3. Public Act 425 Agreement; Windsor Township (PEND-3086)

Rev. Bishop Maxwell
David
Clarke
BEAVERS

#13 Dr. Wood appoint
#5 Kael Doeshin

Hussain -
Community Meeting
update
SWAG update

Loretta Stanaway - Cemetery open house

The Meet Black Santa

COW

COW

SPITZLEY

4. South Martin Luther King Jr. Boulevard Corridor Improvement Authority Development and Finance Plan (PEND-3038)

Council Consideration Of Legislative Matters

Referral Of Public Hearings

Consent Agenda

294 SPITZLEY

5. Appointment; Karl Dorshimer as an At-Large Member of the Next Michigan Development Corporation Board for a term to expire April 15, 2024 (PEND-3105) #2 already

295 SPITZLEY

6. Reappointment; Shirley Carter-Powell as an At-Large member of the Arts and Culture Commission for a term to expire June 30, 2026 (PEND-3104)

296 WOOD

7. Reappointment; Jennie Gies as a City of Lansing member of the Capital Area Transportation Authority Board for a term to expire September 30, 2025 (PEND-3106)

297 WOOD

8. Collective Bargaining Agreement; Capitol City Labor Program (CCLP) Non-Supervisory Unit Contract (PEND-3110)

298 WOOD

9. Collective Bargaining Agreement; United Auto Workers Local 2256 Contract (PEND-3118)

299 SPITZLEY

10. Brownfield Plan #83; Moneyball Brownfield Redevelopment Project, 923 and 927 West Saginaw St. (PEND-3070)

300 SPITZLEY

11. Obsolete Property Rehabilitation Act (OPRA) District; Michigan Certified Development Corporation for property located at 1703, 1717, and 1723 E. Michigan Avenue (PEND-3064)

301 SPITZLEY

12. Obsolete Property Rehabilitation Act (OPRA) Certificate Transfer; M3 Group LLC for property located at 221 W. Saginaw St. (PEND-3107)

Resolutions For Action

-293 SPITZLEY

13. Appointment; Dr. Thomas Woods as an At-Large member of the Human Relations and Community Services Advisory Board for a term to expire June 30, 2025 (PEND-3094) #1

302 WOOD

14. Orders to Make Safe or Demolish to the owners of property located at 304 Regent Street (PEND-3065)

303 WOOD

15. Setting a Show Cause Hearing on Orders to Make Safe or Demolish to the owners of property located at 4580 Seaway (PEND-3093) Dec 12

304 SPITZLEY

16. Setting a Public Hearing on SLU-1-2022; Special Land Use Permit, 109 E. Randolph St. for a 20-bed, state-licensed adult foster care, large group home for the aged (PEND-3099) Jan 9

305 WOOD

17. Voter Approved Sale of City Property; portion of North Cemetery (PEND-3089)

306 WOOD

18. Substantial Amendment; FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan (PEND-3036) Approved 6-2 Daniels?

wood
cancel
6-2 spitzley

307

WOOD 19. Act 31; Incorporation of the Lansing Public Media Authority (PEND-3075)

308

WOOD 20. Issuance and Sale of Limited Tax General Obligation Bonds for Capital Improvements for Ovation Performing Arts Center (PEND-3072)

6-2

309

WOOD 21. Grant Acceptance; Michigan Enhancement Grant for Ovation Performing Arts Center (PEND-3071)

6-2

Reports From Council Committees

Ordinances For Introduction And Setting Of Public Hearings

310

SPITZLEY 22. Z-1-2022; 109 E. Randolph, Rezoning from "R-6A" Urban Detached Residential to "R-AR" Residential Adaptive Reuse (PEND-3100)

Ordinances For Passage

WOOD 23. Ordinance Amending Chapter 1300, Marihuana Operations (PEND-3022)

WOOD NO
7-1 agree

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Reports Of City Officers, Boards, And Commissions; Communications And Petitions; And Other City Related Matters (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

Item(s) from the City Clerk re:

PLACE ON FILE 24. Minutes of Boards and Commissions placed on file in the Clerk's Office

COMM. OF THE WHOLE 25. Lansing Housing Commission Financial Report, June 30, 2022

CITY OPERATIONS 26. Liquor License; Comfort Zone Cigar Lounge request for a Class C license, Sunday Sales (AM/PM), dance, entertainment, and outdoor service permits at 600 S. Pennsylvania Ave. (PEND-3114)

COMM. OF THE WHOLE 27. Ballot Proposal; Charter general revision question as required by the Charter (PEND-3117)

Item(s) from the Mayor re:

DEVELOPMENT & PLANNING 28. Appointment; Robert Benstein as an At-Large member of the Lansing Gateway Corridor Improvement Authority Board of Directors for a term to expire June 30, 2026 (PEND-3095)

DEVELOPMENT & PLANNING 29. SLU-2-2022; Special Land Use Permit, 340 E. Edgewood Blvd for a self-storage rental facility (PEND-3111)

DEVELOPMENT & PLANNING 30. Setting a Public Hearing on SLU-2-2022; Special Land Use Permit, 340 E. Edgewood Blvd for a self-storage rental facility (PEND-3112)

COMM. OF THE WHOLE 31. Issuance of sewage disposal system revenue bonds for CSO Program (PEND-3116)

COMMITTEE OF THE WHOLE/PLACE ON FILE 32. Collective Bargaining Agreement; United Auto Workers Local 2256 Contract (PEND-3118)

33. Collective Bargaining Agreement; Capitol City Labor Program (CCLP) Non-Supervisory Unit Contract (PEND-3110)

Communications and Petitions

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Adjournment

Chris Swope

8:59

CHRIS SWOPE, CITY CLERK

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Jody Washington
Abby Denine
Nick Zarile
Loretta Stanaway
Kyle Richards
Heber Baumann
Women
Amy M
John Loren

— Various City matters
— great MASS extinction
— Constitutional Convention
— Various
— homeless
— homeless
homeless - ~~was~~
S. MLK Coordinator
Police

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) or Description(s) ARPA

Name (print) Mike Lynn E-Mail (optional) _____

Address (street, city, zip) 300 S. Cadwell

Company or organization represented, etc. (if applicable) _____

Signature _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
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Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

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Agenda Item Number(s) or Description(s) gar 1

Name (print) Jody Washington E-Mail (optional) _____

Address (street, city, zip) _____

Company or organization represented, etc. (if applicable) _____

Signature _____

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Agenda Item Number(s) or Description(s) Item 3 425 Agreement
Name (print) Brad Krabel E-Mail (optional) _____
Address (street, city, zip) One Energy Plaza, Jackson, MI
Company or organization represented, etc. (if applicable) Consumers Energy
Signature [Signature]

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Agenda Item Number(s) or Description(s) THE OVATION

Name (print) JENNIFER ESTILL E-Mail (optional) jen@redhead-studio

Address (street, city, zip) 3201 Tecumseh Ave Rd

Company or organization represented, etc. (if applicable) Nelson Gallery

Signature [Handwritten Signature]

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Agenda Item Number(s) or Description(s) 17

Name (print) Lorella Stanaway E-Mail (optional) _____

Address (street, city, zip) 546 Armstrong

Company or organization represented, etc. (if applicable) _____

Signature J. Stanaway

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Agenda Item Number(s) or Description(s) 18

Name (print) Erica Lynn E-Mail (optional) _____

Address (street, city, zip) 3200 S Cedar St 48910

Company or organization represented, etc. (if applicable) _____

Signature E. Lynn

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Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.



113 S. Washington Square
Lansing, MI 48933

517.853.3681
redhead.studio

Hello City Council friends,

In 2021, we moved Redhead Creative Consultancy from its home in Old Town — where we prospered for more than 15 years — to 113 S. Washington Square in Downtown Lansing, a building that had sat vacant for far too long.

In doing so, we took the leap to open Nelson Gallery on our ground floor. Though it was the heart of the pandemic, we were hopeful that when things got “back to normal” we’d see copious foot traffic to support our new retail space. And I am not alone — half dozen new businesses were brave enough to open downtown in the past two years, despite the pandemic. Yet, as we all know, the previous levels of 8-5 office traffic are never coming back to Downtown. This is why we need to reinvent and commit to new strategies. We need bold efforts in all sectors as we rebuild.

And that is why I am writing to urge Council to support The Ovation, and vote yes in every way to bring The Ovation to fruition.

We desperately need foot traffic downtown — outside of 8 to 5. We desperately need an anchor that has the potential to bring thousands of people downtown on a daily basis.

The Ovation fits this bill, and economic ripple effects of a new, activated space like this cannot be ignored. The need for such space is clear and is supported by copious research. The State of Michigan sees the value of such a venue and appropriated \$2M for the effort to enhance Michigan’s Downtown. Small retailers and entrepreneurs like me, who have taken a chance on Downtown, would appreciate the support that The Ovation will bring.

You have the opportunity to turn a vacant brownfield into a lively attraction that houses creative endeavors, creates jobs, supports economies, and anchors a neighborhood. As a neighbor and a small business owner who relies on foot traffic and would benefit from the ripple effects of The Ovation, I urge you to help us get it built.

Thank you,
Jennifer Estill

Jackson, Brian

From: Boak, Sherrie
Sent: Wednesday, November 30, 2022 4:01 PM
To: Swope, Chris; Jackson, Brian
Subject: FW: [EXTERNAL] Ovation Center

For the record on Monday at Council.

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](#) |



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From: Toby Weston <tobinweston@gmail.com>
Sent: Wednesday, November 30, 2022 3:28 PM
To: Boak, Sherrie <Sherrie.Boak@lansingmi.gov>
Subject: [EXTERNAL] Ovation Center

Hi Sherrie, I am writing this e-mail in support of the proposed music and arts center for downtown referred to as The Ovation. I own the building at 118 S Washington Sq and my family has the residing lower level business Kewpees that is looking to celebrate their 100th year in downtown Lansing next week. And my other sister owns the Firefly Yoga studio above.

I would encourage the City Council to do anything they can to help this area that has been so disproportionately affected by the last few years with the Covid shut downs and work from home orders. The area is not only a ghost town after 5, but the lack of people has invited a criminal element that thrives in the empty streets after dusk. The area would benefit from not only a once again thriving nightlife but additional businesses and most notably people living in the area. I feel this project could be that catalyst that energises this area from REO town up the Square to the steps of the Capital. I hope the council will consider this project and continue working towards a better, safer and more energetic downtown.

Tobin K Weston
WESTON APPRAISALS
PH. # 517-372-7993

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Thank you,
Jennifer Estill

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, December 5, 2022 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by Adding Chapter 291, Sections 291.01-291.04, to establish a conflict of interest policy and regulations for U.S. Department of Housing and Urban Development (HUD) Programs and Funding; including, but not limited to, Continuum of Care (24 CFR 578.95); Emergency Services Grants (24 CFR 576.404); and CDBG (24 CFR 570.611, 24 CFR 578.95, 24 CFR 576.404); and to provide penalties for any violations of the provisions of this ordinance.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

September 14, 2022

ORDINANCE NO. _____

An Ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by Adding Chapter 291, Sections 291.01-291.04, to establish a conflict of interest policy and regulations for U.S. Department of Housing and Urban Development (HUD) Programs and Funding; including, but not limited to, Continuum of Care (24 CFR 578.95); Emergency Services Grants (24 CFR 576.404); and CDBG (24 CFR 570.611, 24 CFR 578.95, 24 CFR 576.404); and to provide penalties for any violations of the provisions of this ordinance.

The City of Lansing Ordains:

Section 1. That the Code of Ordinances of Lansing, MI be and is hereby amended by adding Chapter 291, Sections 291.01-291.04 and shall read as follows:

291.01 – Establishment

This Ordinance adopts a Conflict of Interest Policy, including regulations, for U.S. Housing and Urban Development (HUD) programs administered by the City of Lansing (City). The purpose of this policy is to adopt the process and regulations by which the City of Lansing (“City”) administers the use of HUD funds for the administration, including financial administration, of any program established and funded by HUD, including, but not limited to, Continuum of Care, (24 CFR 578.95); Emergency Services Grants, (24CFR576.404); Community Development Block Grant (24 CFR 570.611);, and the HOME Investment Partnership Program, (24 CFR 92.356) and of 2 CFR 200.318 to prevent any real or perceived conflict of interest with regard to the use of these funds. A conflict of interest exists where there is an actual or perceived potential gain or bias by an

1 employee of the City. An apparent conflict of interest arises when a City employee is
2 involved in a particular matter and the circumstances are such that a reasonable person
3 with knowledge of the relevant facts would question the impartiality of the employee in the
4 matter. Family member, for purposes of this policy, is defined as any person related by
5 blood or adoption as detailed in the City Personnel Policy.

6 In addition, the federal procurement standards found at 2 CFR 200.318 are incorporated
7 by reference into this policy as regulations.

8 (a) Conflict of Interest Application. Conflict of interest provisions are applicable to any
9 person or entity including any benefitting business, utility provider, or other third-
10 party entity that is receiving assistance, directly or indirectly, under a contract or
11 award from the City pursuant to a HUD-funded activity or program, or that is
12 required to complete some or all work under the contract that might potentially
13 receive benefits from Lansing from the HUD-funded activity or contract.

14 (b) Conflicts Prohibited. Except for the use of HUD funds to pay salaries and other
15 related administrative or personnel costs as allowable, the general rule is that no
16 persons described in paragraph (c) of this section who exercise or have exercised
17 any functions or responsibilities with respect to HUD supported activities, or who
18 are in a position to participate in a decision making process or to gain inside and/or
19 confidential information with regard to such activities, may obtain a financial
20 interest or benefit from a HUD assisted activity, or have a financial interest in any
21 contract, subcontract, or agreement with respect to a HUD assisted activity, or with
22 respect to the proceeds of the HUD assisted activity, either for themselves or those

1 with who they have family or business ties and/or associations, during their tenure
2 or for one year thereafter.

3 **(c) Persons Covered.** The conflict-of-interest provisions of paragraph (b) of this section
4 apply to any person who is an employee, agent, consultant, officer, or elected official
5 or appointed official of the recipient, or of any designated public agencies, or
6 subrecipients which are receiving HUD funds. This Ordinance shall also apply to:
7 City employees and/or their family members; to City oversight boards;
8 subrecipients of grants and funding; and organizations that request assistance in the
9 form of grants, payments, or loans funded by HUD and administered by the City; or
10 other activities funded by HUD and administered through City programs.

11 **291.02. Scope and application of this policy.**

12 As per 24CFR 570.611 (CDBG) this Ordinance shall apply in the procurement of
13 supplies, equipment, construction, and services by the City and its subrecipients,
14 subgrantees and subawardees. As per 24 CFR 92.356 (HOME) this Ordinance shall apply
15 in the procurement of property and services by the City (the Participating Jurisdiction), its
16 subrecipients and developers. This Ordinance also applies to the procurement of goods and
17 services under Emergency Service Grants (24CFR576.404).

18 In the administration and potential award of HUD funds for employees and for
19 subrecipients, the following conflict of interest provisions shall apply:

20 No employee, officer, agent, consultant, or elected/appointed official of the recipient City,
21 or of any designated public agencies, or of subrecipients that are receiving funds under any
22 of the HUD-funded grant programs cited in this Ordinance may participate in the

1 selection, award, or administration of a contract or grant supported by a Federal HUD
2 award if he or she has a real or apparent conflict of interest. Such a conflict of interest
3 would arise when the employee, officer, or agent, any member of his or her immediate
4 family, or an organization which employs or is about to employ any of the parties indicated
5 herein, has a financial or other interest in or a tangible personal benefit from a firm
6 considered for a contract or grant. The officers, employees, and agents of the non-Federal
7 entity may neither solicit nor accept gratuities, favors, or anything of monetary value from
8 contractors or parties to subcontractors or parties to subcontracts in connection with any
9 of the programs cited in this Ordinance.

10 Exceptions to any of the provisions of this Ordinance can only be permitted by HUD.

11 **291.03. Process.**

12 Disclosure of a potential conflict of interest must be made by a City Employee,
13 Oversight Board Member, or potential subrecipient of HUD funding before the
14 commencement of the administration, or application for, any HUD funding whatsoever by
15 such persons or entities or before an employee gains any financial interest in any project or
16 contract to be assisted with HUD funds. Disclosure shall be made on the Statement of
17 Financial Interest and Personal Interest Form described in Chapter 290.08 and shall apply
18 to those persons covered by Chapter 291.01(c). The Statement of Financial Interest and
19 Person Interest form shall be filed with the City Clerk who shall transmit to the City
20 Finance Director and the City Attorney. In addition, The Finance Department and the
21 Human Resources Department shall review each potential award, grant or contract
22 utilizing HUD funds of any nature, including a review of: any filed Statement of Personal

September 14, 2022

1 **Interest and Financial Interest Forms; Verification of legal status, including Articles,**
2 **Bylaws, Annual Reports; Business Filings; and Officer/Director filings with regulatory**
3 **agencies for potential conflicts of interest. A current Board roster signed by the Board**
4 **Chair shall accompany all non-profit submissions and shall be compared with current**
5 **public documents on file with the applicable regulatory agency.**

6 **291.04. Penalties.**

7 **A violation of any provision of this Ordinance shall constitute a misdemeanor and**
8 **subject the offender to a \$500 fine and/or 90 days imprisonment.**

9 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
10 inconsistent with the provisions herein are repealed.

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

14 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
15 immediate effect by City Council and shall expire December 31, 2031.

16
17
18 Approved as to form:

19
20
21 _____ City Attorney

22 Dated: _____
23

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Please take notice that the Lansing City Council will hold a public hearing on a proposed agreement between the City Of Lansing and the Charter Township of Windsor for the conditional transfer of property pursuant to 1984 P.A. 425 on December 5, 2022 at 7:00 P.M. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing.

A copy of the proposed agreement and the description of this land to be transferred is on file with the Lansing City Clerk.

LEGAL DESCRIPTION:

A parcel of land in the North 1/2 of the Northwest 1/4 of Section 10, Township 3 North, Range 3 West, Windsor Township, Eaton County, Michigan described as follows: Beginning at the North 1/4 corner of said Section; thence South 00 degrees 44 minutes 21 seconds East, on the North & South 1/4 line of said Section, 1332.08 feet to the North 1/8 line of said Section; thence North 89 degrees 46 minutes 39 seconds West, on said North 1/8 line, 2646.67 feet to the West line of said Section; thence North 00 degrees 13 minutes 11 seconds West, on said West Section line, 325.28 feet; thence North 89 degrees 46 minutes 49 seconds East, perpendicular to said West Section line, 60.00 feet; thence North 00 degrees 13 minutes 11 seconds West, parallel with said West Section line, 459.79 feet to a point of curvature; thence 246.15 feet on a curve to the left, having a radius of 878.51 feet, a central angle of 16 degrees 03 minutes 13 seconds, and a long chord which bears North 08 degrees 14 minutes 47 seconds West, 245.35 feet to the beginning of an existing Limited Access Right of Way; thence North 23 degrees 05 minutes 11 seconds East, on said Limited Access Right of Way line, 127.96 feet; thence North 64 degrees 59 minutes 25 seconds East, on said Limited Access Right of Way line, 66.86 feet to the end of said Limited Access Right of Way; thence continuing North 64 degrees 59 minutes 25 seconds East, 45.87 feet to a point of curvature; thence 332.12 feet on a curve to the right, having a radius of 758.51 feet, a central angle of 25 degrees 05 minutes 15 seconds, and a long chord which bears North 77 degrees 32 minutes 03 seconds East, 329.47 feet; thence North 00 degrees 04 minutes 40 seconds East, perpendicular to the North line of said Section, 60.00 feet to said North Section line; thence South 89 degrees 55 minutes 20 seconds East, on said North Section line, 2133.55 feet to the point of beginning.

Parcel Number 080-010-100-010-01

Commonly Known as 7000 N. Canal Rd, Dimondale, MI 48821

If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/CMMC

www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

AGREEMENT FOR CONDITIONAL TRANSFER
OF PROPERTY PURSUANT TO 1984 P.A. 425

This Agreement is made on the _____ day of _____, 2022, between the **CITY OF LANSING** (City), a Michigan municipal corporation, and the **CHARTER TOWNSHIP OF WINDSOR** (Township), a Michigan municipal corporation, each a "Party" and collectively, the "Parties".

Recital of Facts

The City and the Township are "local units" as defined by Public Act 425 of 1984, as amended, (Act 425), (MCL 124.21 *et seq.*). Act 425 enables two local units of government to conditionally transfer property by written agreement for the purpose of economic development projects.

The City and the Township have proposed that certain property be conditionally transferred from the Township to the City pursuant to Act 425 to promote economic development and secure certain public improvements and infrastructure necessary for the development of the properties (described in this Agreement as the "Transferred Area"), including water service to the properties included in the district for development, as set forth in this Agreement, and the Transferred Area. Pursuant to Act 425, the Township before signing this Agreement held a public hearing on _____ regarding this Agreement, and the City Council held a public hearing on _____ regarding this Agreement, both preceded by notice in accordance with the requirements of Michigan's Open Meetings Act. As consideration and further benefit to the City by agreeing to enter into this Agreement, the City will retain substantial revenue from the real, personal and income taxes generated from the Transferred Area. The City, through its Board of Water and Light (BWL), will further preserve its existing revenue obtained through water rates and capital charges imposed onto users of its water service.

The City and the Township find that the conditional transfer of the Transferred Area from the Township to the City pursuant to this Agreement, will assist economic development and benefit the residents of the City and the Township, including revenue that will support the economic development.

NOW THEREFORE, pursuant to Act 425, the Parties agree as follows:

ARTICLE I
DEFINITIONS AND REPRESENTATIONS

Section 1.1 **Definitions.**

- A. "Agreement" means this Agreement for Conditional Transfer of Property.
- B. "BWL" mean the Lansing Board of Water and Light, a City owned municipal utility supplier.
- C. "Transferred Area" means that portion of the Township legally described in **Exhibit A**, containing approximately 77 acres, as depicted in **Exhibit B**.
- D. "Water Service" means water production, transmission, and distribution, or any part thereof. This does not include wastewater sewage service or electric service.

Section 1.2 **Representations.** The City and the Township represent that before entering into this Agreement the following factors were considered:

- A. The composition of the population; population density; land areas and land uses; assessed valuation; topography; natural boundaries and drainage basins; and past and probable future growth, including population increase and business and commercial development in the area and the comparative data for the Township and the portion of the Township remaining after the transfer of the Transferred Area.

- B. The need for organized community services; the present costs and adequacy of governmental services in the Transferred Area; the practicality of supplying such services to the Transferred Area; the probable effect of the transfer and of the alternative courses of action on the costs and adequacy of services in the Transferred Area and on the remaining portion of the Township; the probable change in taxes and tax rate in the Transferred Area in relation to the benefits expected to accrue from such transfer; and the financial ability of the Township and the City to provide and maintain municipal Water Service, including supply and distribution, and other governmental services in the Transferred Area.
- C. General effect upon the Parties of the transfer and the relationship of the transfer to applicable land use plans.

ARTICLE II AREA AND JURISDICTION TRANSFERRED

Section 2.1 **Conditional Transfer of Property.** The Transferred Area shall be conditionally transferred from the jurisdiction of the Township to the jurisdiction of the City solely for the purposes specified in this Agreement.

Section 2.2 **Jurisdiction After Reversion, Termination, Expiration, Non-Renewal, or Non-Ownership.**

- A. *Reversion of Transferred Area.* Upon the termination, expiration, or non-renewal of this Agreement, the Transferred Area shall for all purposes be automatically and unconditionally reverted and returned to the sole jurisdiction of the Township and shall thereafter be treated as within the corporate limits of the Township.
- B. *Transfer upon Consumers' Lack of Ownership.* If Consumers Energy or its parent, subsidiary, and affiliate entities, now in existence and hereafter formed, or their corporate successors in interest (collectively referred to as "Consumers") ceases to own all of the Transferred Area, the Transferred Area shall automatically revert back to the Township and shall thereafter be treated as within the corporate limits of the Township.
- C. *Transfer upon City Failure to Provide Water Service.* If the City fails to construct or authorize construction, which shall not be unreasonably withheld, delayed, or not authorized, of the infrastructure necessary to provide Water Service to the Transferred Area or fails to otherwise provide such Water Service to the Transferred Area, the Transferred Area shall automatically revert back to the Township and shall thereafter be treated as within the corporate limits of the Township.
- D. *City Rights After Termination.* Regardless of the method of transfer or termination under this Agreement, nothing herein shall be considered as transferring ownership of the Water System to the Township from the ownership of the City or BWL.
- E. *Continuation of Utilities.* After termination of this Agreement, the City, through its BWL, shall have the right and shall have a continued obligation to provide Water Service to the Transferred Area as permitted under this Agreement, at the City's customary rates and fees and subject to the same requirements and conditions for customers within the boundaries of the City for Water Service.

Section 2.3 **Jurisdiction—Governmental Services.**

- A. *Transferred Area Considered within the City.* Immediately upon this Agreement becoming effective, the Transferred Area shall be treated as being within the corporate limits of the City and subject to the City ordinances, rules, and regulations enacted now and during the Term of this Agreement or any Renewal Term (as defined hereinafter) thereof as identified in Section 2.3.D of this Agreement, provided such ordinances, rules and regulations do not conflict with this Agreement. City shall be responsible for enforcing its applicable ordinances, rules, and regulations. The Township shall enforce its ordinances, rules, and regulations, which shall be under the jurisdiction of, and enforced by, the Township. Nothing in this Agreement shall be construed to limit the discretion of any police officer, fire official, or building code official with appropriate jurisdiction to enforce statutes of the State of Michigan.

- i. For violations of the applicable Lansing City Code of Ordinances, venue shall be in the 54-A Judicial District Court, with any such ordinance appeal being to the Ingham County Circuit Court.
 - ii. For violation of the applicable Township ordinances and Michigan misdemeanors and felonies, venue shall be in the 56-A Judicial District Court and Eaton County Circuit Court.
- B. *Water Distribution within the Transferred Area.* Water Service for the Transferred Area shall be provided by the City, which includes but is not limited to construction of at least a 16-inch water line to the Transferred Area. The Township consents to the use of public roads, rights-of-way and easements throughout the Township for purposes of Water Service infrastructure from the City to the Transferred Area. The Township agrees to support acquisition and/or permitting that may be needed to effectuate this provision. The Transferred Area shall be considered as being within the corporate limits and jurisdiction of the City for the purpose of constructing service lines and laterals on public property for connection with the City's water distribution system and the conduct of a Water Service utility business therein.
- C. *Township Governmental Services.* In the Transferred Area, fire, ambulance and police protection and enforcement, including but not limited to the Michigan Fire Prevention Code, the Michigan Vehicle Code, and the Uniform Traffic Code; library services; zoning or planning, including but not limited to site plan review, re-zoning, zoning inspections, permits, and fees; and any other services relating to ordinances, rules, and regulations not otherwise expressly assumed in Sections 2.3(C) and (D) of this Agreement, shall be provided by and under the jurisdiction of the Township. It is further understood and agreed that authority over the grant of an electrical utility franchise and jurisdiction over electrical utility services for the Transferred Area is expressly reserved to the Township, and notwithstanding any City ordinance specified within Section 2.3(D), ordinances of the Township pertaining to electrical utility service franchise authority or jurisdiction shall solely apply to the Transferred Area. Nothing contained herein shall abrogate, limit, or impair, any franchise validly granted by the Township to BWL or Consumers for the purpose of transacting electrical utility service within the Township outside of the Transferred Area. The Township shall retain all fees pertaining to the services provided for by the Township. The Township shall also provide for wastewater collection.
- D. *City Governmental Services.* In the Transferred Area, the City hereby assumes the responsibility for the administration and enforcement of only the following City Code Sections: Chapter 257 Board of Review, Chapter 297 Human Rights, Chapter 880 Taxation Generally, Chapter 882 Uniform City Income Tax, Chapter 1026 Special Assessments, and Chapter 1050 Utilities Generally, except not as to any portion of these Sections that relate to any utility service or other service or matter otherwise reserved under other jurisdictions as referenced in this Agreement.
- E. *Governmental Services not Provided by the City or the Township.* Street and road maintenance and repair within the Transferred Area shall be provided by the Eaton County Road Commission. Storm water regulation and control and soil erosion and sedimentation control shall be as required by the Eaton County Drain Commissioner, consistent with properties within the Township's jurisdiction. Administration and enforcement of the State Construction Code pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, Act 230 of 1972, consisting of the Michigan Building Code, the Michigan Electrical Code, the Michigan Mechanical code, and the Michigan Plumbing code (collectively the Construction Code), shall be provided by Eaton County Building and Planning Department, its successor county agency or other agency approved by the State of Michigan to administer and enforce the Construction Code within the Township's jurisdiction. The County or applicable enforcing agency shall charge, collect, and retain all fees pertaining to Construction Code inspections, reviews and approvals.
- F. *No Impact on Other Agreements.* Nothing in this Section shall be construed to terminate or modify the terms of any other governmental agreement to which the City or the Township is a party.

Section 2.4 **Jurisdiction—Special Assessments.** The Transferred Area shall be treated as being within the corporate limits and jurisdiction of the City for purposes of special assessments except as follows:

- A. No special assessments for Water Service shall be applied to the Transferred Area or services the City does not otherwise provide to the Transferred Area, except for any special assessments related to connection fees, construction costs and any other payments pursuant to Section 2.6;
- B. Storm drain assessments shall be permitted only by the Eaton County Drain Commissioner; and
- C. Special assessments for services provided by the Township under this Agreement and as permitted by the Township under Michigan law.

Section 2.5 City Water Service Provided.

- A. *Sewage Disposal Services in the Transferred Area.* The Dimondale-Windsor Wastewater Treatment Plant shall provide sewage disposal services in the Transferred Area.
- B. *New Water Services Outside of the Transferred Area.* The City agrees to provide water service connections and extensions to properties neighboring the Transferred Area from the to-be existing water distribution infrastructure constructed pursuant to this Agreement, if otherwise permitted under all applicable BWL standards, rules and regulations for Water Service and the Master Retail Water Service Agreement between the Township and the BWL. The landowner or developer of each neighboring property shall be individually responsible for the cost of service connections or extensions to their property. The City's failure to enter into a separate written agreement for extensions or service installations for neighboring properties outside of the Transferred Area upon request by the Township, landowners or developers shall not constitute a breach of this Section so long as the City acts in good-faith. If the City (including BWL) denies a request for water system connections or extensions, the Township may request and the City must provide the Township with the reason(s) for denial. The Township shall have thirty (30) days to, at its discretion, request reconsideration or otherwise respond.
- C. *Rates.* All rates, tariffs, charges, and fees (collectively "rates"), not otherwise specifically specified in this Agreement, for Water Service, including hydrants, shall be calculated, levied and collected by the City (including BWL) in accordance with the rates and ordinances applicable to property in the corporate limits of the City and as may be adjusted by the City pursuant to its rate-making authority.
- D. *Connection Fees.* Connection fees and capital charges for Water Service connections both within and outside the Transferred Area shall be at the rates normally charged by the City within the City and connection fees for such Services shall belong to the City and be at the rates normally charged by the City and BWL for customers within Lansing.
- E. *Liens by City.* Liens for Water Service made against real property in and outside the Transferred Area may be created and remain in full force and effect as if the properties were within the corporate limits of the City.

Section 2.6 Water Service Franchise and Construction.

- A. *Franchise.* The Township consents and grants the right, power and authority to the City and BWL, a municipal utility, its successors and assigns to construct, set, string, lay, operate, repair, maintain and use public water lines, consisting of pipes, valves, gauges, hydrants, and other public water appliances, on, along, over, under, through, and across Township rights of way for the purpose of providing Water Service to the Transferred Area. Provided however, that the Township shall grant written approval under Section 2.6(C) prior to doing so.
- B. *Standard of Utility Construction.* All City utility infrastructure to be erected under, at, or on street crossings, highway crossings or railroad crossings shall be in full compliance as to construction as required by the laws of the State of Michigan and subject to the City's policies, procedures, and rules and regulations.
- C. *Place of Utilities within Township.* The Township agrees to work cooperatively with BWL on the City's placement of any water utility infrastructure necessary for the purpose of providing Water Service to the Transferred Area, provided such placement shall be approved by the Township prior to construction.

- D. *Costs.* By entering into this Agreement, the City, Township, and BWL agree that between the Parties, BWL shall be responsible for, any costs associated with the construction of infrastructure necessary for the purpose of providing Water Service to the Transferred Area as provided in this Agreement, including but not limited to the construction of at least a 16 inch water line to the Transferred Area. "Infrastructure," may include, but is not limited to water lines, pipes, valves, gauges, hydrants, water storage or re-pumping facilities, or any other public water appliance. This Section 2.6.D shall not restrict or prohibit BWL from charging Consumers or other customers in the Township BWL's customary construction costs and expenses and other payments pursuant to BWL Service Agreements for Water Extension/Service Installation, Domestic Water and Fire Service (BWL Service Installation Agreements). If Consumers and BWL do not execute BWL Service Installation Agreements, BWL will not be required to provide such services or install any Water Service.
- E. *Construction Deadline.* Subject to Force Majeure, as defined in Section 6.8 of this Agreement and the execution of any applicable BWL Service Agreements, the City (through BWL) shall complete construction of infrastructure necessary for the purpose of providing Water Service to the Transferred Area and provide such Water Service to the Transferred Area within two (2) years of the Effective Date of this Agreement. The City, the Township and BWL may extend this deadline through written mutual agreement, which shall not be unreasonably withheld.

Section 2.7 **Voting.** Any qualified electors residing in the Transferred Area shall for voting purposes be considered qualified electors of the Township entitled to vote on all Township, state, and federal matters.

ARTICLE III TAXES AND OTHER REVENUE

Section 3.1 **Taxing Jurisdiction.**

- A. *Taxing of Transferred Area.* Except as otherwise provided:
- i. As of the Effective Date of this Agreement and for the remaining Term of this Agreement and any Renewal Term, for the purposes of real and personal property taxation (including without limitation the granting of any exemptions under 1998 PA 328 or 1974 PA 198) and City income taxes, both corporate and individual, the Transferred Area shall be considered as being within the corporate limits and jurisdiction of the City.
 - ii. The assessing of real and personal property within the Transferred Area will be by the Lansing City Assessor. The Taxable Value of the Transferred Area real and personal property shall be determined by the Assessor in accordance with the tax laws and tax manuals of the State of Michigan, and property tax appeals shall be heard and decided by the Lansing Tax Board of Review. The City shall appear and defend all tax assessment appeals filed by property owners within the Transferred Area.
 - iii. The City shall collect all taxes on all real and personal property and income within the Transferred Area. The City may collect and retain the one percent (1%) property tax administration fee on all taxes collected for property within the district as authorized pursuant to MCL 211.44 and for income tax as authorized by statute now and in the future.
 - iv. The City agrees to diligently and in good faith enforce all property and income tax laws and defend against any appeals to the Michigan Tax Tribunal.
- B. *Tax Abatements.* The Transferred Area may be designated by the City as an Industrial Development District pursuant to 1974 PA 198, as amended, or 1998 PA 328. The Transferred Area shall not be made part of any tax increment financing area, authority, or similar taxing jurisdiction during the Term or any Renewal Term of this Agreement. Except as otherwise provided in Section 3.2 for personal property, any tax abatements, incentives, or other similar city or statutory mechanisms that impact the collection of taxes for the City shall have no bearing on the amount of taxes due and owing to the Township under Section 3.2.

- C. *Township Special Assessments.* For the purposes of any special assessment assessed by the Township pursuant this Agreement, the Township retains taxing jurisdiction and shall assess, levy, collect, and defend its own special assessments.

Section 3.2 Tax Payments to the Township.

- A. *Township Tax Payments.* As of the Effective Date of this Agreement for the Term of this Agreement and any Renewal Term, the City agrees to make annual real property tax sharing payments to the Township equivalent to the tax revenue the Township would otherwise receive levying its real property millage on the Transferred Area (“Real Property Tax Payment”). In addition, the City shall make annual personal property tax sharing payments to the Township in the years personal property in the Transferred Area is not otherwise exempt from personal property taxation. The Personal Property Tax Payment shall be equivalent to the tax revenue the Township would otherwise receive levying its personal property millage on the Transferred Area (“Personal Property Tax Payment”).
- B. *Township Tax Payment Due Date.* The City shall pay the Township each annual Tax Payment in two equal installments, which shall be paid as follows: the first installment will be paid no later than November 30 of the tax year and the second installment will be paid no later than May 31 the following year. If the City fails to pay the Township within seven (7) days of the aforesaid dates, this Agreement may be terminated by the Township pursuant to Section 4.2(D) of this Agreement. The Township also retains all rights and recourse to seek any legal remedies regarding any unpaid balance. The Parties both acknowledge that timely payment is of the essence.
- C. *No Change in Tax Payment.* The Real Property Tax Payment and Personal Property Tax Payment shall be paid to the Township annually as provided herein irrespective of nonpayment of taxes, except no Personal Property Tax Payment shall be required in the year(s) personal property is otherwise lawfully exempt from taxation. The Township agrees to not offer tax or other economic incentives to business or property owners located on the Transferred Area while under the jurisdiction of the City.

Section 3.3 Other Revenue. The Eaton County Road Commission is entitled to apply for, receive, and retain all funds paid by the state of Michigan related to public roads and rights-of-way under its jurisdiction in the Transferred Area as if the Transferred Area was within the corporate limits and jurisdiction of the Township. Any calculation or formula for receipt of such revenues shall assume the Transferred Area is within the corporate limits of the Township for such purposes.

Section 3.4 Gifts, Grants, Etc. All gifts, grants, assistance funds, bequests, or other funds from any private or public source given with respect to the services within the City’s jurisdiction over the Transferred Area, and activity performed upon or within the Transferred Area within the City’s jurisdiction, shall belong to the City.

**ARTICLE IV
TERM AND TERMINATION**

Section 4.1 Term. The term (“Term”) of this Agreement shall be for twenty-five (25) years commencing June 1, 2021 following the filing with the Secretary of State in the Michigan Office of the Great Seal required by 1984 Public Act 425. The City and the Township may renew this Agreement for a second term of twenty-five (25) years (the “Renewal Term”). To be effective, the Renewal Term must be approved by the Parties in the manner provided in Section 2 of the Act; MCL 124.22. The Renewal Term shall be on the same terms and conditions as stated in this Agreement unless the Parties agree otherwise in writing in a document amending this Agreement in compliance with 1984 PA 425.

Section 4.2 Termination. This Agreement may be terminated:

- A. By the expiration of the Term or Renewal Term of this Agreement; or
- B. By mutual written agreement of the Parties; or

- C. By operation of law should a court of competent jurisdiction order the termination of this Agreement; or
- D. By a written "Notice of Material Default" provided by one Party to the other specifying a default of a material condition of this Agreement by the defaulting Party and the failure to cure such material default by the defaulting Party within forty-five days of delivery of such Notice of Material Default, except as otherwise provided within the Agreement, or
- E. By either Party if Consumers (a) does not within one (1) year of the Effective Date of this Agreement become the owner of all the Transferred Area; or (b) does not within four (4) months of obtaining ownership as described in subsection (a), enter into applicable BWL Service Installation Agreements with BWL.

Section 4.3 Prohibition of Annexation. While the Agreement is in effect, the City is prohibited from annexing any portion of the Township, including but not limited to the Transferred Area, and the City shall not sponsor or encourage annexation of any portion of the Township. The Parties recognize that private individuals may have statutory rights to file for annexation. The City may, in accordance with the Freedom of Information Act, provide information to property owners or residents of the Transferred Area upon their request. The City shall have the right to participate in any legal proceedings regarding annexation brought on behalf of its property owners or residents, and to express its position upon any proposed annexation or transfer related to other areas within the Township. This Agreement shall also not set any binding precedent, policy, or custom as to whether future developments within the Township which seek water service from the City's BWL, consistent with Section 2.5(B) above, require execution of an agreement similar to this Agreement for conditional transfer of jurisdiction over the property proposed for development.

ARTICLE V ENFORCEMENT

Section 5.1 Enforcement.

- A. In the event of a dispute between the Parties arising under this Agreement, this Agreement may be enforced by either Party in an action commenced in the Eaton County Circuit Court and under Michigan law.
- B. The Parties reserve the right to extend any date or deadline included in this Agreement upon mutual written agreement, except the termination date other than by a Renewal Term. This right of extension shall also be available to the Parties if the Agreement, or any part thereof, is enjoined or stayed by a court of competent jurisdiction.

ARTICLE VI MISCELLANEOUS

Section 6.1 Employees and Liabilities. The City shall be solely responsible for the manner of employing, engaging, compensating, transferring or discharging any employees, independent contractors or other personnel with respect to the government services the City shall provide under this Agreement. The Township shall be solely responsible for the manner of employing, engaging, compensating, transferring or discharging any employees, independent contractors or other personnel with respect to the governmental services the Township shall provide under this Agreement. The City and the Township shall each be responsible for such liabilities as may be incurred through their respective provision of governmental services and other performance of this Agreement and shall respond to and provide for such potential liabilities on the same basis as the City and the Township do generally.

Section 6.2 Notices. Any notice, demand, or communication required, permitted, or desired to be given under this Agreement shall be deemed effectively given when personally delivered or mailed by first class or certified mail addressed as follows:

If to the City:

City of Lansing

If to the Township:

Windsor Charter Township

c/o City Clerk
124 W. Michigan Ave., 9th Fl.
Lansing, MI 48933;
AND
Lansing City Attorney
124 W. Michigan Ave., 5th Fl.
Lansing, MI 48933

c/o Township Clerk
405 W. Jefferson Street
Dimondale, Michigan 48821;
AND
Windsor Charter Township Attorney
Fahey Schultz Burzych Rhodes PLC
4151 Okemos Road
Okemos, MI 48862

Any notice, demand, or communication required, permitted, or desired to be given under this Agreement shall be deemed effectively delivered on the day such notice, demand, or communication is personally delivered, or three (3) business days after such notice, demand, or communication is mailed by first class or certified mail. The Parties may, by written notice, designate any further or different address to which subsequent notices, demands, or communications may be given.

Section 6.3 **Michigan Right to Farm Act.** The Transferred Area may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Section 6.4 **Governing Law.** This Agreement has been executed and delivered and it shall be interpreted, construed, and enforced pursuant to and in accordance with the laws of the State of Michigan. The venue for any litigation arising from this Agreement shall be Eaton County, Michigan. The Parties agree that this Agreement was mutually drafted and cannot be construed against either the City or the Township upon the basis that one was the scrivener of this Agreement.

Section 6.5 **Binding Effect.** This Agreement shall be binding upon the Parties hereto, their successors, and assigns.

Section 6.6 **Assignment.** No assignment of this Agreement or any of the rights and obligations thereunder shall be valid without the specific written consent of both Parties hereto.

Section 6.7 **Severability.** In the event any provision of this Agreement is held to be unenforceable or any portion of the Transferred Area is held to be invalidly transferred for any reason, the unenforceability or invalidity thereof shall not affect the remainder of this Agreement, which shall remain in full force and effect and enforceable in accordance with its terms, except, in the event this Agreement is held to be void in its entirety, the Transferred Area shall return to the Township's complete jurisdiction, except for the City's jurisdiction over the Water Service within the Transferred Area. If, because of the invalidity of any part of this Agreement, either Party determines that the purpose and intent of the Agreement has failed, the Parties shall renegotiate in good faith to amend the Agreement to make it valid and satisfactory to both Parties.

Section 6.8 **Force Majeure.** Notwithstanding anything contained in this Agreement to the contrary, each Party shall be excused from performing any obligation hereunder, and any delay in the performance of any obligation hereunder shall be excused, while and so long as the performance of the obligation is prevented, delayed or otherwise hindered by acts of God, fire, earthquake, flood, explosion, actions of the elements, epidemic, pandemic, war, riots, mob violence, or inability to procure or a general shortage of labor, equipment, facilities, materials or supplies in the open market as a result of acts of God, fire, earthquake, flood, explosion, actions of the elements, epidemic, pandemic, war, riots, mob violence, or condemnation, court orders, laws, regulations or orders of governmental or military authorities.

Section 6.9 **Articles and Other Headings.** The articles and other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

Section 6.10 **Counterparts.** This Agreement may be executed in any number of counterparts and each such counterpart shall be considered a valid original.

Section 6.11 **Entire Agreement.** This Agreement supersedes all previous and contemporaneous contracts and

constitutes the entire agreement between the Parties. Neither Party shall be entitled to benefits other than those specified in this Agreement. No oral statements or prior or contemporaneous written material not specifically incorporated or referenced herein shall be of any force and effect, and both Parties specifically acknowledge in entering into and executing this Agreement they rely solely upon the representations and agreements contained in this Agreement, and in the other contracts specified herein.

Section 6.12 Allocation of Cost of Litigation. In the event a lawsuit or action is filed by any citizen or governmental entity, other than the City and the Township, challenging this Agreement, the costs of defending this Agreement, including attorneys' fees, shall be borne by both Parties, provided the Township's costs shall be capped at no more than the total amount of mileage revenue that it is entitled to collect in the tax year(s) challenged and such costs are proportionally shared based on the taxes levied by the City and amount the Township is entitled to collect from the Transferred Area. If, after conclusion of the lower court proceedings, one of the Parties desires to further proceed on appeal, and the other Party declines, the Party desiring to proceed shall bear all remaining costs and attorney fees. Settlement of any dispute filed concerning this Agreement shall be approved by both the City Council and the Township Board. This allocation of cost of litigation shall not apply to a suit between the City and the Township over this Agreement, the attorney fees for which shall be the responsibility of each Party unless otherwise ordered by a court a competent of jurisdiction.

Section 6.13 Filing and Effective Date. In accordance with Act 425, following the execution of this Agreement by the City and the Township, a duplicate original of the Agreement shall be filed with the Clerk of Ingham County and with the Michigan Secretary of State. This Agreement, certified by the County Clerk or Secretary of State, shall be prima facie evidence of the conditional transfer of the Transferred Area. This Agreement shall be effective June 1, 2021 following the filing with the Ingham County Clerk and Secretary of State ("Effective Date").

Section 6.14 Referendum. If a petition signed by twenty percent (20%) or more of the registered electors residing on the Transferred Area or, if no registered electors reside therein, signed by persons owning fifty percent (50%) or more the Transferred Area is filed with the Clerk of the Township within thirty (30) days after the last of the foregoing public hearings having been held, a referendum election shall be held within the Township on whether or not the Agreement should be executed by the Township. The results of such election shall govern the execution of the Agreement by the Township. If no such petition is filed, the Agreement may be executed by the Parties thereto.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first written above by authority of the respective City Council and Township Board.

Witnesses:

CITY OF LANSING

By: _____
Andy Schor, Mayor

Witnesses:

BOARD OF WATER AND LIGHT

By: _____
, Representative

Witnesses:

CHARTER TOWNSHIP OF WINDSOR

By: _____
_____, Supervisor

Approved as to form only:

I hereby certify that funds are available
in Account No. _____

Lansing City Attorney

Finance Director, City of Lansing

EXHIBIT A:
Legal Description of Transferred Parcel

A parcel of land in the North 1/2 of the Northwest 1/4 of Section 10, Township 3 North, Range 3 West, Windsor Township, Eaton County, Michigan described as follows: Beginning at the North 1/4 corner of said Section; thence South 00 degrees 44 minutes 21 seconds East, on the North & South 1/4 line of said Section, 1332.08 feet to the North 1/8 line of said Section; thence North 89 degrees 46 minutes 39 seconds West, on said North 1/8 line, 2646.67 feet to the West line of said Section; thence North 00 degrees 13 minutes 11 seconds West, on said West Section line, 325.28 feet; thence North 89 degrees 46 minutes 49 seconds East, perpendicular to said West Section line, 60.00 feet; thence North 00 degrees 13 minutes 11 seconds West, parallel with said West Section line, 459.79 feet to a point of curvature; thence 246.15 feet on a curve to the left, having a radius of 878.51 feet, a central angle of 16 degrees 03 minutes 13 seconds, and a long chord which bears North 08 degrees 14 minutes 47 seconds West, 245.35 feet to the beginning of an existing Limited Access Right of Way; thence North 23 degrees 05 minutes 11 seconds East, on said Limited Access Right of Way line, 127.96 feet; thence North 64 degrees 59 minutes 25 seconds East, on said Limited Access Right of Way line, 66.86 feet to the end of said Limited Access Right of Way; thence continuing North 64 degrees 59 minutes 25 seconds East, 45.87 feet to a point of curvature; thence 332.12 feet on a curve to the right, having a radius of 758.51 feet, a central angle of 25 degrees 05 minutes 15 seconds, and a long chord which bears North 77 degrees 32 minutes 03 seconds East, 329.47 feet; thence North 00 degrees 04 minutes 40 seconds East, perpendicular to the North line of said Section, 60.00 feet to said North Section line; thence South 89 degrees 55 minutes 20 seconds East, on said North Section line, 2133.55 feet to the point of beginning.

Parcel Number 080-010-100-010-01

Commonly Known as 7000 N. Canal Rd, Dimondale, MI 48821

EXHIBIT B:
Depiction of Transferred Property



CITY OF LANSING NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held on Monday, December 5, 2022 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI, on the proposed South Martin Luther King Jr. Boulevard Corridor Improvement Authority Development and Finance Plan in accordance with the provisions of Part 6, Corridor Improvement Authorities, of the Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended (the Act) and as defined by Public Act 57 of 2018 as:

In 2019 the City of Lansing used the adopted State Law (Act 280 of 2005) to create what is known as the South Martin Luther King Jr. Boulevard Corridor Improvement Authority (CIA) and established a District with eligible property within an area encompassing 500 feet of the centerline of South Martin Luther King Jr. Boulevard, from the railroad tracks south of Victor Avenue to I-96.

The purpose of the Corridor Improvement Authority Act is to help communities plan for and fund improvements along a corridor. The overall goal is to help support economic development and redevelopment of this area. The types of improvements could include sidewalks/pathways, streetlights, streetscape enhancements, façade improvements, and other public investments which could support and enhance economic development and the quality of life for business owners and residents within this district. The CIA's first task to be able to fund these improvements is to create a Development and Tax Increment Financing Plan. This plan describes the types of activities that the CIA can participate in as well as how those activities are financed. The plan covers a 15-year period and explains how Tax Increment Financing (TIF) will work, which is the primary means in which new projects would be funded. It is important to note that TIF is not a new tax nor does it raise property owner's taxes.

City Council will hear comments from citizens, taxpayers and property owners, officials from any affected taxing jurisdiction and any other interested persons. All aspects of the Plan will be open for discussion at the public hearing. Maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at the Lansing City Clerk's Office, 124 W Michigan Avenue, 9th Floor of City Hall, Lansing, MI 48933. The Development and Finance Plan can be found on the S. Martin Luther King Jr. Boulevard CIA website: <https://mi-lansing3.civicplus.pro/627/South-MLK-Jr-Blvd-Corridor-Improvement-A>

If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope



Andy Schor, Mayor

S. Martin Luther King Jr. Boulevard Corridor Improvement Authority (S.MLK CIA)

Development and Tax Increment Financing Plan

Approved and Recommended by the South Martin Luther King Jr.
Boulevard Corridor Improvement Authority September 22, 2022

**S. MARTIN LUTHER KING JR. BOULEVARD
LANSING, MICHIGAN**

**CORRIDOR IMPROVEMENT AUTHORITY DEVELOPMENT AND TAX
INCREMENT FINANCING PLAN**

S. Martin Luther King Jr. Corridor Improvement Authority Board Members

Price Dobernack, Chair

Amanda Defrees, Vice Chair

Nikki Soldan, Recording Secretary

Teresa Stokes, Treasurer

Don “Moose” Sober, Board Member

Board Facilitators – Lansing Economic Development Corporation

Aurelius Christian, Corridor and Commercial Development Specialist

Plan prepared with assistance from



Executive Summary

The South Martin Luther King Jr. Boulevard corridor, a major north-south thoroughfare and once home to a bustling retail scene has seen steady deterioration due to increased retail competition, loss of high wage paying employment opportunities and the decrease in population of South Lansing residents. While there has been investment made, much more investment is needed for this crucial City of Lansing corridor, which needs attention and investment from all parties.

In 2019, Mayor Schor proposed, and the Lansing City Council approved the establishment of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority (S.MLK CIA) with the goals to correct and prevent deterioration in the business districts, redevelop the city's commercial corridors and promote economic growth. For these goals to be realized, there must be a creation and implementation of a strategically crafted action plan in partnership with various stakeholders.

In the effort of revitalizing the South Martin Luther King Jr. corridor, there have been surveys, stakeholder interviews, and previous planning efforts completed soliciting input from residents, property owners, stakeholders, municipal staff, and public officials. Through these community engagement efforts, the Authority identified key challenges and areas of need including concerns with safety due to high traffic speeds, deterioration of the corridor due to neglected and vacant properties, absence of vibrancy due to lack of green spaces, and a lack of diversity in the businesses along the corridor including dining options.

With this input in mind, the Authority created a plan of action to improve the built and social environment of the corridor for all current and future residents and businesses. This plan addresses the identified needs through projects such as traffic calming measures to promote safety and transit-oriented design, addition of greenspace in heavily paved sections of the corridor, elimination of blight through redevelopment of vacant and dilapidated properties, attracting a diverse business mix to the corridor, hosting community events, and promotion of a positive narrative of the corridor through the development of a marketing and branding strategy.

The key areas of need the Authority identified through the community engagement process is in alignment with several key principles that are supported by the City's Master Plan to transform the visually unappealing character of the corridor, to encourage pedestrians and market the quality of the adjacent neighborhoods as attractive, livable, and sustainable community gateways.

These principles are:

- Traditional Neighborhood Design – Encouraging active lifestyles (walking or biking)
- Transit-Oriented Design – Compact, walkable, pedestrian-oriented, mixed-use corridor.
- Complete Streets – Safe transit for all users of streets (pedestrians, bicyclists, public transit users, and automobile drivers)

This Development and Tax Increment Financing Plan arranges projects in the four categories used by the National Main Street Model: Design, Economic Restructuring, Organization, and Promotions/Marketing.

The Authority plans to address the most urgent needs and make strides in each of these categories to:

- Pursue design changes in the corridor through the addition of public art, greenspaces, and improvement of streetscape (wayfinding, receptacles, and benches) to facilitate the use of public transit stations such as bus stops.
- Address the economic restructuring of key commercial properties such as Logan Square Shopping Center, and Metro Bowl and develop plans to attract and retain a variety of businesses.
- Organizationally, pursue grant funding for future development projects and capacity building.
- Promote a positive narrative of the corridor by developing the Authority's marketing and branding strategy.

Through the funding mechanism of Tax Increment Financing, this Authority will allow for the capture and reinvestment of property tax growth back into the corridor, improving public facilities such as streetscape, pedestrian infrastructure, develop plans, invest in capacity to make the Authority self-sustaining, and other activities to accomplish these goals, as enumerated per section 611 of PA 57 2018. The Authority is also able to obtain funding through donations and grants. In 2022, the Mayor proposed, and the Lansing City Council approved \$100,000 in American Rescue Plan dollars for the S.MLK CIA to get these efforts started and to give the S.MLK CIA access to immediate funding until the tax increments are captured.

This plan segments the projects to address the short-term, mid-term and long-term needs of the corridor, with the ultimate vision of the corridor being home to vibrant public infrastructure, multi-model transit-oriented design, revitalized commercial properties, and diverse business mixes to create connectivity amongst neighborhoods and the corridor. The Authority plans to leverage partnerships with neighborhood organizations, Lansing city departments, the Lansing Economic Development Corporation, and other economic development organizations to execute the projects outlined within this plan.

The approval of the S.MLK CIA Development and TIF plan will allow for the Authority to begin its first steps in executing upon the vision set forth by the corridor's residents, businesses, and other stakeholders.

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Section I: INTRODUCTION

GENERAL OVERVIEW

In 2005, the Michigan Legislature enacted Public Act 280 (PA 280), the Corridor Improvement Authority Act, allowing cities, villages, and townships to create an authority to:

“correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas in the districts; to promote the economic growth of the districts; to create a board; to prescribe the powers and duties of the board; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.”

With the adoption of PA 280 in 2005, many local governments have utilized a Corridor Improvement Authority (CIA) to spark economic revitalization of business districts in transition within their community. A CIA is created to establish a development plan for a previously established Corridor Improvement District (CID).

This plan outlines improvements to public or private properties that will prevent further deterioration of the South Martin Luther King Jr. Corridor and encourage new investment. These specific plans may be funded by tax increment financing, private or corporate donations, and / or other grants.

The CIA is able to make strategic investments to the district by using tax increment financing (TIF). Through tax increment financing, a portion of the increase in the tax base resulting from the economic growth and development within the corridor, can be reinvested and used for infrastructure improvements and facilities enhancement, thereby reinvigorating the corridor, and facilitating economic growth and development. The justification for capturing the taxes is that no new investment would have been made within the district without the establishment of the CID; therefore, no taxes are lost by the interested taxing jurisdictions.

POWERS OF THE AUTHORITY

Detailed powers of the Corridor Improvement Authority board are listed in Appendix D per section 611 of Act 57 of 2018.

The Authority will be able to carry out with the execution of the vision created for the South Martin Luther King Jr. Boulevard Corridor as set forth by its residents, businesses, the City’s Master Plan, and other Stakeholders to improve the built and social environment of the corridor, to correct corridor deterioration, encourage transit-oriented development, and conduct analysis and research.

HISTORY OF SOUTH MARTIN LUTHER KING JR. BOULEVARD COMMERCIAL CORRIDOR

Michigan Legislators made the decision to relocate the state capital from Detroit to the City of Lansing in 1847. The city quickly grew as settlers moved to the new capital, with new settlements growing along the banks of the Grand River. Over a century later, the land that now comprises South Lansing became controlled by the city between 1949 - 1958.

Originally named Logan Center, the 40-acre shopping center opened prior to Christmas on November 29, 1962. Containing over 230,000 square feet and costing \$3,000,000 to build, Logan Center was smack dab in the middle of a fast-growing Southwest Lansing and provided 20 stores and services to become the retail hub for the surrounding neighborhoods. This was a time when there were no malls or big box stores, and online purchasing was not even an idea yet. Logan Center truly was the “Center” of retail activities for south Lansing.



Throughout the 1960s and 1970s Logan Center prospered as South Lansing continued to grow in population and General Motors and other manufacturing employers provided close by employment with middle class wages and benefits. New middle schools and high schools were built as the number of students continued to rise. The commercial corridor of Logan Street (now South Martin Luther King Jr. Boulevard.) prospered too as traffic counts and nearby neighborhood incomes rose.

The year following the opening of Logan Center, construction began on Interstate 496, and was completed eight years later. The expressway would ultimately dead-end 35 streets, create multiple one-way streets needed for on and off ramps, and determine future development. In the path of the expressway were more than 800 homes and businesses that were acquired through eminent domain, ceding the property to the state. This created a major problem of relocating residents to other neighborhoods. Most residents were forced into apartments or small homes on the city's Southside. African Americans quickly moving into mostly all-white neighborhoods often resulted in white flight and discriminatory real estate practices.



In April of 1975, the conversion of Logan Street commenced with the addition of a new trunkline beginning at Alsdorf Street and running northwest to the Grand River then north to the intersection of Birch St. & Olds Ave. This became the southbound side of M-99 (South Martin Luther King Jr. Boulevard). This project also included the creation of a new three-lane bridge spanning the Grand River to the west of the existing Logan Street bridge. The project was completed in December of 1977 costing a total of \$5.9 million. In 1989, the Logan Street name was officially changed to Martin Luther King Jr Boulevard.

In the 1980s and 1990s, signs of trouble started to show for Logan Center. Competition from the suburban malls and big-box stores, the migration of people out of the city to the suburbs, steady losses in high pay manufacturing jobs, and a falling population all reduced demand for the retail and services provided at Logan Center and along the South Martin Luther King Jr. corridor. The result was increasing vacancy rates and the moving of many key anchor stores out of the area to the suburbs and outer fringes of the city of Lansing.

By the beginning of the new millennium, Logan Center now 40 years old was showing signs of deterioration and vacancy rates were extremely high. The main anchor stores were gone and what was left generated very little business. The owners in an attempt to increase revenues began to sell and rent outlots that previously were parking spaces fronting both Holmes Road and South Martin Luther King Jr.

Boulevard. This further isolated the main part of Logan Center and exasperated the functionality and appeal of the original central building.

Present Conditions

Today, the South Martin Luther King Jr. corridor is highly automobile-centric, mostly utilized as a thoroughfare that transports traffic from south Lansing and cities to the south into downtown and the northern part of the city and vice versa. The corridor is wide, high-speed, and with buildings that do not address the street. These problematic features create unwatched, uninteresting, even seemingly dangerous areas. These features also impact the businesses along the corridor as most traffickers drive past at high speeds without stopping to patronize. The South Martin Luther King Jr. corridor has high traffic counts with the South Martin Luther King Jr. and Holmes intersection seeing upwards of 20,000 cars daily.

The South Martin Luther King Jr. corridor consists of a multitude of fast-food chain restaurants from the beginning of the corridor district at Victor Avenue to Holmes Road, and an oversaturation of liquor stores throughout the entirety of the corridor. Many stakeholders have identified a need for diversification of the business mix that exists on the corridor.

The ownership of the Logan Square Shopping Center has changed multiple times over the last 20 years, the most recent being in 2018. It is currently home to a grocery store, auto repair shop, Subway, cash advance business and other retailers, but much of the square footage is vacant. Due to the perception of crime and violence at and near the Logan Square Shopping Center, there has been apprehension from business owners to locate there.

Logan Square has been identified in past plans as a key area of focus for redevelopment and revitalization. The site has also been deemed as a priority site by the Lansing Economic Development Corporation. Currently, the Lansing Economic Development Corporation along with state partners, the property owners, the S.MLK CIA, and economic development and planning consultants are seeking to craft a redevelopment strategy for the site to be a catalyst of transformation for the South Martin Luther King Jr. corridor.

BACKGROUND AND PLAN NEED

In his State of the City, Mayor Andy Schor proposed creation of a South Martin Luther King Jr. Boulevard Corridor Improvement Authority (S. MLK CIA). On August 12, 2019, the Lansing City Council adopted Resolution Number 2019-226 declaring its intent to create and provide for the operation of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority (S.MLK CIA). Following a formal public hearing on September 23, 2019, the Lansing City Council adopted Resolution Number 2019-334 to establish the boundaries of the Improvement Authority (the railroad tracks south of Victor Avenue to I-96). In the resolution establishing the Authority, it was determined that a CIA was necessary to:

- a) Correct and prevent deterioration in business districts
- b) Redevelop the City's commercial corridors
- c) Promote economic growth

In 2020, Mayor Schor's administration appointed 3 of the current board members. 1 member was appointed in 2021 and 1 member was appointed in 2022.

PLAN DEVELOPMENT PROCESS

In 2016, The Southwest Lansing Action Plan was developed which was the result of a priority neighborhood planning effort initiated by the State of Michigan, with direct support from Governor Snyder's office and the Michigan Economic Development Corporation (MEDC). The Action Plan documents work completed by a team of dedicated stakeholders, residents, and community leaders to identify and prioritize economic development improvements in the Southwest Lansing community.

As referenced above, in 2019 the Mayor proposed and the Lansing City Council adopted a resolution to establish the South Martin Luther King Jr. Boulevard Corridor Improvement Authority and to designate its development area. In 2020, the City Council appointed members to the S.MLK CIA Board.

In 2021, the City of Lansing was one of ten communities in the state of Michigan selected to host a community development fellow through the Community Economic Development Association of Michigan (CEDAM). The Lansing fellow worked closely with the South Martin Luther King Jr. Boulevard Corridor Improvement Authority, stakeholders, businesses, and residents along the corridor, and the Lansing Economic Development Corporation to assist in the construction of this Development and Tax Increment Financing Plan.

The South Martin Luther King Jr. Boulevard Corridor Improvement Authority administered a community input survey to gather input from the business owners and residents of south Lansing to gain insight into their needs and challenges. The survey garnered over 125 responses from residents, business owners, and community leaders. The insight from the stakeholder interviews, survey responses, findings from the Southwest Lansing Action Plan, and board deliberation aided the construction of this Development and Tax Increment Financing Plan to map out the steps for redevelopment and revitalization of the South Martin Luther King Jr. Corridor.

Section II: DEVELOPMENT PLAN

BENEFITS OF THE AUTHORITY

The South Martin Luther King Jr. Boulevard Corridor Improvement Authority recognizes the benefits to the district and to the City of Lansing. This Development Plan is a formal document to outline the priorities and goals of the Authority. The Corridor Improvement District Proposal and request to create a Corridor Improvement Authority state that a CID:

- (a) Utilizes TIF to complete improvement projects according to the approved TIF plan while leveraging other dollars such as earned income and private, state, federal and philanthropic monies for district improvements
- (b) Generates a clear plan to improve the district, implemented by an empowered neighborhood stakeholder-government partner framework – a proven national method for success

- (c) Creates access to additional programs and incentives to businesses such as special approval of liquor licenses within city development districts
- (d) Establishes a cohesive district which fosters business investment from existing entrepreneurs and attracts complementary new business growth
- (e) Encourages job creation, which produces more jobs for neighborhood residents and generates additional income tax revenue
- (f) Encourages surrounding property improvements, increasing values of neighboring properties thus generating more property tax revenue
- (g) Promotes greater interest in mixed-use development, broadening business location and residential housing options and increasing the tax base
- (h) Brings more people into the district to shop for goods and services, thus generating more repeat customers for neighborhood businesses and increasing sales tax revenue
- (i) Stimulates new commercial development in a neighborhood where additional private sector investment opportunity exists
- (j) Improves the climate of community and economic development for residents and businesses alike
- (k) Contributes to a healthy neighborhood which has the potential to decrease crime or the perception of crime, and increase public safety
- (l) Creates an improved commercial core and public space that is appealing to neighborhood residents encouraging “pride in place” and visitor attraction
- (m) Retains and empowers residents who can access jobs, goods and services in a walkable or transit-oriented neighborhood
- (n) Creates an outreach and coordination mechanism at the neighborhood level for City financed projects
- (o) Creates a public-private partnership with the City that enhances community neighborhood input to improve the district

LEGAL BASIS OF THE PLAN

This Development Plan and Tax Increment Financing Plan is prepared pursuant to requirements of Sections 125.4618 and 125.4621 of the Tax Increment Financing Act, Public Act 57 of 2018, as amended. It addresses the geographic area of the Corridor Improvement District as established by the Lansing City Council. A descriptive map, resolutions establishing the CID and forming the CIA and Ordinance, including the legal description describing the CID are contained in the appendices.

DEVELOPMENT PLAN REQUIREMENTS

This section of the Development Plan provides specific information required in Section 125.4621 of the Tax Increment Financing Act. It consists of information requested in subsections 2(a) through 2(r):

(a) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.

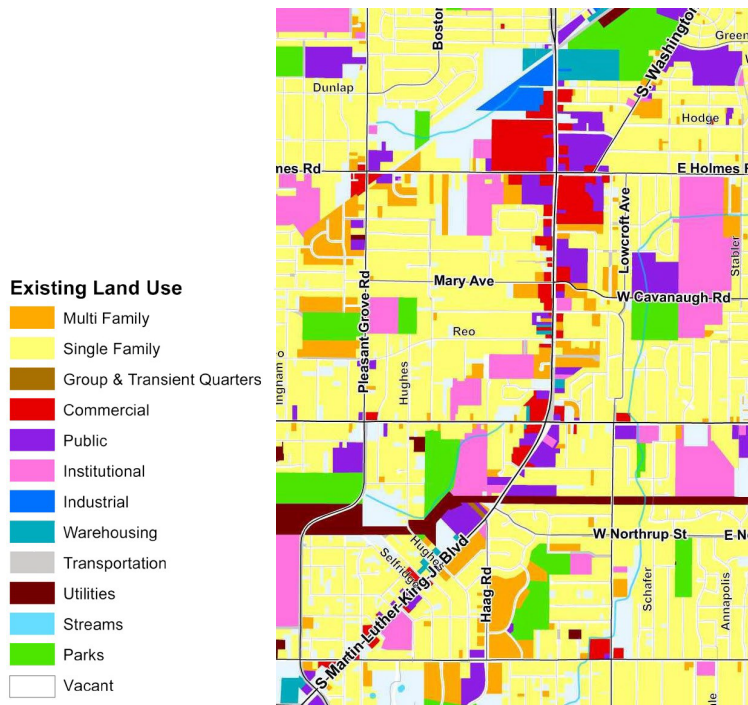


The CIA boundary was established by the Lansing City Council Resolution Number 2019-334 adopted on December 16, 2019, with the proposed area encompassing 500 feet north and 500 feet south of the centerline of South Martin Luther King Jr. Boulevard, from the railroad tracks south of Victor Avenue to I-96. A copy of the boundary map is contained in the Appendix G.

(b) The location and extent of existing streets and other public facilities within the development area, designating the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses, and including a legal description of the development area.

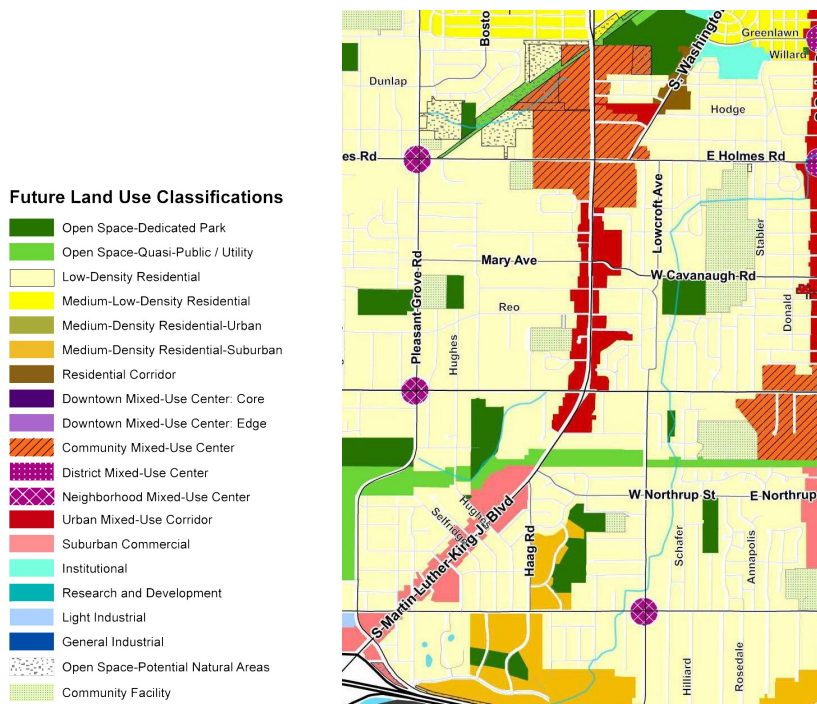
The CIA boundary is the same boundary established by the Lansing City Council Resolution Number 2019-334 adopted on December 16, 2019. Appendix G provides more detailed information about the parcel area, including parcel numbers and classes, property addresses, and legal descriptions.

Existing Land Use of the South Martin Luther King Jr. Boulevard Corridor



Source: Design Lansing 2012 Comprehensive Plan

Future Land Use of the South Martin Luther King Jr. Boulevard Corridor



Source: Design Lansing 2012 Comprehensive Plan, currently implemented under the new Form Based Code

(c) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.

A description of specific improvement projects that are contemplated within the development area is contained in the project schedule and budget at the end of this section. The cost and time estimates included in the project schedule and budget are estimates only and may be revised by the Authority board without amending this Plan.

(d) The location, extent, character, and estimated cost of the improvements including rehabilitation contemplated for the development area and an estimate of the time required for completion.

A description, including cost estimate and schedule of implementation, for each improvement project that will be completed within the area is contained in the project schedule and budget at the end of this section. The cost and time estimates included in the project schedule and budget are estimates only and may be revised by the Authority board without amending this Plan.

(e) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.

A description, including cost estimate and implementation schedule for each specific improvement project that will be completed within the area is contained in the project schedule and budget at the end of this section. The time estimates included in the project schedule are estimates only and may be revised by the Authority board without amending this Plan.

(f) A description of any parts of the development area to be left as open space and the use contemplated for the space.

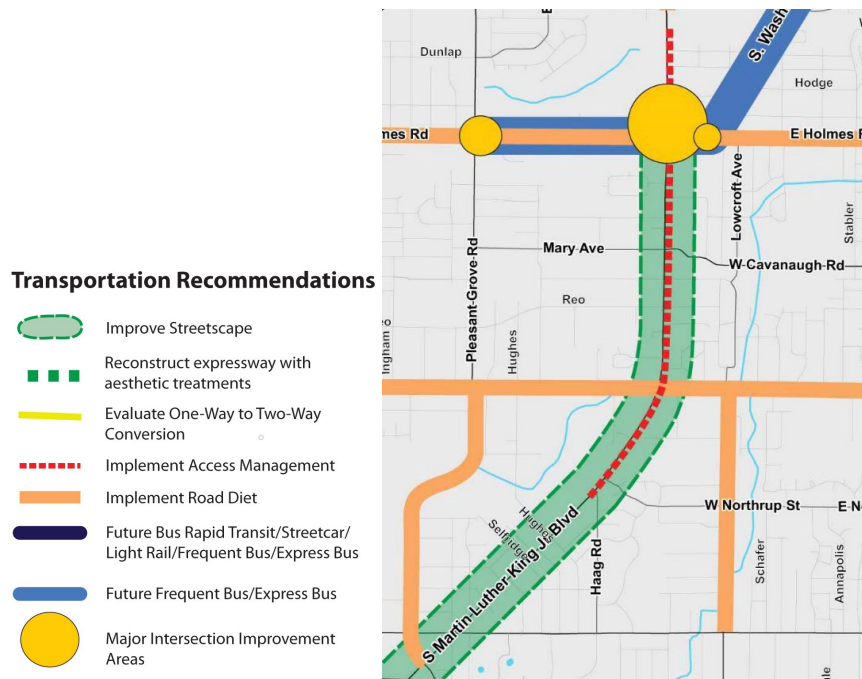
At this time, no specific parts of the development area are planned as open space, though redevelopment projects will be in line with the commercial corridor's overlay district that defines landscaping and open space requirements. The CIA will conduct community engagement and provide input on open space uses on a project-specific and case-by-case basis. However, as of the adoption of this Development Plan, there are no currently open spaces targeted for development of structures or buildings by the Authority; all open space is currently intended to remain open

(g) A description of any portions of the development area that the authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms.

There is no known or identified property or real estate as of the adoption of this Plan that is necessary to complete the streetscape improvements set forth in this Plan. However, the CIA may wish to sell, donate, exchange, or lease property in the future. The Authority board reserves the right to sell, donate, exchange or lease property in the future to the extent determined necessary by the Authority board without further amendment to this Plan, but in compliance with the requirements of the Act.

(h) A description of desired zoning changes and changes in streets, street levels, intersections, traffic flow modifications, or utilities.

Transportation Concepts for Change



Source: Design Lansing 2012 Comprehensive Plan

The S.MLK CIA desires to pursue changes to the streets to address the issues outlined in the City's Master Plan. The plan cites the need for improvements to multi-modal transit and implementation of transit-oriented design, and review of the operational efficacy of the intersection at South Martin Luther King Jr. Boulevard and Holmes Road. In addition to changes cited in the plan, the S.MLK desires to pursue changes to implement road diet along the South Martin Luther King Jr. Boulevard to address the speed concerns of many stakeholders.

(i) An estimate of the cost of the development, a statement of the proposed method of financing the development, and the ability of the authority to arrange the financing.

A description, including cost estimate for individual projects and method of financing is contained in the project schedule and budget at the end of this section. The total cost of completing all activities, projects and improvements proposed by the Authority Development Plan and to be undertaken and financed by the Authority is estimated to be \$1,231,500, which includes administrative expenses and contingencies. A breakdown of the estimated cost and estimated schedule for completion for each of those activities and projects is set forth in the project schedule and budget at the end of this section.

The scope of the items and improvements and the projected schedule for completion for those items and improvements described in this Plan are estimates only and may be revised from time to time by the Authority board without amending this Plan; provided, however, that such items and improvements must be completed within the term of this Plan, unless the term is amended in accordance with Act 57. Further, estimated costs for any items or improvements may be increased or decreased by the Authority board without amending this Plan based upon then-current preconstruction or pre-bid estimates of cost, as well as revised estimates of cost resulting from the receipt of bids. All operating and planning expenditures of

the Authority and the City, as well as all advances extended by or indebtedness incurred by the City or other parties for improvements identified above that have been completed, are in progress, or yet to be completed, are expected to be repaid from tax increment revenues. The costs of the Plan are also anticipated to be paid from tax increment revenues as received.

The Authority expects to finance these activities from any one or more of the following sources:

- Future tax increment revenues
- Interest on investments
- Donations received by the Authority
- Proceeds from State and Federal Grants
- Proceeds from any property building or facility that may be owned, leased, licensed, operated or sold by the Authority
- Special assessments as may be approved by the City Council

The proceeds to be received from tax increment revenues in the CIA plus the availability of funds from other authorized sources will be sufficient to finance all activities and improvements to be carried out under this Plan. At this time, there is no intention by the Authority to issue bonds or to request that City Council issue bonds for qualifying activities; should that change, the Authority will comply with all requirements under the Act, including amendment to this Plan if necessary.

(j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the authority.

The planned developments are designed to benefit all businesses, property owners, and residents of the corridor. Information concerning the names of specific persons for whom benefits may accrue are unknown at this time, as there is no intention to sell or transact any portion of the Development to any person at this time.

(k) The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed in any manner to those persons.

The CIA Board has no publicly announced commitments for the acquisition or sale of property as it has no property under supervisory responsibility of the CIA at this time. The CIA in conjunction with the City may discuss policies to explore acquisition of tax reverted property should properties within the CIA District become available for acquisition by the City through tax reversion procedures.

It is not a priority of the CIA to acquire private property unless it advances a public improvement project or is necessary for economic development purposes. Any property acquired or held by the CIA, to be sold, leased, or otherwise conveyed to private development interests shall be sold, leased, or otherwise conveyed in accordance with local municipal policy, terms, and conditions to be established by the CIA, and state law, if applicable. At the time of the adoption of this plan, no private parties have been identified to whom land for redevelopment will be sold, leased, or otherwise conveyed; however, the CIA may convey such property to presently undetermined private parties for redevelopment for appropriate uses.

(l) Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those units in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

There are no occupied residences targeted for acquisition or development under the Plan, thus no relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Financing Plan.

(m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.

There are no occupied residences targeted for acquisition or development under the Plan, thus no relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Financing Plan.

(n) Provision for the costs of relocating persons displaced by the development and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the uniform relocation assistance and real property acquisition policies act of 1970, Public Law 91-646, 84 Stat. 1894.

There are no occupied residences targeted for acquisition or development under the Plan, thus no relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Financing Plan.

(o) A plan for compliance with 1972 PA 227, MCL 213.321 to 213.332.

There are no occupied residences targeted for acquisition or development under the Plan, thus no relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Financing Plan.

(p) The requirement that amendments to an approved development plan or tax increment plan must be submitted by the authority to the governing body for approval or rejection.

The Authority reserves the right to amend this Plan to add new improvement projects, extend the duration of the Plan, or for other lawful purposes. Any amendments to the Plan shall be approved by the Authority and the City Council in accordance with the requirements of Act 57.

(q) A schedule to periodically evaluate the effectiveness of the development plan.

An annual report shall be submitted to each entity for which taxes are captured addressing use of CIA funds during the past budget year, status of implementation of the program of work set forth in the Development Plan and proposed CIA activities for the ensuing year. Any changes from this Development

Plan will be addressed and changed by action of the City Council as part of this annual review of CIA activities. Amendments to the Development Plan and Tax Increment Financing Plan would be completed in compliance with notification and public hearing procedures of Section 622 of Act 57 prior to action of the City Council.

TIF PLAN SCHEDULE AND BUDGET

The duration of this plan is a 15-year period. The following pages include tables where specific projects that address CIA goals are described, budgeted, and scheduled. The schedule begins in 2022 and ends in the year 2037 (15 years). Projects have been listed based on estimated time of completion.

INTENT TO UPDATE AND EXTEND DURATION OR TERMINATE PLAN

On or before the year 2037, the authority will consider action to update and extend the duration of the Development Plan and Tax Increment Financing Plan or make recommendations to terminate the plans and rescind City Ordinance #2019-334 creating the authority. Rescission of the resolution would dissolve the authority and eliminate the accompanying tax increment financing district; provided, however, that in accordance with Act 57, the authority shall not be dissolved if there is outstanding indebtedness of the authority.

PROJECT DESCRIPTIONS

This Development and Tax Increment Financing Plan arranges projects in the four categories used by the National Main Street Model: Design, Economic Restructuring, Organization, and Promotions/Marketing.

DESIGN: Design enhances the character of the corridor through physical change. Research has shown the significant daily traffic count along the corridor. Stakeholders have identified exploring how to incorporate new and innovative features to slow traffic, encourage people to stop and visit, and ultimately invest in the district will further drive property along the corridor. Furthermore, the aesthetic quality of the corridor is important to stakeholders. There is a current lack of greenery, trees, and public spaces along the South Martin Luther King Jr. corridor. Stakeholders would like to see an inviting corridor that can support a variety of retail and other businesses.

ECONOMIC RECONSTRUCTION: Economic reconstruction focuses on blight elimination, business retention and expansion, and small business development. Commercial property code enforcement, filling vacant buildings, façade improvement, and infill development on vacant parcels are essential to a healthy district. Strong businesses and a viable business mix are also critical. Stakeholders would like to see business recruitment programs and a revolving micro-loan fund in place to assist with this effort. They believe that offering business incentives and enhancing cooperative marketing and branding are key to attracting new business and development to the district.

ORGANIZATION: Organization ensures that the work of commercial corridor revitalization is accomplished through fundraising and volunteer development. There are many strong and committed neighborhood organizations in south Lansing, making collaboration a key area to capitalize on to make the strongest impact.

PROMOTIONS/MARKETING: Many stakeholders feel there is a negative perception of the south Lansing area. Creating and reinforcing an identity that shines light on the strengths of the south Lansing community is a priority. Building connectivity amongst business owners and neighborhoods has been identified as an area of importance through input from stakeholders. Recurring themes in the feedback from stakeholders were that an increase in community events such as farmers market, festivals, and fairs are desired.

The following tables summarize the various projects and activities proposed, including an estimated cost and completion date for each. As noted previously, the costs and completion dates are estimates only and are subject to change without further amendment to this Plan. These dates and estimates may vary because of private investment decisions, financing opportunities, market shifts or other factors.

TABLE 1: AESTHETIC & DESIGN PROJECTS ANTICIPATED

Project	Estimated Cost	Estimated Completion
Short-Term Projects (2023 – 2027)		
Engage public art/ placemaking initiatives	\$15,000	2-5 years
Purchase and install trash / recycling receptacles and benches to facilitate use of public transit stations such as bus stops	\$2,500	1-2 years
Purchase enclosed bus shelters and design with artwork	\$10,000	2-5 years
Develop and install wayfinding signage, with a focus on guiding residents and visitors to transit stations such as bus stops	\$10,000	2-5 years
Purchase & install flower planters	\$2,500	1-2 years
Explore safety measures for pedestrian crossing	\$10,000	1-2 years
Explore possible traffic calming measures at key intersections / traffic study	\$5,000	1-2 years
Medium-Term Projects (2028 – 2032)		
Create a corridor-specific façade improvement program	\$75,000	5-10 years
Implement streetscape landscaping improvements	\$30,000	5-10 years
Create additional pocket parks/ green spaces	\$25,000	5-10 years
Administer traffic calming measures	\$50,000	5-10 years
Work with local artists to install public art	\$15,000	5-10 years
Plant/replace street trees	\$7,500	5-10 years
Long-Term Projects (2033 – 2037)		
Increase street lighting	\$75,000	8-15 years
Parking lot improvements (increase the number of public facilities, permeable paving, rain garden features)	\$250,000	8-15 years

TABLE 2: ECONOMIC RESTRUCTURING PROJECTS ANTICIPATED

Project	Estimated Cost	Estimated Completion
Short-Term Projects (2023 – 2027)		
Explore redevelopment options for Logan Square Shopping Center	\$10,000	1-2 years
Conduct strategic business attraction and retention activities	\$10,000	2-5 years
Plan and implement business open house program	\$5,000	2-5 years
Market corridor's commercial real estate opportunities	\$5,000	1-2 years
Medium-Term Projects (2028 – 2032)		
Develop revolving business micro-loan fund	\$50,000	5-10 years
Secure and build out business incubator space	\$75,000	5-10 years
Recruit grocery store	\$25,000	5-10 years
Long-Term Projects (2033 – 2037)		
Incentivize developers to redevelop vacant or blighted buildings	\$75,000	8-15 years
Explore strategic property acquisition and renovation	\$5,000	8-15 years
Purchase and demolition of vacant properties beyond reclamation	\$250,000	8-15 years

TABLE 3: MARKETING & PROMOTIONS PROJECTS ANTICIPATED

Project	Estimated Cost	Estimated Completion
Short-Term Projects (2023 – 2027)		
Develop a branding & marketing strategy for the corridor	\$10,000	1-2 years
Develop marketing materials (brochures, flyers, banners etc.)	\$5,000	1-2 years
Update business directory	\$2,500	1-2 years
Create email newsletter	\$1,500	1-2 years
Medium-Term Projects (2028 – 2032)		
Plan community events and festivals	\$30,000	2-5 years
Neighborhood resource fairs (for-profit, non-profit)	\$50,000	ongoing

TABLE 4: ORGANIZATIONAL PROJECTS ANTICIPATED

Project	Estimated Cost	Estimated Completion
Short-Term Projects (2023 – 2027)		
Organize efforts to clean and beautify the corridor	\$20,000	Ongoing
Coordinate business owner networking sessions	\$5,000	Ongoing
Invest in volunteer recruitment and retention /recognition	\$2,500	Ongoing
Coordinate efforts with existing neighborhood associations	\$10,000	Ongoing
Enhance fundraising and grant-writing efforts	\$2,500	Ongoing

OTHER SOURCES OF FINANCING

As noted in Section 621.2 (i), the CIA expects to finance these activities from one or more of the following sources:

1. Future tax increment revenues
2. State or Federal grants
3. Special assessments as may be approved by the City of Lansing
4. Interest on investments
5. Donations received by the CIA
6. Proceeds from any property, building or facility owned, leased or sold by the CIA
7. Moneys obtained through development agreements with property owners benefiting from adjacent open space and other public improvements
8. Moneys obtained from other sources approved by the City of Lansing

The revenue to be received from tax increment financing in this Development Area plus the availability of funds from other authorized sources will be sufficient to finance the activities and improvements to be carried out under this plan. At this time, there is no intention by the Authority to issue bonds or to request that City Council issue bonds for qualifying activities; should that change, the Authority will comply with all requirements under the Act, including amendment to this Plan if necessary.

Section III: TAX INCREMENT FINANCING PLAN FOR DEVELOPMENT DISTRICT

This tax increment financing plan is established to make possible the financing of all or a portion of the costs associated with the activities and projects contained in the previous Development Plan for the South Martin Luther King Jr. Boulevard Corridor Improvement District.

Tax Increment Financing Plan

Tax increment financing is a funding technique that utilizes increases in taxes on real and personal property within a specific development area to secure and pay the cost of public improvements or bonds

issued by a municipality or Corridor Improvement Authority to finance the costs of an approved development plan, to pay the Authority's costs of operation, and to finance portions of an approved development plan which do not involve the issuance of bonds.

The Corridor Improvement Authority Act requires the CIA to address three legislative requirements in the Tax Increment Financing Plan. These provide information about funds anticipated to be received by the CIA and its impact upon taxing jurisdictions. These requirements are found in Section 618(1) of the Act and states that "if the authority determines that it is necessary for the achievement of the purposes of this act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 621..."

Specifically, pursuant to Section 618(1) of the Act the Tax Increment Financing Plan must include, in addition to the development Plan set forth above:

1. A detailed explanation of the tax increment procedure,
2. The maximum amount of bonded indebtedness to be incurred,
3. The duration of the program,
4. A statement that all unused funds captured shall revert proportionally to the respective taxing bodies, and
5. A state of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located, and
6. A clear statement of the portion of the captured value intended to be used by the Authority for the Plan, and the intended use.

1. Detailed explanation of the Tax Increment Financing Procedure

The Corridor Improvement Authority Act, Act 57 of 2018, as amended, authorizes tax increment financing (TIF). TIF makes it possible for a district to essentially capture tax revenues that are derived from the increase in value of property, which has benefitted from development projects within said district. The revenue is used to finance further development within the district. The S.MLK CIA has determined that, in order to finance the previous Development Plan, a tax increment financing plan must be adopted.

The theory of utilizing TIF is that tax revenue will increase within a district where development is taking place. That increase in development will generate an increase in the tax revenues within that district. Therefore, it is appropriate to use this increase in tax revenue to reinvest into the district to encourage continued development.

The tax increment financing procedure as outlined in Act 57 of 2018 requires the adoption by the City, by resolution, of a Development Plan and a Tax Increment Financing Plan. Following the adoption of that resolution, the city and county treasurers are required by law to transmit to the CIA that portion of the tax levy of all taxing bodies paid each year on the "Captured Assessed Value of all real and personal property located in the Development Area." The tax amounts to be transmitted are hereinafter referred to as "Tax Increment Revenue".

The Authority explicitly subordinates its capture of Tax Increment Revenue to any similar capture by a Brownfield Redevelopment Plan, duly authorized by the Lansing Brownfield Redevelopment Authority and Lansing City Council, for any parcel or property that is currently subject to any such Brownfield Redevelopment Plan or that comes to be during the duration of this Plan. This Plan will still capture any amount of qualifying Tax Increment Revenue that passes through any such Brownfield Redevelopment

Plan's capture.

The "Captured Assessed Value" is defined by the Act as "the amount in any 1 year by which the current assessed value of the project area, including the assessed value of property for which specific local taxes are paid in lieu of property taxes ... exceeds the initial assessed value..." The "initial assessed value" is defined by the Act as the "assessed value, as equalized, of all the taxable property within the boundaries of the Development Area at the time the resolution establishing the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted..."

It is the goal of the CIA to use the captured assessed value in the development district for the number of years necessary to complete the projects outlined in the Development Plan.

The CIA shall submit a report on the tax increment financing account showing the revenue received and the amount and purpose of expenditures from the account. Reports will also be required showing the initial assessed value of the development district and the amount of captured assessed value retained by the CIA. The report shall be submitted to the Lansing City Council and contain such additional information as the City Council deems necessary.

An opportunity will be made available to the County Board of Commissioners and other taxing jurisdictions to meet with the City Council to discuss the fiscal and economic implications of the proposed financing and development plans.

Approval of the tax increment financing plan must be obtained following the notice, hearing and disclosure provisions of Section 622 of the Act. If the development plan is a part of the tax increment financing plan, only one hearing and approval procedure is required for the two plans together. The tax increment financing plan may be modified by the City Council upon notice and after public hearings. The governing body may abolish the tax increment financing plan when it finds that the purpose for which it was established is accomplished.

2. The maximum amount of bonded indebtedness to be incurred

The CIA does not anticipate bonding. Below is the current financial position of the Authority.

Description of Current Financial Position

Current Assets: The South Martin Luther King Jr. Boulevard Corridor Improvement Authority fund balance at the time of preparation of this analysis is \$0.00. The Lansing Economic Development Corporation has contributed to the organizational costs of the CIA, as well as the preparation of this Development and Tax Increment Financing Plan.

Anticipated Revenue: The CIA district contains 174 individual properties. The 2022 taxable value of all properties is \$31,239,107. This is the initial assessed value to which all future assessments will be compared to determine the tax capture for the district. A detailed projection table for the 15-year period is included in Appendix I.

3. Duration of The CIA and Tax Increment Financing District

The initial duration of the CIA's TIF district is 15 years. This Tax Increment Financing Plan establishes a budget for a 15-year period. This is reflected in the previous Development Plan's projects estimated completion dates, shown in Tables 1 through 4.

4. Unused Funds Shall Revert Proportionally to the Respective Taxing Bodies

The Authority shall comply with the requirements of Subsection 619(2) of the Act, and shall revert all unused funds, proportionally, to the respective taxing bodies. This TIF Plan is not intended, nor shall it be used to circumvent existing property tax limitations; the purpose is to enhance and increase public use of the public portions of the corridor as detailed in the Development Plan, especially as it pertains to utilization of public transit.

5. Estimated Impact of The Tax Increment Financing Plan

Adoption of this Tax Increment Financing Plan will initially result in the use of all revenues derived from increases in assessed value of the real and personal property of the Development District for purposes of the Development Plan. As soon as adequate increments have been generated to pay for the development projects, excess tax increment will be returned to the taxing jurisdictions.

Appendix I, demonstrates the current millage levied by each jurisdiction, the anticipated growth in assessed value and the resulting tax increment revenues to be generated during the life of the Plan, and the estimated fiscal and economic implications on taxing jurisdictions resulting from the implementation of the Plan and capture of millage by the Authority.

The Authority proposes to strengthen the Development District and arrest the current stagnation and deterioration in property values. This is to be accomplished by using the additional tax revenues generated in the Development District to make public improvements and induce private redevelopment.

Several tax bodies currently receive property tax revenue from the property within the Development District. They will continue to receive tax revenues on the initial assessed value of this property throughout the duration of the Plan. When this plan is terminated, these taxing jurisdictions will receive property tax revenues from all taxable property located within the Development District, including new development and appreciation in value stimulated by the development projects and inflation.

6. Use of Tax Increment Revenue

The Authority intends to use all of the captured value in furtherance of the Plan described above. Tax increment revenues transmitted to the Authority shall be deposited in a separate fund of the Authority (the "Project Fund") and used as they accrue annually in the following manner, and with the following order or priority:

1. To pay the administrative, auditing, legal and operating costs of the Authority and the City pertaining to the Plan and the Development District, including planning and promotion to the extent provided in the annual budget of the Authority.
2. To repay amounts advanced by the City for project costs, including costs for preliminary plans, projects, fees, and for other professional services.

3. To pay, or to set aside in a reserve account for the purpose of paying when feasible, the cost of undertaking, completing, and reimbursing the City for any public improvements as set forth in the Plan, to the extent those costs are not financed from other sources (the "Project Reserve Fund").
4. To pay the cost of any additional improvements to the Plan that are determined necessary by the Authority and approved by the City Council in accordance with the Act.

In accordance with Act 57, and to the extent that the Authority and City deem it necessary and in the best interest of the Authority, the Development District, and the City and its resident and property owners, the Authority may enter into tax sharing arrangements with affected taxing jurisdictions to share all or a portion of tax increment revenues on such terms as the Authority and the City Council determine to be most equitable for the Authority, the Development District and the City.

Appendix A:

Full Ordinance – Intent to Establish the
South Martin Luther King Jr. Boulevard
Corridor Improvement Authority

RESOLUTION #2019-226
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has prepared and forwarded this resolution of intent to create the South Martin Luther King Jr. Boulevard Corridor Improvement Authority (the Authority) in accordance with the provisions of Part 6, Corridor Improvement Authorities, of the Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended (the Act); and

WHEREAS, the intended South Martin Luther King Jr. Boulevard Corridor Improvement Authority Development Area, as defined in the Act (the "Proposed Development Area"), is comprised of eligible property within an area along South Martin Luther King Jr. Boulevard bounded by an area of all commercial property, as defined by Public Act 57 of 2018, found within 500 feet of the centerline of South Martin Luther King Jr. Boulevard, from the railroad tracks south of Victor Avenue to 1-96, and specifically identified in Exhibit A;

WHEREAS; the District meets all of the requirements of section 605 of Public Act 57 of 2018, including:

- a. The Proposed Development Area is adjacent to or is within 500 feet of a road classified as an arterial or collector according to the Federal Highway Administration manual "Highway Functional Classification - Concepts, Criteria and Procedures," and
- b. The Proposed Development Area contains at least ten (10) contiguous parcels or at least five (5) contiguous acres, and
- c. More than half (1/2) of the existing ground floor square footage in the Proposed Development Area is classified as commercial real property under section 34c of the General Property Tax Act, 1893 PA 206, as amended (MCL 211.34c), and
- d. Residential use, commercial use, or industrial use has been allowed and conducted under the zoning ordinance or conducted in the entire Proposed Development Area, for the immediately preceding thirty (30) years, and
- e. The Proposed Development Area is presently served by municipal water or sewer, and
- f. The Proposed Development Area is zoned to allow for mixed use that includes high-density residential use; and

WHEREAS, in accordance with Act 57 the City would further agree to the following with respect to the Proposed Development Area:

- i. To expedite the local permitting and inspection process in the Proposed Development Area, and
- ii. To modify its Master Plan, if necessary, to provide for walkable nonmotorized interconnections, including sidewalks and streetscapes throughout the Proposed Development Area; and

Appendix B:

Affidavit of Notice of Public Hearing on
Creation of the S.MLK CIA

Appendix C:

Resolution Establishing the S.MLK CIA and Designation of the Development Area

RESOLUTION #2019-334
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution Establishing South Martin Luther King Jr. Boulevard Corridor Improvement
Authority and Designation of Development Area

WHEREAS, the City of Lansing (the City), is authorized by the provisions of Part 6, Corridor Improvement Authorities, of the Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended (the Act), specifically MCL 125.4606, to establish a corridor improvement authority; and

WHEREAS, on August 12, 2019, the Lansing City Council adopted its Resolution of Intent to create the South Martin Luther King Jr. Boulevard Corridor Improvement Authority setting a public hearing thereon for September 23, 2019, and finding that the proposed development area meets the requirements of section 605 of the Act, including the following:

- (a) The proposed development area is adjacent to a road classified as an arterial or collector according to the Federal Highway Administration Manual "Highway Functional Classification - Concepts, Criteria and Procedures"; and
- (b) The proposed development area contains at least 10 contiguous parcels or at least 5 contiguous acres; and
- (c) More than half of the existing ground floor square footage in the proposed development area is classified as commercial real property under Section 34c of the General Property Tax Act, Act 206 of the Public Acts of Michigan of 1893, as amended ("Act 206"); and
- (d) Residential use, commercial use, or industrial use has been allowed and conducted under the zoning ordinance or conducted in the entire proposed development area, for the immediately preceding 30 years; and
- (e) The proposed development area is presently served by municipal water and sewer; and
- (f) The proposed development area is zoned to allow for mixed use that includes high-density residential use; and

WHEREAS, the City Council held the public hearing on September 23, 2019, as well as a second public hearing on October 14, 2019, both properly noticed and held pursuant to the Act, in connection with the establishment of a corridor improvement authority and the designation of the proposed development area; and

Appendix D:

Powers of Authority

125.4611 Board; powers.

Detailed powers of the Corridor Improvement Authority board are listed below, section 611 of Act 57 of 2018:

- (a) Prepare an analysis of economic changes taking place in the development area.
- (b) Study and analyze the impact of metropolitan growth upon the development area.
- (c) Plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the development area.
- (d) Plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.
- (e) Develop long-range plans, in cooperation with the agency that is chiefly responsible for planning in the municipality, designed to halt the deterioration of property values in the development area and to promote the economic growth of the development area, and take steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- (f) Implement any plan of development in the development area necessary to achieve the purposes of this act in accordance with the powers of the authority granted by this act.
- (g) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (h) On terms and conditions and in a manner and for consideration the authority considers proper or for no consideration, acquire by purchase or otherwise, or own, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests in the property, that the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options.
- (i) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances to those buildings, within the development area for the use, in whole or in part, of any public or private person or corporation, or a combination thereof.

(j) Fix, charge, and collect fees, rents, and charges for the use of any facility, building, or property under its control or any part of the facility, building, or property, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority.

(k) Lease, in whole or in part, any facility, building, or property under its control.

(l) Accept grants and donations of property, labor, or other things of value from a public or private source.

(m) Acquire and construct public facilities.

(n) Conduct market research and public relations campaigns, develop, coordinate, and conduct retail and institutional promotions, and sponsor special events and related activities.

(o) Contract for broadband service and wireless technology service in a development area.

(2) Notwithstanding any other provision of this act, in a qualified development area the board may, in addition to the powers enumerated in subsection (1), do 1 or more of the following:

(a) Perform any necessary or desirable site improvements to the land, including, but not limited to, installation of temporary or permanent utilities, temporary or permanent roads and driveways, silt fences, perimeter construction fences, curbs and gutters, sidewalks, pavement markings, water systems, gas distribution lines, concrete, including, but not limited to, building pads, storm drainage systems, sanitary sewer systems, parking lot paving and light fixtures, electrical service, communications systems, including broadband and high-speed internet, site signage, and excavation, backfill, grading of site, landscaping and irrigation, within the development area for the use, in whole or in part, of any public or private person or business entity, or a combination of these.

(b) Incur expenses and expend funds to pay or reimburse a public or private person for costs associated with any of the improvements described in subdivision (a).

(c) Make and enter into financing arrangements with a public or private person for the purposes of implementing the board's powers described in this section, including, but not limited to, lease purchase agreements, land contracts, installment sales agreements, sale leaseback agreements, and loan agreements.

Appendix E:

S.MLK CIA Appointed Members to the
S.MLK CIA Board

RESOLUTION #2020-120
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Aini Abukar, a 3rd Ward Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2021;

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Aini Abukar, a 3rd Ward Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2021.



Chris S. Sipe, CMWCJMMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

RESOLUTION #2020-122
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Don Sober, a 3rd Ward Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2024;

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Don Sober, a 3rd Ward Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2024.



Chris S. Sipe, CMWCJMMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

RESOLUTION #2020-123
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Nikki Soldan, a regional business manager, Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2023;

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Nikki Soldan, a regional business manager, Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2023.


Chris Swape
City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

RESOLUTION #2020-171
BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Price Dobernack, a regional business owner, Ward Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2024;

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

WHEREAS, the Committee on Development & Planning met on September 1, 2020 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Price Dobernack, a regional business owner, Member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board for a term to expire July 31, 2024.


Chris Swape, CM/CC/MC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

RESOLUTION #2021-176
BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made the appointment of Amanda Defrees as a member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2025; and

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

WHEREAS, the Committee on Development & Planning met on August 23, 2021 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Amanda Defrees as a member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2025.

Chris Swartz, CMMCIMMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the original
as kept by the Lansing City Council

Resolution #2022-116
By the Committee on Development & Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Teresa Stokes as a Business Owner member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2022; and

WHEREAS, the nominee has been *vetted* by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development & Planning met on April 27, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Teresa Stokes as a Business Owner member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2022.


Chris Swartz, CMMCIMMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the original
as kept by the Lansing City Council

Resolution #2022-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the reappointment of Teresa Stokes as a Business Owner member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2026; and

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

WHEREAS, the Committee on Development and Planning took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Teresa Stokes as a Business Owner member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2026.

Appendix F:

S.MLK CIA Bylaws

**BYLAWS OF THE SOUTH MARTIN LUTHER KING JR. BOULEVARD CORRIDOR IMPROVEMENT
AUTHORITY OF THE CITY OF LANSING**

Rev: January 21, 2021

Confirmed to reflect the legal entity name

ARTICLE I - NAME

The name of this Authority is the South Martin Luther King Jr. Boulevard Corridor Improvement Authority of the City of Lansing, which may also be referred to as the South MLK Corridor Improvement Authority.

ARTICLE II - PURPOSE

The purpose of the Authority is to carry out those purposes and exercise those powers as conferred upon it by State of Michigan's Corridor Improvement Authority Act, Act 57 of 2018 (Formerly known as Act 280 of the Michigan Public Acts of 2005) as amended ("the Act"). The Authority shall be a public body corporate and shall have all the powers which now or hereafter may be conferred by law on authorities organized under the Act. These Bylaws are adopted as the Authority's rules governing procedure and holding regular meetings, in accordance with the Act.

ARTICLE III - AUTHORITY BOARD OF DIRECTORS

Section 1. Authority Board. The Authority shall be under the supervision and control of a board consisting of seven members appointed by the Mayor of the City of Lansing subject to the approval of City Council. The board will also include the Mayor or a Mayoral Assignee. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the Corridor Improvement Authority development area. At least one of the members shall be a resident of the development area or of an area within one-half mile of any part of the development area.

Section 2. Terms, Replacement, and Vacancies. Of the initial seven members appointed, two term shall expire on July 31, 2021, one term shall expire on July 31, 2022, three terms shall expire on July 31, 2023, and one term shall expire on July 31, 2024. Thereafter, each member appointed shall serve for a term of four years. A member shall hold office until the member's successor is appointed. An appointment to fill a vacancy shall be made by the Mayor for the unexpired term only. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

Section 3. Removal. A member of the Board may be removed for cause by the City Council after having been given notice and an opportunity to be heard.

ARTICLE IV - OFFICERS

Section 1. Officers. The officers of the Authority Board shall be a chairperson, a vice chairperson, a treasurer, and a recording secretary. All officers shall be members of the Authority Board, with the exception of the recording secretary who may, but need not be, a member of the Authority Board.

judgment, the best interest of the Authority Board will be served.

Section 3. Chairperson. The chairperson shall preside at all meetings of the Authority Board and shall discharge the duties as a presiding officer.

Section 4. Vice Chairperson. In the absence of the chairperson or in the event of inability to serve as chairperson, the vice chairperson shall perform the duties of the chairperson and when so acting, shall have all the powers and be subject to all the restrictions of the chairperson.

Section 5. Treasurer. The treasurer shall prepare, with the assistance of appropriate staff, an annual financial report covering the fiscal year of the Authority. The fiscal year of the Authority shall be July 1 to June 30. An annual audit will be made each year. The treasurer shall provide a bond if necessary, in the amount prescribed by the Authority Board.

Section 6. Recording Secretary. The recording secretary, if not a member of the Authority Board, shall be a designee of the Authority Board. The recording secretary shall attend all meetings of the Authority Board and with the assistance of appropriate staff record all votes and the minutes of all proceedings, to be maintained for future reference. The recording secretary shall give, or cause to be given, notice of all meetings of the Authority Board, as required by law or these bylaws, and shall perform such other duties as may be prescribed by the Authority Board. The recording secretary shall, when authorized by the Authority Board, attest by signature to actions of the Authority Board, and shall maintain custody of the official seal, and of the records, books and all documents of the Authority.

Section 7. Delegation of Duties of Officers. In the absence of any officer of the Authority Board due to resignation or removal, the Authority Board may delegate the powers and duties of any officer to any Authority Board member provided a majority of a quorum of the Authority Board concurs therein.

Section 8. Election of Officers. Nominations shall be made from the floor at the annual meeting in January or at the initial meeting of the Authority Board. Officers shall be elected by majority vote of the Authority Board. The terms of office shall be for one year and begin at the close of the annual meeting at which they are elected, or until his or her successor shall be elected and qualified. No member shall hold more than one office at a time.

ARTICLE V - CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the corporation in addition to the officers so authorized by the Act or these By-Laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such Board may be general or confined to specific instances.

Section 2. Checks and Drafts. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer and countersigned by the Chairperson or Vice Chairperson of the Corporation.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Board in such banks, trust companies or other depositaries as the Board of Directors may select.

ARTICLE VI - EMPLOYMENT OF DIRECTOR

The Authority Board may employ and fix compensation of a director subject to approval of the City Council. A member of the Board is not eligible to hold the position of Director. Before beginning his or her duties, the Director shall subscribe to the constitutional oath and furnish a bond as required by section 609 of Act 57 of 2018. The Director shall be the chief executive officer of the Authority. The Director shall serve at the pleasure of the Authority Board.

ARTICLE VII - MEETINGS

Section 1. Organizational Meeting and Election of Officers. Officers shall be elected at the first organizational meeting of the Authority Board after the adoption of the Bylaws and shall be appointed thereafter pursuant to Article VII - Section 2.

Section 2. Annual Meeting. Starting in the year 2021, an annual meeting shall be held in January at a time and place to be set by the Authority Board. Election of officers shall occur at the annual meeting. If the election of officers does not occur on the day designated or any adjournment thereof, the Authority Board shall cause the election to be held at a regular or special meeting of the Authority Board within 90 days of the annual meeting.

Section 3. Regular Meetings. Regular meetings of the Authority Board shall be held at a time and place to be set by the Authority Board at its annual meeting. Notice of regular meetings shall be published in accordance with the Michigan Open Meetings Act, Act 267 of the Public Acts of 1976, as amended. The Authority Board records shall be open to the public.

Section 4. Special Meetings. Special meetings of the Authority Board may be called by the chairperson, the vice chairperson in the absence of the chairperson, or by any three Authority members by giving 24 hours' notice of the meeting to other board members, stating the purpose of the meeting, and by posting sufficient public notice in accordance with the Michigan Open Meetings Act.

Section 5. Notice of Meetings. All meetings other than regularly scheduled meetings shall be preceded by public notice posted 18 hours prior to the meeting in accordance with the Michigan Open Meetings Act.

Section 6 Agenda and Minutes. The recording secretary together with appropriate staff shall prepare the agendas for all regular meetings and send them to the Authority Board members at least 24 hours prior to the meeting. Any member of the Authority Board may request any item to be placed on the agenda. Minutes of all meetings shall be prepared and kept in accordance with the Michigan Open Meetings Act. Proposed Minutes of a meeting shall be made available to the public no more than 8 days after the meeting. The Board shall vote to approve or amend and approve minutes from any prior meeting, at the next regular meeting.

Section 7 Quorum and Voting. A quorum shall constitute a majority of the Authority Board members appointed and serving at the time. A majority vote of a quorum of the Authority Board shall

constitute the action of the Authority Board unless the vote of a larger number is required by statute, or elsewhere in these rules. In the event that effective membership is reduced because of a conflict of interest, a majority of the remaining members eligible to vote shall constitute the action of the Authority Board.

Section 8 **Rules of Order.** *Robert's Rules of Order* will govern the conduct of all meetings.

Section 9 **Open and Closed Meetings.** All regular and special meetings of the Authority Board shall be open to the public, and each agenda shall include a time for public comment. Closed meetings of the Authority Board may be called for the purposes listed in the Michigan Open Meetings Act, if approved by the Authority.

Section 10 **Conflict of Interest.** An Authority Board member who has a direct conflict of interest of more than a de minimis nature as defined by MCL 15.322 and 15.323 in any matter before the Authority Board shall disclose that interest prior to the Authority Board taking any action with respect to the matter. This disclosure shall become part of the record of the Authority Board's official proceedings. Any member making such disclosure shall, with the approval of the Authority Board, refrain from participating in the Authority Board's decision-making process, to include all discussions, motions made and votes taken, relative to such matters, unless required by law. In addition, an Authority Board member shall be subject to the conflict of interest provisions of section 5-505 of the Lansing City Charter and the Ethics Ordinance in Part 2, Title 10, Chapter 290 of the Lansing Codified Ordinances.

Section 11 **Mandatory Voting.** Except when a member is excused from participating on a matter by the chair because of a disclosed conflict of interest, all members present shall vote on all matters before the Authority Board.

Section 12 **Physical Presence Required.** Members may not be counted as in attendance and may not vote unless they are physically present at the meeting. Members may not send a proxy to a meeting, and members may not vote by proxy. The physical presence requirement may be suspended by majority vote of the Directors serving, if virtual appearance is still in compliance with the Michigan Open Meetings Act.

ARTICLE VIII - EXECUTIVE COMMITTEE

The officers of the Authority Board, including chairperson, vice chairperson, treasurer, and recording secretary, shall constitute the executive committee. The executive committee shall have general supervision of the affairs of the Authority Board between its business meetings, fix the hours and place of meetings, make recommendations to the Authority Board, and shall perform such other duties as specified in these Bylaws or as may be specified by the Authority Board.

ARTICLE IX - AUTHORITY BOARD COMMITTEES AND ADVISORY COMMITTEES

Section 1 **Authority Board Committees.** The Authority Board, by resolution, may designate and appoint one or more committees to advise the Authority Board. Committee members shall be members of the Authority Board. The chairperson of the Authority Board shall appoint the members and select the chairperson of the Authority Board committees. The committees may be terminated by vote of the Authority Board. At the annual meeting, the committees will be

evaluated and reappointed or dissolved. A majority of the committee will constitute a quorum. A majority of the members present at the meeting at which a quorum is present shall be the action of the committee.

Section 2 Advisory Committees. The Authority Board may, by resolution, authorize the establishment of advisory committees to the Authority Board. The chairperson shall select, with the advice and consent of the Authority Board members, the members of each advisory committee. The advisory committees shall elect their own officers and establish rules governing their action.

ARTICLE X - INDEMNIFICATION

Section 1 Indemnification and Defense. Matters involving a claim or civil action against any officer or employee of the Authority, while acting within the scope of their authority, are subject to the Government Liability for Negligence Act, Act 170 of the Public Acts of 1964, as amended.

Section 2. Reimbursement. Any action by the Authority Board on behalf of an officer or employee under Section 1 shall be made by the Authority Board only as authorized in the specific case upon a determination that such action is appropriate. Such determination shall be made in either of the following ways:

1. By a majority vote of the members of the Authority Board who were not parties to such claim, action, suit or proceedings, or
2. If such quorum is not obtainable, or even if obtainable, a quorum of disinterested members so directs, supported by the recommendation of legal counsel in a written opinion.

Section 3. Insurance. The Authority Board may purchase and maintain insurance on behalf of any person who is or was an officer or employee of the Authority against any liability asserted against the officer or employee and incurred by them in any such capacity or arising out of their status as such.

ARTICLE XI - AMENDMENTS OF BYLAWS

These Bylaws may be amended at any regular meeting of the Authority Board by a majority vote of a quorum, provided that the amendment has been submitted in writing at the previous regular meeting; provided, however, that no such amendment shall take effect until approved by resolution of the City Council.

Adopted: 'clc.....uu.., :2l, 2021

A handwritten signature in black ink, appearing to be 'John', followed by a horizontal line.

Chairperson Secretary

The foregoing bylaws of the South MLK Corridor Improvement Authority of the City of Lansing were approved by resolution of the Lansing City Council duly adopted at a regular meeting of the Council held pursuant to statutory notice on the _ day of _____, 2021.

_____, City Clerk

Appendix G:

List of Affected Properties by Parcel
Identification Number

Parcel # 2022	Property Address	Property Class
33-01-01-29-259-192	S M L KING JR BLVD	202
33-01-01-29-259-202	S M L KING JR BLVD	202
33-01-01-29-280-262	NO STREET FRONTAGE	202
33-01-01-29-280-264	2701 S M L KING JR BLVD	703
33-01-01-29-401-044	S M L KING JR BLVD	202
33-01-01-29-401-062	2808 S KELLYBROOK LN	201
33-01-01-29-401-102	3110 S M L KING JR BLVD	201
33-01-01-29-401-112	3022 S M L KING JR BLVD	201
33-01-01-29-401-122	3010 S M L KING JR BLVD	201
33-01-01-29-426-011	2833 S M L KING JR BLVD	201
33-01-01-29-426-030	2915 S M L KING JR BLVD	201
33-01-01-29-426-039	2915.5 S M L KING JR BLVD	201
33-01-01-29-426-041	2919 S M L KING JR BLVD	201
33-01-01-29-426-051	2937 S M L KING JR BLVD	201
33-01-01-29-427-002	3015 S M L KING JR BLVD	708
33-01-01-29-451-001	S M L KING JR BLVD	202
33-01-01-29-451-013	3222 S M L KING JR BLVD	201
33-01-01-29-451-022	3330 S M L KING JR BLVD	201
33-01-01-29-451-032	3316 S M L KING JR BLVD	201
33-01-01-29-451-037	3218 S M L KING JR BLVD	201
33-01-01-29-451-041	3216 S M L KING JR BLVD	201
33-01-01-29-451-051	3212 S M L KING JR BLVD	201
33-01-01-29-451-061	3140 S M L KING JR BLVD	201
33-01-01-29-451-062	3208 S M L KING JR BLVD	201
33-01-01-29-451-067	3128 S M L KING JR BLVD	201
33-01-01-29-451-069	3122 S M L KING JR BLVD	201
33-01-01-29-451-072	3124 S M L KING JR BLVD	201
33-01-01-29-476-002	3101 S M L KING JR BLVD	201
33-01-01-29-476-041	3127 S M L KING JR BLVD	201
33-01-01-29-476-062	3135 S M L KING JR BLVD	201
33-01-01-29-476-091	900 SOUTHLAND AVE	201
33-01-01-29-476-111	808 SOUTHLAND AVE	201
33-01-01-29-477-006	3215 S M L KING JR BLVD	201
33-01-01-29-477-012	3229 S M L KING JR BLVD	201
33-01-01-29-477-014	3311 S M L KING JR BLVD	201
33-01-01-29-477-021	3325 S M L KING JR BLVD	201
33-01-01-29-477-042	905 SOUTHLAND AVE	201
33-01-01-29-477-072	1011 SOUTHLAND AVE	201
33-01-01-29-477-084	930 W HOLMES RD	201
33-01-01-29-477-085	930 W HOLMES RD	201
33-01-01-32-201-201	3612 S M L KING JR BLVD	201
33-01-01-32-201-211	3600 S M L KING JR BLVD	201
33-01-01-32-201-223	3512 S M L KING JR BLVD	201
33-01-01-32-201-232	3500 S M L KING JR BLVD	201
33-01-01-32-201-242	3404 S M L KING JR BLVD	201
33-01-01-32-201-256	1211 W HOLMES RD	201
33-01-01-32-203-202	HILLCREST ST	202
33-01-01-32-203-234	3826 S M L KING JR BLVD	201
33-01-01-32-203-244	3822 S M L KING JR BLVD	201
33-01-01-32-203-252	3812 S M L KING JR BLVD	201

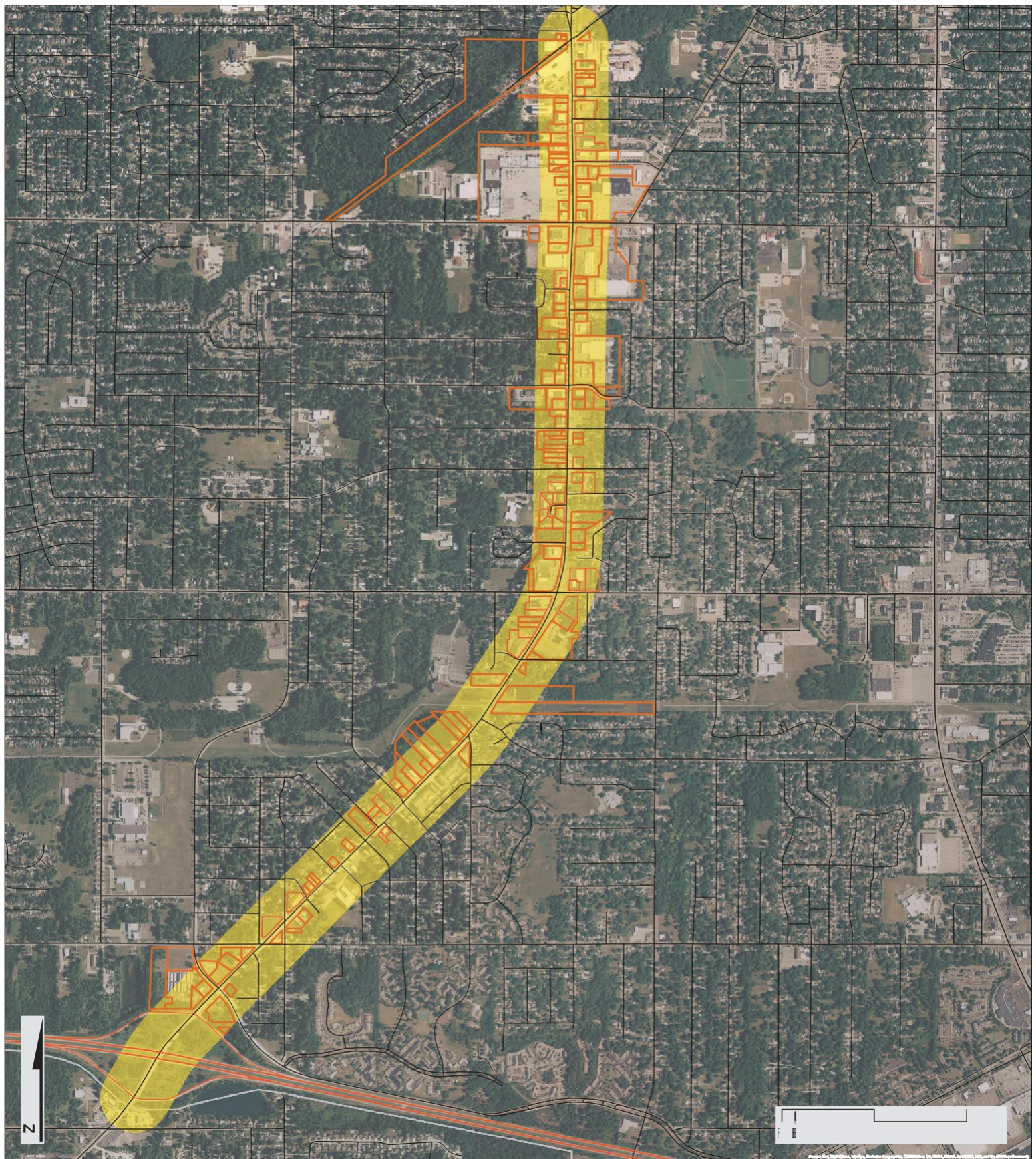
33-01-01-32-203-261	3800 S M L KING JR BLVD	201
33-01-01-32-203-271	3718 S M L KING JR BLVD	201
33-01-01-32-203-281	3706 S M L KING JR BLVD	201
33-01-01-32-226-004	3425 S M L KING JR BLVD	201
33-01-01-32-226-016	3525 S M L KING JR BLVD	201
33-01-01-32-226-022	3621 S M L KING JR BLVD	201
33-01-01-32-226-025	3615 S M L KING JR BLVD	201
33-01-01-32-226-041	1016 LEGRAND DR	201
33-01-01-32-226-552	921 W HOLMES RD	201
33-01-01-32-251-205	1120 MARY AVE	201
33-01-01-32-251-212	4100 S M L KING JR BLVD	201
33-01-01-32-251-221	S M L KING JR BLVD	202
33-01-01-32-251-251	4000 S M L KING JR BLVD	201
33-01-01-32-251-382	3916 S M L KING JR BLVD	201
33-01-01-32-252-070	1301 MARY AVE	201
33-01-01-32-252-112	4230 S M L KING JR BLVD	201
33-01-01-32-252-122	4220 S M L KING JR BLVD	201
33-01-01-32-276-001	1017 LEGRAND DR	201
33-01-01-32-276-011	3821 S M L KING JR BLVD	201
33-01-01-32-276-030	4019 S M L KING JR BLVD	201
33-01-01-32-276-040	3901 S M L KING JR BLVD	201
33-01-01-32-276-057	4211 S M L KING JR BLVD	201
33-01-01-32-276-063	4221 S M L KING JR BLVD	201
33-01-01-32-276-068	914 W CAVANAUGH RD	201
33-01-01-32-276-074	1001 W CAVANAUGH RD	201
33-01-01-32-276-076	929 W CAVANAUGH RD	201
33-01-01-32-401-131	4314 S M L KING JR BLVD	201
33-01-01-32-401-141	4300 S M L KING JR BLVD	201
33-01-01-32-402-142	4526 S M L KING JR BLVD	201
33-01-01-32-402-161	4516 S M L KING JR BLVD	201
33-01-01-32-402-171	4508 S M L KING JR BLVD	201
33-01-01-32-402-181	4504 S M L KING JR BLVD	201
33-01-01-32-402-191	S M L KING JR BLVD	202
33-01-01-32-402-211	4410 S M L KING JR BLVD	201
33-01-01-32-402-231	4400 S M L KING JR BLVD	201
33-01-01-32-402-241	1113 PIERCE RD	201
33-01-01-32-402-251	1205 PIERCE RD	201
33-01-01-32-426-002	4303 S M L KING JR BLVD	708
33-01-01-32-427-001	4405 S M L KING JR BLVD	201
33-01-01-32-427-011	4415 S M L KING JR BLVD	202
33-01-01-32-427-042	4519 S M L KING JR BLVD	201
33-01-01-32-451-171	1212 W JOLLY RD	202
33-01-01-32-451-183	5016 S M L KING JR BLVD	201
33-01-01-32-451-184	5016 S M L KING JR BLVD	201
33-01-01-32-451-242	4924 S M L KING JR BLVD	201
33-01-01-32-451-531	S M L KING JR BLVD	202
33-01-01-32-451-551	1141 DORCHESTER CIRCLE	201
33-01-01-32-451-561	1115 DORCHESTER CIRCLE	201
33-01-01-32-451-571	1151 DORCHESTER CIRCLE	201
33-01-01-32-451-581	1156 DORCHESTER CIRCLE	201
33-01-01-32-451-591	1140 DORCHESTER CIRCLE	201

33-01-01-32-451-601	1130 DORCHESTER CIRCLE	201
33-01-01-32-451-611	1100 DORCHESTER CIRCLE	201
33-01-01-32-451-631	4620 S M L KING JR BLVD	201
33-01-01-32-451-641	4610 S M L KING JR BLVD	201
33-01-01-32-476-003	4601 S M L KING JR BLVD	201
33-01-01-32-476-031	946 VINCENT CT	201
33-01-01-32-477-031	4711 S M L KING JR BLVD	201
33-01-01-32-477-041	4801 S M L KING JR BLVD	201
33-01-01-32-477-051	4909 S M L KING JR BLVD	201
33-01-01-32-477-055	4915 S M L KING JR BLVD	201
33-01-01-32-479-021	1000 W JOLLY RD	201
33-01-01-32-479-032	5035 S M L KING JR BLVD	201
33-01-01-32-479-041	W JOLLY RD	202
33-01-05-05-126-043	S M L KING JR BLVD	202
33-01-05-05-126-053	5640 S M L KING JR BLVD	201
33-01-05-05-126-061	S M L KING JR BLVD	202
33-01-05-05-126-071	5614 S M L KING JR BLVD	201
33-01-05-05-126-081	5606 S M L KING JR BLVD	708
33-01-05-05-126-091	5542 S M L KING JR BLVD	201
33-01-05-05-126-101	5528 S M L KING JR BLVD	201
33-01-05-05-126-111	5510 S M L KING JR BLVD	201
33-01-05-05-126-121	5508 S M L KING JR BLVD	201
33-01-05-05-126-131	5468 S M L KING JR BLVD	201
33-01-05-05-126-173	5404 S M L KING JR BLVD	708
33-01-05-05-201-161	5334 S M L KING JR BLVD	201
33-01-05-05-202-082	5208 S M L KING JR BLVD	201
33-01-05-05-202-092	5200 S M L KING JR BLVD	201
33-01-05-05-202-111	5140 S M L KING JR BLVD	201
33-01-05-05-202-121	5134 S M L KING JR BLVD	201
33-01-05-05-202-132	5124 S M L KING JR BLVD	201
33-01-05-05-202-153	5118 S M L KING JR BLVD	201
33-01-05-05-226-003	5103 S M L KING JR BLVD	201
33-01-05-05-226-062	5133 S M L KING JR BLVD	201
33-01-05-05-226-090	5141 S M L KING JR BLVD	201
33-01-05-05-276-001	5303 S M L KING JR BLVD	201
33-01-05-05-277-221	5405 S M L KING JR BLVD	201
33-01-05-05-277-231	S M L KING JR BLVD	202
33-01-05-05-301-112	5856 S M L KING JR BLVD	201
33-01-05-05-302-063	5721 VALENCIA BLVD	201
33-01-05-05-302-078	5824 S M L KING JR BLVD	201
33-01-05-05-306-091	5950 S M L KING JR BLVD	201
33-01-05-05-306-141	5920 S M L KING JR BLVD	201
33-01-05-05-326-031	5641 HUGHES RD	201
33-01-05-05-326-041	5724 S M L KING JR BLVD	201
33-01-05-05-327-003	5505 S M L KING JR BLVD	705
33-01-05-05-327-062	5525 S M L KING JR BLVD	705
33-01-05-05-351-071	S M L KING JR BLVD	202
33-01-05-05-351-081	6040 S M L KING JR BLVD	201
33-01-05-05-351-095	6030 S M L KING JR BLVD	201
33-01-05-05-351-110	6026 S M L KING JR BLVD	201
33-01-05-05-352-002	5937 S M L KING JR BLVD	708

33-01-05-05-352-103	5903 S M L KING JR BLVD	708
33-01-05-05-353-012	6070 S M L KING JR BLVD	201
33-01-05-05-356-002	6081 S M L KING JR BLVD	201
33-01-05-05-356-162	6031 S M L KING JR BLVD	708
33-01-05-05-356-192	6071 S M L KING JR BLVD	201
33-01-05-05-376-173	5843 S M L KING JR BLVD	201
33-01-05-05-376-182	S M L KING JR BLVD	202
33-01-05-06-479-102	S M L KING JR BLVD	202
33-01-05-06-482-001	6099 S M L KING JR BLVD	201
33-01-05-07-201-016	W MILLER RD	201
33-01-05-07-201-052	W MILLER RD	202
33-01-05-07-225-012	6272 S M L KING JR BLVD	201
33-01-05-07-225-022	S M L KING JR BLVD	202
33-01-05-07-225-033	6140 PLEASANT GROVE RD	201
33-01-05-07-226-031	6137 PLEASANT GROVE RD	202
33-01-05-07-226-041	PLEASANT GROVE RD	202
33-01-05-07-226-052	S M L KING JR BLVD	202
33-01-05-07-226-061	6200 S M L KING JR BLVD	201
33-01-05-07-226-064	6200 S M L KING JR BLVD	202
33-01-05-07-227-072	S M L KING JR BLVD	202
33-01-05-07-229-004	6283 S M L KING JR BLVD	201
33-01-05-07-230-020	LABELLE RD	202

Appendix H:

S.MLK CIA District Map – Parcels included
within South Martin Luther King Jr. Corridor



Appendix I:

Projections and Taxing Jurisdiction Impact Tables

City of Lansing -South Martin Luther King Jr Blvd Corridor Improvement Authority: Tax Increment Revenue Projections

Corridor Parcels Taxable Value = 31,239,107

Updated 8/22/22

Local Capture Detail - Breakdown by Taxing Entity

		Value with Inflation - 0.75% growth rate		City of Lansing 19.4400 Mills		Capital Area District Library 1.56000	City capture only
Date	Baseline Value		Increment				
2022	31,239,107	31,239,107	0	0		0	0
2023	31,239,107	31,473,400	234,293	4,555		365	4,920
2024	31,239,107	31,709,451	470,344	9,143		734	9,877
2025	31,239,107	31,947,272	708,165	13,767		1,105	14,871
2026	31,239,107	32,186,876	947,769	18,425		1,479	19,903
2027	31,239,107	32,428,278	1,189,171	23,117		1,855	24,973
2028	31,239,107	32,671,490	1,432,383	27,846		2,235	30,080
2029	31,239,107	32,916,526	1,677,419	32,609		2,617	35,226
2030	31,239,107	33,163,400	1,924,293	37,408		3,002	40,410
2031	31,239,107	33,412,125	2,173,018	42,243		3,390	45,633
2032	31,239,107	33,662,716	2,423,609	47,115		3,781	50,896
2033	31,239,107	33,915,187	2,676,080	52,023		4,175	56,198
2034	31,239,107	34,169,551	2,930,444	56,968		4,571	61,539
2035	31,239,107	34,425,822	3,186,715	61,950		4,971	66,921
2036	31,239,107	34,684,016	3,444,909	66,969		5,374	72,343
2037	31,239,107	34,944,146	3,705,039	72,026		5,780	77,806
				566,164		45,433	611,597
						Discount rate	0.04
						NPV =	411,248

Local Capture Detail - Breakdown by Taxing Entity

All in: Non-School Tax Capture Millage	All IN Annual Non- School Tax Capture Available	City of Lansing 19.4400 Mills		City of Lansing Library 1.5528	Lansing Community College 3.7692 Mills	CATA 2.9895 Mills	Ingham County 11.9772 Mills	CCRA .699000 Mills	Ingham County 11.9772 Mills (80%/20% Rev. Sharing)	Ingham County 11.9772 Mills (90%/10% Rev. Sharing)	City of Lansing + County	Transit Oriented (City, LCC, CATA, CCRA, County)	
40.4277	0	0		0	0	0	0	0	0	0	0	0	0
40.4277	9,472	4,555		364	883	700	2,806	164	2,245	2,526	7,361	9,474	
40.4277	19,015	9,143		730	1,773	1,406	5,633	329	4,507	5,070	14,777	19,018	
40.4277	28,629	13,767		1,100	2,669	2,117	8,482	495	6,785	7,634	22,249	28,635	
40.4277	38,316	18,425		1,472	3,572	2,833	11,352	662	9,081	10,216	29,776	38,323	
40.4277	48,075	23,117		1,847	4,482	3,555	14,243	831	11,394	12,819	37,360	48,084	
40.4277	57,908	27,846		2,224	5,399	4,282	17,156	1,001	13,725	15,440	45,001	57,918	
40.4277	67,814	32,609		2,605	6,323	5,015	20,091	1,173	16,073	18,082	52,700	67,826	
40.4277	77,795	37,408		2,988	7,253	5,753	23,048	1,345	18,438	20,743	60,456	77,809	
40.4277	87,850	42,243		3,374	8,191	6,496	26,027	1,519	20,821	23,424	68,270	87,866	
40.4277	97,981	47,115		3,763	9,135	7,245	29,028	1,694	23,222	26,125	76,143	97,998	
40.4277	108,188	52,023		4,155	10,087	8,000	32,052	1,871	25,642	28,847	84,075	108,207	
40.4277	118,471	56,968		4,550	11,045	8,761	35,099	2,048	28,079	31,589	92,066	118,492	
40.4277	128,832	61,950		4,948	12,011	9,527	38,168	2,228	30,534	34,351	100,118	128,855	
40.4277	139,270	66,969		5,349	12,985	10,299	41,260	2,408	33,008	37,134	108,229	139,295	
40.4277	149,786	72,026		5,753	13,965	11,076	44,376	2,590	35,501	39,938	116,402	149,813	
	1,177,402	566,164		45,223	109,773	87,065	348,820	20,357	279,056	313,938	914,984	1,177,612	
Discount rate		0.04											
NPV =		791,706											

S. Martin Luther King Jr. Blvd. CIA TIF Projections

Local Capture Detail - Breakdown by Taxing Entity

		Value with Inflation - 1.00% growth rate		City of Lansing 19.4400 Mills		Capital Area District Library 1.5528	City capture only
Date	Baseline Value		Increment				
2022	31,239,107	31,239,107	0	0		0	0
2023	31,239,107	31,551,498	312,391	6,073		487	6,560
2024	31,239,107	31,867,013	627,906	12,206		980	13,186
2025	31,239,107	32,185,683	946,576	18,401		1,477	19,878
2026	31,239,107	32,507,540	1,268,433	24,658		1,979	26,637
2027	31,239,107	32,832,615	1,593,508	30,978		2,486	33,464
2028	31,239,107	33,160,942	1,921,835	37,360		2,998	40,359
2029	31,239,107	33,492,551	2,253,444	43,807		3,515	47,322
2030	31,239,107	33,827,476	2,588,369	50,318		4,038	54,356
2031	31,239,107	34,165,751	2,926,644	56,894		4,566	61,460
2032	31,239,107	34,507,409	3,268,302	63,536		5,099	68,634
2033	31,239,107	34,852,483	3,613,376	70,244		5,637	75,881
2034	31,239,107	35,201,008	3,961,901	77,019		6,181	83,200
2035	31,239,107	35,553,018	4,313,911	83,862		6,730	90,592
2036	31,239,107	35,908,548	4,669,441	90,774		7,284	98,058
2037	31,239,107	36,267,633	5,028,526	97,755		7,845	105,599
				763,886		61,300	825,186
						Discount rate	0.04
						NPV =	554,493

Local Capture Detail - Breakdown by Taxing Entity

Local Capture Detail - Breakdown by Taxing Entity

All in: Non-School Tax Capture Millage	All IN Annual Non- School Tax Capture Available	City of Lansing 19.4400 Mills		City of Lansing Library 1.5528	Lansing Community College 3.7692 Mills	CATA 2.9895 Mills	Ingham County 11.9772 Mills	CCRA .699000 Mills	Ingham County 11.9772 Mills (80%/20% Rev. Sharing)	Ingham County 11.9772 Mills (90%/10% Rev. Sharing)	City of Lansing + County		
40.4277	0	0		0	0	0	0	0	0	0	0		
40.4277	12,629	6,073		485	1,177	934	3,742	218	2,993	3,367	9,814		
40.4277	25,385	12,206		975	2,367	1,877	7,521	439	6,016	6,769	19,727		
40.4277	38,268	18,401		1,470	3,568	2,830	11,337	662	9,070	10,204	29,739		
40.4277	51,280	24,658		1,970	4,781	3,792	15,192	887	12,154	13,673	39,851		
40.4277	64,422	30,978		2,474	6,006	4,764	19,086	1,114	15,269	17,177	50,064		
40.4277	77,695	37,360		2,984	7,244	5,745	23,018	1,343	18,415	20,716	60,379		
40.4277	91,102	43,807		3,499	8,494	6,737	26,990	1,575	21,592	24,291	70,797		
40.4277	104,642	50,318		4,019	9,756	7,738	31,001	1,809	24,801	27,901	81,319		
40.4277	118,317	56,894		4,544	11,031	8,749	35,053	2,046	28,042	31,548	91,947		
40.4277	132,130	63,536		5,075	12,319	9,771	39,145	2,285	31,316	35,231	102,681		
40.4277	146,080	70,244		5,611	13,620	10,802	43,278	2,526	34,623	38,950	113,522		
40.4277	160,171	77,019		6,152	14,933	11,844	47,452	2,769	37,962	42,707	124,472		
40.4277	174,401	83,862		6,699	16,260	12,896	51,669	3,015	41,335	46,502	135,531		
40.4277	188,775	90,774		7,251	17,600	13,959	55,927	3,264	44,741	50,334	146,701		
40.4277	203,292	97,755		7,808	18,954	15,033	60,228	3,515	48,182	54,205	157,982		
	#####	763,886		61,017	148,109	117,471	470,639	#####	376,511	423,575	1,234,525		
Discount rate		0.04											
NPV =		1,067,470											

Local Capture Detail - Breakdown by Taxing Entity

		Value with Inflation - 1.50% growth rate		City of Lansing 19.4400 Mills		Capital Area District Library 1.56000	
Date	Baseline Value		Increment				City capture only
2022	31,239,107	31,239,107	0	0		0	0
2023	31,239,107	31,707,694	468,587	9,109		731	9,840
2024	31,239,107	32,183,309	944,202	18,355		1,473	19,828
2025	31,239,107	32,666,059	1,426,952	27,740		2,226	29,966
2026	31,239,107	33,156,050	1,916,943	37,265		2,990	40,256
2027	31,239,107	33,653,390	2,414,283	46,934		3,766	50,700
2028	31,239,107	34,158,191	2,919,084	56,747		4,554	61,301
2029	31,239,107	34,670,564	3,431,457	66,708		5,353	72,061
2030	31,239,107	35,190,622	3,951,515	76,817		6,164	82,982
2031	31,239,107	35,718,482	4,479,375	87,079		6,988	94,067
2032	31,239,107	36,254,259	5,015,152	97,495		7,824	105,318
2033	31,239,107	36,798,073	5,558,966	108,066		8,672	116,738
2034	31,239,107	37,350,044	6,110,937	118,797		9,533	128,330
2035	31,239,107	37,910,295	6,671,188	129,688		10,407	140,095
2036	31,239,107	38,478,949	7,239,842	140,743		11,294	152,037
2037	31,239,107	39,056,133	7,817,026	151,963		12,195	164,158
				1,173,505		94,170	1,267,676
						Discount rate	0.04
						NPV =	850,668

Local Capture Detail - Breakdown by Taxing Entity

		Value with Inflation - 2.25% growth rate		City of Lansing 19.4400 Mills		Capital Area District Library 1.56000	
Date	Baseline Value		Increment				City capture only
2022	31,239,107	31,239,107	0	0		0	0
2023	31,239,107	31,941,987	702,880	13,664		1,096	14,760
2024	31,239,107	32,660,682	1,421,575	27,635		2,218	29,853
2025	31,239,107	33,395,547	2,156,440	41,921		3,364	45,285
2026	31,239,107	34,146,947	2,907,840	56,528		4,536	61,065
2027	31,239,107	34,915,253	3,676,146	71,464		5,735	77,199
2028	31,239,107	35,700,846	4,461,739	86,736		6,960	93,697
2029	31,239,107	36,504,115	5,265,008	102,352		8,213	110,565
2030	31,239,107	37,325,458	6,086,351	118,319		9,495	127,813
2031	31,239,107	38,165,281	6,926,174	134,645		10,805	145,450
2032	31,239,107	39,024,000	7,784,893	151,338		12,144	163,483
2033	31,239,107	39,902,039	8,662,932	168,407		13,514	181,922
2034	31,239,107	40,799,835	9,560,728	185,861		14,915	200,775
2035	31,239,107	41,717,832	10,478,725	203,706		16,347	220,053
2036	31,239,107	42,656,483	11,417,376	221,954		17,811	239,765
2037	31,239,107	43,616,254	12,377,147	240,612		19,308	259,920
				1,825,143		146,462	1,971,605
						Discount rate	0.04
						NPV =	1,320,316

All-in Non-School Tax Capture Millage

Taxing Authority	Millage Rate
Lansing Oper	19.4400
Ingham Cnty Sum	6.7807
Ingham County	5.1965
LCC	3.7692
CATA	2.9895
CADL	1.5528

Not included in TIF Capture

Taxing Authority	Millage Rate
Lansing Debt	0.2600
Lansing School Debt	4.1000
Lansing School Oper	17.4478
Lansing School Sink	2.9575
Ingham Intermediate	4.9378

All in: Non-School Tax Capture Millage	All IN Annual Non- School Tax Capture Available	City of Lansing 19.4400 Mills		City of Lansing Library 1.5528	Lansing Community College 3.7692 Mills	CATA 2.9895 Mills	Ingham County 11.9772 Mills	CCRA .699000 Mills	Ingham County 11.9772 Mills (80%/20% Rev. Sharing)	Ingham County 11.9772 Mills (90%/10% Rev. Sharing)	City of Lansing + County		
40.4277	0	0	0	0	0	0	0	0	0	0	0		
40.4277	18,944	9,109		728	1,766	1,401	5,612	328	4,490	5,051	14,722		
40.4277	38,172	18,355		1,466	3,559	2,823	11,309	660	9,047	10,178	29,664		
40.4277	57,688	27,740		2,216	5,378	4,266	17,091	997	13,673	15,382	44,831		
40.4277	77,498	37,265		2,977	7,225	5,731	22,960	1,340	18,368	20,664	60,225		
40.4277	97,604	46,934		3,749	9,100	7,217	28,916	1,688	23,133	26,025	75,850		
40.4277	118,012	56,747		4,533	11,003	8,727	34,962	2,040	27,970	31,466	91,709		
40.4277	138,726	66,708		5,328	12,934	10,258	41,099	2,399	32,879	36,989	107,807		
40.4277	159,751	76,817		6,136	14,894	11,813	47,328	2,762	37,862	42,595	124,146		
40.4277	181,091	87,079		6,956	16,884	13,391	53,650	3,131	42,920	48,285	140,729		
40.4277	202,751	97,495		7,788	18,903	14,993	60,067	3,506	48,054	54,061	157,562		
40.4277	224,736	108,066		8,632	20,953	16,619	66,581	3,886	53,265	59,923	174,647		
40.4277	247,051	118,797		9,489	23,033	18,269	73,192	4,272	58,554	65,873	191,989		
40.4277	269,701	129,688		10,359	25,145	19,944	79,902	4,663	63,922	71,912	209,590		
40.4277	292,690	140,743		11,242	27,288	21,644	86,713	5,061	69,370	78,042	227,456		
40.4277	316,024	151,963		12,138	29,464	23,369	93,626	5,464	74,901	84,263	245,589		
	2,440,439	1,173,505		93,736	227,530	180,463	723,010	42,195	578,408	650,709	1,896,515		
Discount rate		0.04											
NPV =		1,637,645											

Local Capture Detail - Breakdown by Taxing Entity

All in: Non-School Tax Capture Millage	All IN Annual Non- School Tax Capture Available	City of Lansing 19.4400 Mills		City of Lansing Library 1.5528	Lansing Community College 3.7692 Mills	CATA 2.9895 Mills	Ingham County 11.9772 Mills	CCRA .699000 Mills	Ingham County 11.9772 Mills (80%/20% Rev. Sharing)	Ingham County 11.9772 Mills (90%/10% Rev. Sharing)	City of Lansing + County		
40.4277	0	0	0	0	0	0	0	0	0	0	0		
40.4277	28,416	13,664		1,091	2,649	2,101	8,419	491	6,735	7,577	22,083		
40.4277	57,471	27,635		2,207	5,358	4,250	17,026	994	13,621	15,324	44,662		
40.4277	87,180	41,921		3,349	8,128	6,447	25,828	1,507	20,662	23,245	67,749		
40.4277	117,557	56,528		4,515	10,960	8,693	34,828	2,033	27,862	31,345	91,356		
40.4277	148,618	71,464		5,708	13,856	10,990	44,030	2,570	35,224	39,627	115,494		
40.4277	180,378	86,736		6,928	16,817	13,338	53,439	3,119	42,751	48,095	140,175		
40.4277	212,852	102,352		8,176	19,845	15,740	63,060	3,680	50,448	56,754	165,412		
40.4277	246,057	118,319		9,451	22,941	18,195	72,897	4,254	58,318	65,608	191,216		
40.4277	280,009	134,645		10,755	26,106	20,706	82,956	4,841	66,365	74,661	217,601		
40.4277	314,725	151,338		12,088	29,343	23,273	93,241	5,442	74,593	83,917	244,580		
40.4277	350,222	168,407		13,452	32,652	25,898	103,758	6,055	83,006	93,382	272,165		
40.4277	386,518	185,861		14,846	36,036	28,582	114,511	6,683	91,609	103,060	300,371		
40.4277	423,631	203,706		16,271	39,496	31,326	125,506	7,325	100,405	112,955	329,212		
40.4277	461,578	221,954		17,729	43,034	34,132	136,748	7,981	109,399	123,073	358,702		
40.4277	500,380	240,612		19,219	46,652	37,001	148,244	8,652	118,595	133,419	388,855		
	3,795,593	1,825,143		145,786	353,875	280,672	1,124,491	65,626	899,593	1,012,042	2,949,634		
Discount rate		0.04											
NPV =		2,541,778											

Airport Auth/CRAA	0.6990	State Education	6.0000	2019 Total
		CADL		76.1308
	40.4277		35.7031	County Total
				11.9772

Resolution #2022-294

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Karl Dorshimer as an At-Large member of the Next Michigan Development Corporation Board for a term to expire April 15, 2024; and

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

WHEREAS, the Committee on Development and Planning met on November 16, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Karl Dorshimer as an At-Large member of the Next Michigan Development Corporation Board for a term to expire April 15, 2024.

Resolution #2022-295

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the reappointment of Shirley Carter-Powell as an At-Large member of the Arts and Culture Commission for a term to expire June 30, 2026; and

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

WHEREAS, the Committee on City Operations met on November 15, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Shirley Carter-Powell as an At-Large member of the Arts and Culture Commission for a term to expire June 30, 2026.

Resolution #2022-296

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the reappointment of Jennie Gies as a City of Lansing member of the Capital Area Transportation Authority Board for a term to expire September 30, 2025; and

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

WHEREAS, the Committee of the Whole met on December 5, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Jennie Gies as a City of Lansing member of the Capital Area Transportation Authority Board for a term to expire September 30, 2025.

Resolution #2022-297

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing and the Capitol City Labor Program Inc., Non-Supervisory Unit have negotiated a collective bargaining agreement (the "CBA") for the period covering July 1, 2022 through June 30, 2026, which is summarized in the Tentative Agreement Document approved by the parties ("Tentative Agreement") and which contains the changes to the prior CBA; and

WHEREAS, the Union membership ratified this agreement on November 21, 2022; and

WHEREAS, the Mayor recommends the CBA, as summarized in the Tentative Agreement, be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the Tentative Agreement of the parties for the CBA between the City of Lansing and the Union, Capitol City Labor Program Inc., Non-Supervisory Unit for the period covering July 1, 2022 through June 30, 2026.

Resolution #2022-298

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing and the Lansing City Unit, Local 2256 of the United Auto Workers have negotiated a collective bargaining agreement (the "CBA") for the period covering October 1, 2022 through September 30, 2026, which is summarized in the Tentative Agreement Document approved by the parties ("Tentative Agreement") and which contains the changes to the prior CBA; and

WHEREAS, the Union membership ratified this agreement on November 30, 2022; and

WHEREAS, the Mayor recommends the CBA, as summarized in the Tentative Agreement, be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the Tentative Agreement of the parties for the CBA between the City of Lansing and the Lansing City Unit, Local 2256 of the United Auto Workers for the period covering October 1, 2022 through September 30, 2026.

Resolution #2022-299

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

**RESOLUTION APPROVING BROWNFIELD PLAN #83
MONEYBALL BROWNFIELD REDEVELOPMENT PROJECT**

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #83 – Moneyball Brownfield Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on November 14, 2022 and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on November 14, 2022 reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$874,000.
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on October 7, 2022, recommended approval of the Plan, for this Project; and

WHEREAS, the City of Lansing Department of Economic Development and Planning has determined the proposed Project is consistent with local development and redevelopment plans and zoning ordinances, and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further

finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and
- The proposed project is consistent with local development and redevelopment plans and zoning ordinances as has also been determined by the City of Lansing Department of Economic Development and Planning.

BE IT FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #83 – Moneyball Brownfield Redevelopment Project'.

Resolution #2022-300

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolution to Establish an Obsolete Property Rehabilitation Act District at 1703, 1717,
and 1723 E. Michigan Avenue, Lansing, MI

WHEREAS, pursuant to PA 146 of 2000, the Obsolete Property Rehabilitation Act (the “Act”), the City of Lansing has the authority to establish “Obsolete Property Rehabilitation Districts” within the City of Lansing; and

WHEREAS, Michigan Certified Development Corporation, hereinafter called the “Developer” has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the “District”) as enabled by the Act, for the properties commonly known as 1703, 1717, and 1723 E. Michigan Avenue, Lansing, Michigan; and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District; and

WHEREAS, it is determined that the District meets the requirements set forth in section 3(1) of PA 146 of 2000; and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on November 14, 2022.

NOW THEREFORE BE IT RESOLVED that the following properties are hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as:

LOTS 4, 5, 6 & 7, ALSO ENTIRE VAC ALLEY LYING ACROSS THIS BLOCK BLOCK 6 RUMSEYS MICHIGAN AVENUE ADD, 33-01-01-15-280-042; LOT 4 ASSESSORS PLAT NO 35, 33-01-01-15-280-071; LOT 3 ASSESSORS PLAT NO 35, 33-01-01-15-280-081, and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council’s approval of any future application for an Obsolete Property Rehabilitation Exemption Certificate for the Developer or any other applicant.

Resolution #2022-301

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate Transfer
221 West Saginaw Street

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), M3 Group, LLC has filed an application for the transfer of an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for the property at 221 W. Saginaw St. Lansing, Michigan (Property); and

WHEREAS, M3 Group, LLC (the Applicant) recently acquired the Property; and

WHEREAS, the Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted November 28, 2016, after a public hearing was held on November 14, 2016, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, an Obsolete Property Rehabilitation Act Certificate by Motion Properties was approved by resolution adopted on November 28, 2016 after a public hearing was held on November 14, 2016, as provided by PA 146 of 2000; and

WHEREAS, an Obsolete Property Rehabilitation Act Certificate was issued by the State Tax Commission to Motion Properties for the 221 W. Saginaw St. property on June 6, 2017 for a period of 12 years, ending December 30, 2029; and

WHEREAS, Motion Properties completed a rehabilitation program for Property which constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the Applicant requests the existing Obsolete Property Rehabilitation Act Certificate be transferred from the previous owner, Motion Properties, to the current owner, M3 Group, LLC; and

WHEREAS, the application is for the remaining period of the OPRA Certificate and under no circumstances or criteria will an extension of the exemption be considered; and

WHEREAS, M3 Group, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the Applicant has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, revitalize urban areas, create employment, retain employment, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption Transfer for the real property, excluding land, located in an Obsolete Property Rehabilitation District at property located at 221 W. Saginaw St., Lansing, Michigan, legally described as LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT, Tax Parcel Number Parcel Number: 33-01-01-16-127-001.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

Resolution #2022-293

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Dr. Thomas Woods as an At-Large member of the Human Relations and Community Services Advisory Board for a term to expire June 30, 2025; and

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

WHEREAS, the Committee on City Operations met on November 15, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Dr. Thomas Woods as an At-Large member of the Human Relations and Community Services Advisory Board for a term to expire June 30, 2025.

Resolution #2022-302

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Code Compliance Officer has determined that the building located at 304 REGENT ST., Parcel # 33-01-01-15-429-401 legally described as N 34 FT LOT 19 BLOCK 2 HUDSONS ADD., City of Lansing, is an unsafe or dangerous building as defined in Section 108.1 of the International Property Maintenance Code as adopted by Lansing Codified Ordinance 1460.01, and the Housing Law of Michigan, and the building was red tagged on January 10, 2018, and again on August 14, 2021; and

WHEREAS, a hearing was held by the Lansing Demolition Board on August 25, 2022, at which the Hearing Officer determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by September 24, 2022; and

WHEREAS, said Hearing Officer filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Codified Ordinances and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Lansing Codified Ordinances require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public show cause hearing on November 14, 2022, to review the findings and the order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred.

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 304 Regent Street, as legally described above, are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 30 days from the date of this resolution, December 5, 2022.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Code Compliance Officer is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED, whether demolition is accomplished by said property owner or the City, that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that if the demolition is accomplished by the City, the cost

of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owner's failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

Resolution #2022-303

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 4580 SEAWAY DR., Parcel # 23-50-40-36-407-011, legally described as: LOT 137 GLENBURNE NO 2, to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on May 7, 2021 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on September 22, 2022, the Lansing Demolition Board held a meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Property Maintenance Code (Ord. 1460.01, et seq.), and ordered the property owner to make safe or demolish the structure by October 22, 2022; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Lansing Codified Ordinances require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that a show cause hearing for Monday, December 12, 2022, at 7:00 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 4580 Seaway Drive, as legally described above, to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Compliance Officer notify the owner(s) of said property of the opportunity to appear and present testimony at the hearing, as required by law.

Resolution #2022-304

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 9, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the request for a special land use permit:

SLU-1-2022: 109 E. Randolph Street, Special Land Use permit authorizing a 20-bed, state-licensed adult foster care, large group home for the aged

Resolution #2022-305

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing is the owner of real property commonly known as the “Lot 48 Richfield Park Sub” (the “Property”) of North Cemetery located at 845 E. Miller Rd, Lansing, Michigan and legally described as:

LOT 48 RICHFIELD PARK, A SUBDIVISION OF A PART OF THE SW 1/4 OF SECTION 3, T3N, R3W, CITY OF LANSING, COUNTY OF INGHAM, STATE OF MICHIGAN, SUBJECT TO ALL BUILDING, USE AND OTHER RESTRICTIONS OF RECORD; and

WHEREAS, sale of the Property is in the best interest of the City because the City will no longer incur the expenses associated with maintaining the Property; and

WHEREAS, the electors of the City of Lansing on the August 2, 2022 ballot voted and approved to sell the property commonly known as “Lot 48 Richfield Park Sub” of North Cemetery currently located on the parcel of property located at 845 E. Miller Rd. in Lansing; and

WHEREAS, the City published a Request for Proposal, RFP/23/026, to purchase the Lot 48 Richfield Park Sub” of North Cemetery on September 26, 2022 which generated one (1) proposal; and

WHEREAS, the proposal that was best able to comply with the terms of the Request for Proposal was received from VMG Construction whose address is 6081 S. MLK Jr. Blvd. Lansing, Michigan, for purchase in the amount of Eight Thousand Five Hundred Dollars (\$8,500.00), subject to the terms of the Request for Proposal, the proceeds of which will go towards upgrading North Cemetery; and

WHEREAS, the offer for this property was higher than the August 9, 2021, appraised value of Eight Thousand Dollars (\$8,000.00); and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the offer by VMG Construction for the City of Lansing.

BE IT FURTHER RESOLVED, the Lansing City Council approves the sale of the Property, legally described as:

LOT 48 RICHFIELD PARK, A SUBDIVISION OF A PART OF THE SW 1/4 OF SECTION 3, T3N, R3W, CITY OF LANSING, COUNTY OF INGHAM, STATE OF MICHIGAN, SUBJECT TO ALL BUILDING, USE AND OTHER RESTRICTIONS OF RECORD.

For the sum of Eight Thousand Five Hundred Dollars (\$8,500.00), to VMG Construction.

BE IT FINALLY RESOLVED, the Administration, on behalf of the City, is hereby authorized to sign and execute all documents, receive the funds, create the necessary accounts, and make necessary transfers for their administration in accordance with the requirements of the grantor to effectuate this transaction, subject to their prior approval as to content and form by the City Attorney.

Resolution #2022-306

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submit a substantial amendment to its FY 2021 Annual Action Plan in order to receive HOME ARP (American Rescue Plan) funds of \$2,784,822 through the submission of a HOME ARP Allocation Plan; and

WHEREAS, this award will give the City of Lansing a significant resource to address the needs of Qualifying Populations by creating affordable housing or non-congregate shelter units, providing tenant based rental assistance (TBRA), or supportive services; and

WHEREAS, these funds will be used to help the following Qualifying Populations: homeless, at-risk of homelessness, those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking, other populations where providing assistance would prevent the family from becoming homeless or would serve those with the greatest risk of housing stability, Veterans and families that include a veteran family member that meet one of the preceding criteria; and

WHEREAS, the City of Lansing must follow, as with other planning documents, its consultation and public participation process to develop a HOME ARP Allocation Plan that meets the requirements as established in HUD Notice CPD-21-10; and

WHEREAS, pursuant to program requirements, the city has conducted a consultation and citizen participation and open review process which has included meetings a public hearing and provided the 15-day comment period; and

WHEREAS, the City has further promoted participation, input and review in the process by conducting two (2) separate virtual consultation meetings on September 15, 2022 before the Continuum of Care and September 16, 2022 before other community stakeholders serving the Qualifying Populations on the proposed use of the HOME ARP funds; and

WHEREAS, the City did also initiate and carry out the required fifteen (15) day public comment period on the proposed HOME ARP Allocation Plan by publishing a notice in the Lansing City Pulse on October 26, 2022; and

WHEREAS, a public hearing was held before the Lansing City Council on November 14th, 2022 to again receive citizen comments and recommendations and to give final review to HOME ARP Allocation Plan; and

WHEREAS, Federal regulations require the City to make certain certifications and assurances to HUD as a part of the HOME ARP Allocation Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the substantial amendment to the City of Lansing's FY2021 Annual Action Plan for the submission of the HOME ARP Allocation Plan, as proposed by the Committee of the Whole; and

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, or his designee is hereby authorized to sign any required documents, including all understandings, assurances and certifications contained therein, and to submit the substantial amendment to the Department of Housing and Urban Development; and

BE IT FINALLY RESOLVED that the Mayor or his designee is authorized, as the official representative of the City of Lansing, to set-up budget line items, provide any and all information, to act in connection with the application and to execute all agreements, contracts and legal documents, including the agreement between the City and the Department of Housing and Urban Development, to secure HOME ARP funding and implement the programs.

Resolution #2022-307

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City Council of the City of Lansing deems it advisable and necessary to provide for the acquisition, construction, operation, and maintenance of a public media center and arts and cultural performance venue, and appurtenant properties and facilities therefor; and

WHEREAS, Act 31 of the Public Acts of Michigan 1948 (First Extra Session), as amended ("Act 31") enables a City to incorporate one or more authorities for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating, and maintaining buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for use for any legitimate public purpose of the City; and

WHEREAS, the City Council deems it advisable and necessary and in the best interest of the City to create and establish an Authority under the provisions of Act 31, for the purpose of accomplishing the aforesaid, to be designated the Lansing Public Media Authority; and

WHEREAS, Articles of Incorporation for the proposed Lansing Public Media Authority under Act 31 have been reviewed by the City Council;

NOW THEREFORE BE IT RESOLVED THAT:

1. The attached Articles of Incorporation of the Lansing Public Media Authority are hereby approved and adopted.
2. The Mayor and City Clerk of the City are hereby authorized and directed to execute the Articles of Incorporation of the Lansing Public Media Authority for and on behalf of the City.
3. The City Clerk shall cause a copy of the Articles of Incorporation of the Lansing Public Media Authority or a summary of the Articles to be published once in a newspaper circulated within the City as provided in Act 31, such publication to be accompanied by a notice that valid incorporation of the Lansing Public Media Authority shall be conclusively presumed unless questioned in a court of competent jurisdiction as provided in Act 31.
4. The City Clerk shall file a certified copy of the executed Articles of Incorporation of the Authority with the County Clerks of the Counties of Ingham and Eaton, and the Secretary of State of the State of Michigan, together with a certificate stating the date and newspaper of publication of the Articles of Incorporation. The City Clerk is hereby authorized and directed to file the originally executed Articles of Incorporation with the recording secretary of the Authority, when selected, and to

take such steps as are necessary under the provisions of State law to perfect the Articles of Incorporation of said authority.

5. All other resolutions and parts of resolutions in so far as they conflict with the provisions of this Resolution are hereby rescinded.

Resolution #2022-308

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

City of Lansing
Counties of Ingham and Eaton, State of Michigan

**RESOLUTION AUTHORIZING ISSUANCE AND SALE OF
LIMITED TAX GENERAL OBLIGATION BONDS**

A RESOLUTION TO APPROVE:

- Up to \$20,000,000 of Limited Tax General Obligation Bonds to finance lawful capital improvement needs of the City;
- Sale of Bonds in one or more series;
- Pledge of City's full faith and credit for the payment of the Bonds;
- Authorized Officers to sell Bonds without further Council action;
- Rating application, official statement, and continuing disclosure; and
- Other matters necessary to sell and deliver the Bonds.

WHEREAS, the City, a municipal corporation of the State, has been duly created under the provisions of Act 279, pursuant to which the City has the comprehensive home rule power conferred upon it by Act 279 and the Constitution, subject only to the limitations on the exercise of that power contained in the Constitution, by statute of the State or by provisions of the Charter; and

WHEREAS, the City determines it to be necessary for the public health, safety and welfare of the City and its residents to acquire and construct within the City certain capital improvements, including a public media and performing arts center, with parking and other necessary appurtenances and infrastructure (collectively, the "Capital Improvements"); and

WHEREAS, under the provisions of Section 517 of Act 34 a City may issue municipal securities to pay the cost of any capital improvement items within the limitations provided by law; and

WHEREAS, staff of the City recommend that issuance by the City of its Capital Improvement Bonds (Limited Tax General Obligation) under Section 517 of Act 34 in an amount not to exceed Twenty Million Dollars (\$20,000,000) (the "Bonds") for the purpose of financing costs of acquisition and construction of the Capital Improvements is the most practical means to that end; and

WHEREAS, it is proposed that the Bonds be limited tax general obligation bonds secured by a pledge of the City's full faith and credit, subject to constitutional, statutory and charter limitations; and

WHEREAS, as additional security for the Bonds, the City anticipates contractually pledging certain public, education and government access facilities and services fees

("PEG Fees") it receives as a franchising entity pursuant to 2006 Michigan Public Act 480 (the Uniform Video Services Local Franchise Act); and

WHEREAS, not less than 45 days prior to the issuance of the Bonds, a notice of intent to issue bonds must be published in accordance with Section 517 of Act 34, a form of which is attached as Exhibit B ("Notice of Intent"), which will provide that the proposed Bonds may be issued without a vote of the electors of the City unless the requisite petitions for an election on the question of the issuance of the Bonds are filed with the Clerk of the City ("City Clerk") within a period of 45 days from the date of publication; and

WHEREAS, Act 34 permits the City to authorize, within limitations which shall be contained in the authorizing resolution of the governing body, an Authorized Officer to sell and deliver and receive payment for obligations, approve interest rates or methods for fixing interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters and procedures necessary to complete the transactions authorized; and

WHEREAS, the City Council of the City ("Council") wishes to authorize an Authorized Officer to sell and deliver and receive payment for the Bonds without the necessity of Council taking further action prior to sale and delivery of the Bonds.

WHEREAS, the Bonds will be issued pursuant to such terms and bear interest at such rates as finally determined at the time of sale of such Bonds in one or more Sale Orders in accordance with the parameters of this Resolution or the terms of a Bond Purchase Agreement; and

WHEREAS, the Council desires to delegate to any Authorized Officer the authority to make certain determinations with respect to the Bonds, if necessary, within the parameters of this Resolution and to take such other actions and make such other determinations as may be necessary to accomplish the sale and delivery of the Bonds and the transactions contemplated by this Resolution, as shall be confirmed in one or more Sale Orders or a Bond Purchase Agreement; and

WHEREAS, the Council wishes to authorize the determination of the method of sale of the Bonds pursuant to a Sale Order, which sale will be by either (a) negotiated sale to one or more underwriters, (b) public/competitive sale or (c) private placement with a designated purchaser; and

WHEREAS, if the Bonds are sold pursuant to a negotiated or public/competitive sale, the Council desires to authorize the submission of disclosure information in connection with the distribution of one or more preliminary official statements (together with any supplements thereto, each a "Preliminary Official Statement") and final official statements (together with any supplements thereto, each an "Official Statement") in connection with the offering for sale of a certain series or all of the Bonds; and

WHEREAS, if the Bonds are sold pursuant to a negotiated or public/competitive sale, it will be required, as a condition precedent to the purchase of the Bonds, that the City agree to provide continuing disclosure as required by Section (b)(5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities and Exchange Act of 1934, as amended; and

WHEREAS, the Bonds may be issued as tax-exempt bonds pursuant to the requirements of the Code, in reliance on the advice of the City's Municipal Advisor and the City's Bond Counsel, each as appointed and defined below.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY THAT:

ARTICLE I

DEFINITIONS AND INTERPRETATION

Section 101. Definitions. The words and terms defined in the preambles and recitals hereof and the following words and terms as used in this Resolution shall have the meanings ascribed therein or herein to them unless a different meaning clearly appears from the context:

"Act 34" means the Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended.

"Act 279" means the Home Rule City Act, Act 279, Public Acts of Michigan, 1909, as amended.

"Authorized Officer" means each of the Mayor, the Deputy Mayor, the City Clerk, the Chief Strategy Officer and the Finance Director of the City.

"Bond Counsel" means Dykema Gossett PLLC, attorneys of Lansing, Michigan.

"Bondholder," "Bondowner," "Owner" or "Registered Owner" means, with respect to any Bond, the person in whose name such Bond is registered in the Bond Registry.

"Bond Insurer" means the issuer of a Municipal Bond Insurance Policy with respect to the Bonds, if any, named in the Sale Order.

"Bond Purchase Agreement" means each bond purchase agreement between the City and the Underwriters or purchaser or purchasers of the Bonds providing for the terms and conditions of the purchase of the Bonds.

"Bond Registry" means the books for the registration of Bonds maintained by the applicable Transfer Agent.

"Bonds" means the City's 2022 or 2023 Limited Tax General Obligation Bonds, issued in one or more series, as authorized by Article III of this Resolution.

“Bonds Maximum Interest Rate” means a rate of interest not to exceed the maximum rate permitted by law.

“Bonds Maximum Principal Amount” means an amount not to exceed twenty million dollars (\$20,000,000).

“Capital Improvement Fund” means the fund so designated and established under Section 501 hereof.

“Charter” means the Home Rule Charter of the City, as amended from time to time.

“City” means the City of Lansing, Counties of Ingham and Eaton, State of Michigan.

“Code” means the Internal Revenue Code of 1986, as amended.

“Constitution” means the Constitution of the State of Michigan of 1963, as amended.

“Council” means the City Council of the City of Lansing, Michigan.

“Debt Retirement Fund” means the fund so designated and established under Section 501 hereof.

“Fiscal Year” means the fiscal year of the City as in effect from time to time.

“Interest Payment Date” has the meaning given such term in Section 303.

“Mayor” means the mayor of the City or his designee.

“Municipal Advisor” means Robert W. Baird & Co. Incorporated, Lansing, Michigan.

“Municipal Bond Insurance Policy” means one or more policies of municipal bond insurance, if any, issued by the Bond Insurer insuring the payment when due of the principal of and interest on the Bonds determined to be insured as set forth in a Sale Order.

“Non-Arbitrage and Tax Compliance Certificate” means each Non-Arbitrage and Tax Compliance Certificate of the City regarding rebate requirements and other tax responsibilities of the City relating to the Bonds under the Code.

“Regular Record Date” has the meaning given such term in Section 303.

“Resolution” means this Resolution, as supplemented by one or more Sale Orders.

“Sale Order” means the order or orders executed by an Authorized Officer approving the sale of any series of Bonds and making certain determinations and/or confirming the final details of such Bonds upon the sale thereof in accordance with the parameters of this Resolution and the terms of the Bond Purchase Agreement.

“State” means the State of Michigan.

“Transfer Agent” means a bank or trust company to be selected by an Authorized Officer of the City to serve as the transfer agent or paying agent.

“Underwriters” means such underwriter or underwriters as shall be designated in the Sale Order.

Section 102. Interpretation. (a) Words of the feminine or masculine genders include the correlative words of the other gender or the neuter gender.

(b) Unless the context shall otherwise indicate, words importing the singular include the plural and vice versa, and words importing persons include corporations, associations, partnerships (including limited partnerships), trusts, firms and other legal entities, including public bodies, as well as natural persons.

(c) Articles and Sections referred to by number mean the corresponding Articles and Sections of this Resolution.

(d) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms as used in this Resolution, refer to this Resolution as a whole unless otherwise expressly stated.

ARTICLE II DETERMINATIONS

Section 201. Authorization of Bonds: Finding and Declaration of Need to Borrow. The Council hereby finds and declares that it is necessary for the City to borrow hereunder such sum as shall be determined by an Authorized Officer not in excess of the Bonds Maximum Principal Amount and to evidence such borrowing by the issuance of the Bonds not in excess, in aggregate principal amount, of such Bonds Maximum Principal Amount, pursuant to the Charter and in accordance with the provisions hereof, for the purpose of paying all or part of the costs of acquiring and constructing the Capital Improvements, including the costs incidental to the issuance, sale and delivery of the Bonds, all as finally confirmed by an Authorized Officer in the Sale Order.

The Bonds shall consist of bonds in fully-registered form in denominations of \$5,000, or integral multiples thereof, or in minimum denominations of \$100,000 and \$5,000 additional integral multiples thereof, not exceeding for each maturity the maximum principal amount of that maturity, numbered as determined by the Transfer Agent (as hereinafter defined). The Bonds shall bear interest at the rates determined upon sale of the Bonds but in any event the net interest cost of any Tax-Exempt Bonds (as defined

below) shall not exceed 6.00% per annum and the net interest cost of any Taxable Bonds (as defined below) shall not exceed 9.00% per annum. The Bonds shall bear interest, mature as serial bonds, term bonds or drawdown bonds, and be payable at the times and in the manner as may be determined by the Authorized Officer in a Sale Order at the time of sale of the Bonds. The Bonds shall be dated as of the date of delivery thereof or as may be otherwise determined by the Authorized Officer at the time of sale of the Bonds. The Bonds may be subject to redemption prior to maturity at the times and prices and in the manner as may be determined by the Authorized Officer at the time of sale of the Bonds.

The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form, and to make such changes in the form of the Bonds within the parameters of this resolution as may be required to accomplish the foregoing.

Interest on the Bonds shall be payable to the registered owner of record as of the fifteenth (15th) day of the month prior to the payment date for each interest payment. The record date of determination of registered owners for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable by check or draft drawn on the Transfer Agent mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the Transfer Agent. The principal of the Bonds shall be payable upon presentation and surrender of such Bonds to the Transfer Agent. Notwithstanding the foregoing, if the Bonds are held in book-entry form by DTC, payment shall be made in the manner prescribed by DTC.

The Authorized Officer is hereby authorized to appoint a bank or trust company to act as bond registrar, paying agent and transfer agent (the "Transfer Agent") for the Bonds. The Authorized Officer is hereby authorized to execute one or more agreements with the Transfer Agent on behalf of the City. The City reserves the right to replace the Transfer Agent at any time, provided written notice of such replacement is given to the registered owners of record of the Bonds not less than sixty (60) days prior to an interest payment date.

ARTICLE III

AUTHORIZATION; PLEDGE; SECURITY; DESIGNATIONS; REDEMPTION OF THE BONDS

Section 301. Limited Tax Pledge; Security. (a) The City hereby irrevocably pledges its limited tax full faith and credit for the prompt payment of the Bonds. The Bonds will be a first budget obligation of the City, payable from the general funds of the City including the collection of ad valorem taxes on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations. The City shall levy annually ad valorem taxes on all the taxable property in the City which, taking into consideration estimated delinquencies in tax collections, shall be fully sufficient to pay the

principal and interest on the Bonds; provided, however, that if at the time of making any such tax levy there shall be other legally available funds for the payment of principal of and interest on the Bonds, then credit therefor may be taken against the levy for payment of the Bonds. The rights or remedies of Bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

(b) Each Authorized officer is authorized to further contract for or otherwise obligate the PEG Fees toward payment of the Bonds

(c) Each Authorized Officer is hereby authorized to negotiate and execute any indenture or indentures, or agreements as shall be deemed necessary by an Authorized Officer and confirmed in a Sale Order for and on behalf of the City, to provide for the pledge of security and otherwise to secure payment of the Bonds.

Section 302. Tax-Exempt Bonds; Taxable Bonds. The Authorized Officers are each hereby authorized and directed to determine whether all or any portion of the Bonds shall be sold as: (i) Bonds the interest on which is excluded from gross income for federal income tax purposes ("Tax-Exempt Bonds"), or (ii) taxable Bonds the interest on which, if any, is included in gross income for federal income tax purposes under the Code ("Taxable Bonds"), or any combination thereof.

Section 303. Designations, Dates, Interest Rates, Maturities, Redemption and Other Terms of the Bonds.

(a) The Bonds shall be issued in one or more series to be designated as "LIMITED TAX GENERAL OBLIGATION BONDS", or such other designation determined by an Authorized Officer. The Bonds shall further bear a series designation corresponding to the year of issuance and other necessary identifying information as shall be provided in the Sale Order; shall be issued in fully registered form as serial bonds, term bonds, a combination thereof, or as a single instrument bond, as provided in the Sale Order. Each series of Bonds shall be dated and issued in authorized denominations all as determined in the Sale Order.

(b) In making the determinations set forth in this Resolution with respect to the Sale Order, the Authorized Officers shall be limited to the parameters as follow:

(1) The first maturity date or mandatory sinking fund redemption date for each series of the Bonds shall not be later than five (5) years from the date of issuance; and the final maturity dates for the Bonds shall not be later than the earlier of (i) the last year of the weighted average estimated period of usefulness of the Capital Improvements or (ii) 30 years.

(2) To the extent permitted by applicable law, the Bonds may be sold with an original issue premium or original issue discount in an amount as determined by an Authorized Officer.

(3) The maximum rate of interest on the Bonds shall not exceed the Bonds Maximum Interest Rate.

(c) The Bonds shall mature on such dates and shall bear interest at such rates on a fixed and/or variable and tax-exempt or taxable basis not in excess of the legal limit, and payable on such dates (each an "Interest Payment Date"), all as shall be provided in a Sale Order. Unless otherwise provided by an Authorized Officer in a Sale Order, interest on the Bonds shall be calculated on the basis of a 360-day year consisting of twelve 30-day months. The Bonds shall be payable as to principal and interest in lawful money of the United States of America.

(d) Except as may be otherwise provided by an Authorized Officer in a Sale Order, interest on the Bonds shall be payable on each Interest Payment Date to the Registered Owner of record as of the 15th day of the month, whether or not a Business Day (a "Regular Record Date"), prior to each Interest Payment Date. Interest on the Bonds shall be payable to such Registered Owners by check or draft drawn on the Transfer Agent on each Interest Payment Date and mailed by first class mail or, upon the written request of the Owner of \$1,000,000 or more in aggregate principal amount of Bonds (with complete wiring instructions no later than the Regular Record Date for such Interest Payment Date), by wire transfer by the Transfer Agent to such Owner. Such a request may provide that it will remain in effect with respect to subsequent Interest Payment Dates unless and until changed or revoked at any time prior to a Regular Record Date by subsequent written notice to the Transfer Agent.

(e) The principal of the Bonds shall be payable to the Owners of the Bonds upon the presentation of the Bonds to the Transfer Agent at the principal corporate trust office of the Transfer Agent. If the Bonds are held in book-entry form by the Depository Trust Company in New York, New York ("DTC"), payment shall be made in the manner prescribed by DTC

(f) The Bonds may be subject to redemption and/or tender for purchase prior to maturity or shall not be subject thereto, upon such terms and conditions as shall be provided by an Authorized Officer in the Sale Order delivered in connection with the Bonds.

Unless waived by any Registered Owner of the Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates, CUSIP numbers, if any; certificate numbers, and in the case of partial redemption, the called amounts of each certificate; the redemption date; the redemption price or premium; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time,

but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

(g) An Authorized Officer, after consultation with Bond Counsel and the Municipal Advisor, may designate and issue the Bonds as “qualified tax-exempt obligations” for purposes of interest expense by financial institutions as defined in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”).

Section 304. Execution, Authentication and Delivery of Bonds. The Bonds shall be executed in the name of the City by the manual or facsimile signatures of the Authorized Officers and authenticated by the Transfer Agent, or a trustee if an indenture is executed in connection with the issuance of the Bonds, and the seal of the City (or a facsimile thereof), if applicable, shall be impressed or imprinted on the Bonds. After the Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered to the purchasers thereof upon receipt of the purchase price. If the Bonds are not authenticated, then at least one signature on the Bonds shall be a manual signature. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Authorized Officer.

Section 305. Mutilated, Destroyed, Stolen or Lost Bonds. (a) Subject to the provisions of Act 354, Public Acts of Michigan, 1972, as amended, and any other applicable law, if (i) any mutilated Bond is surrendered to the City, and the City receives evidence to its satisfaction of the destruction, loss or theft of any Bond and (ii) there is delivered to the City such security or indemnity as may be required by it to save the City harmless, then, in the absence of notice to the City that such Bond has been acquired by a bona fide purchaser, the City shall execute and deliver in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding.

(b) If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the City in its discretion may, instead of issuing a new Bond, pay such Bond.

(c) Any new Bond issued pursuant to this section in substitution for a Bond alleged to be mutilated, destroyed, stolen or lost shall constitute an original additional contractual obligation on the part of the City, and shall be equally secured by and entitled to equal proportionate benefits with all other Bonds of like tenor issued under this Resolution.

Section 306. Form of the Bonds. The Bonds shall be in substantially the following form with such insertions, omissions, substitutions and other variations as shall not be inconsistent with this Resolution or permitted by the Sale Order or as approved by an Authorized Officer and Bond Counsel:

[Remainder of page intentionally left blank]

[Form of Bond]

United States of America
State of Michigan
Counties of Ingham and Eaton

CITY OF LANSING
[2022/2023] LIMITED TAX GENERAL OBLIGATION BOND

Interest Rate Date of Maturity Date of Original Issue CUSIP

Registered Owner:

Principal Amount: _____ Dollars (\$_____)

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on _____ 1, 20__ and semiannually thereafter. Principal of this bond is payable at the corporate trust office of _____, _____, _____, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address.

The limited tax full faith, credit and resources of the City are pledged for the payment of the Bonds of this issue, and the City has pledged that it shall pay the principal of and interest on the Bonds of this issue as they mature as a first budget obligation from its general fund and, after taking into account funds which the City may have legally available for payment of principal of and interest on the Bonds of this issue, shall levy annually ad valorem taxes on all taxable property in the City sufficient to pay the principal

of and interest on the Bonds of this issue subject to applicable constitutional, statutory, and charter tax rate limitations.

Additionally, the City has committed certain public, education and government access facilities and services fees ("PEG Fees") it receives as a franchising entity pursuant to 2006 Michigan Public Act 480 (the Uniform Video Services Local Franchise Act) toward payment of the principal of and interest on the Bonds, to the extent such funds continue to be available.

[This bond is one of a series of [2022/2033] Limited Tax General Obligation Bonds (the "Bonds") aggregating the principal sum of \$ _____, issued for the purpose of acquiring, constructing and installing within the City certain capital improvements, including a public media and performing arts center, with parking and other necessary appurtenances and infrastructure (collectively, the "Capital Improvements"), [paying capitalized interest] and paying costs incidental to the issuance of the Bonds.]

Bonds of this issue maturing in the years 20__ to _____, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$[5,000] maturing in the year _____ and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after _____ 1, _____, at par and accrued interest to the date fixed for redemption.

[Insert any term bond provisions, if applicable]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given by the Transfer Agent to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof. Bonds shall be called for redemption in multiples of \$5,000, and bonds of denominations of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bonds by \$5,000, and such bonds may be redeemed in part. The notice of redemption for bonds redeemed in part shall state that, upon surrender of the bond to be redeemed, a new bond or bonds in the same aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof with the same interest rate and maturity. No further interest on bonds or portions of bonds called for redemption shall accrue after the date fixed for redemption, whether the bonds have been presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bonds or portion thereof.]

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed. The Transfer Agent shall require the bondholder requesting the transfer to pay any tax or other governmental charge required to be paid with respect to the transfer. [The Transfer Agent shall not be required to issue, register the transfer of, or exchange any bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of bonds selected for redemption and ending at the close of business on the day of that mailing.]

This bond, including the interest thereon, is payable as a first budget obligation of the City from the general funds of the City including the collection of ad valorem taxes on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Lansing by authority of its City Council, has caused this bond to be signed for and on its behalf and in its name by the manual or facsimile signatures of the Mayor and Clerk of the City, and the official seal of the City or a facsimile thereof to be impressed or printed hereon, all as of the Date of Original Issue.

CITY OF LANSING

Counties of Ingham and Eaton
State of Michigan

By _____

Its Mayor

(SEAL)

Countersigned:

By _____

Its City Clerk

Certificate of Authentication

This bond is one of the bonds described in the within-mentioned resolution.

_____, Michigan
Transfer Agent

By _____
Its: Authorized Signature

Date of Authentication: _____, [2022/2023]

Section 311. Sale of Bonds to Underwriters or Direct Purchaser. Any series of Bonds may, if deemed appropriate by an Authorized Officer, be sold to (i) the Underwriters pursuant to a Bond Purchase Agreement or (ii) a bank or other financial institution qualified by law to purchase and take delivery of such Bonds for its own investment, pursuant to a purchase contract, in which case (A) such purchaser shall deliver an investor letter in a form acceptable to an Authorized Officer and (B) the City's obligations hereunder relating to the Preliminary Official Statement, Official Statement and Undertaking (as defined below) may not apply.

ARTICLE IV SPECIAL COVENANTS

Section 401. Reimbursement. For the purposes of complying with the reimbursement rules of Treasury Regulations 1.150-2 pursuant to the Code, the City reasonably expect to reimburse itself for expenditures for the costs of the Capital Improvements with proceeds of Bonds.

Section 402. Tax Exemption Covenant for Tax-Exempt Bonds. The City covenants that it will not take any action, or fail to take any action required to be taken, if taking such action or failing to take such action would adversely affect the general exclusion from gross income of interest on any Tax-Exempt Bonds, from federal income taxation under the Code.

Section 403. Arbitrage Covenant. (a) The City will not directly or indirectly (1) use or permit the use of any proceeds of any Tax-Exempt Bonds or other funds of the City or (2) take or omit to take any action required by Section 148(a) of the Code in order to maintain the exclusion from gross income of the interest on any Tax-Exempt Bonds for federal income tax purposes. To that end, the City will comply with all requirements of Section 148 of the Code to the extent applicable to the Bonds and the requirements set forth in the Non-Arbitrage and Tax Compliance Certificate of the City.

(b) Without limiting the generality of subsection (a), above, the City agrees that there shall be paid by the City from time to time all amounts, if any, required to be rebated to the United States pursuant to Section 148(f) of the Code. This covenant shall survive payment in full or defeasance of the Tax-Exempt Bonds.

(c) Notwithstanding any provision of this Section, if the City obtains an opinion of Bond Counsel to the effect that any action required under this Section is no longer required, or that some further action is required, to maintain the exclusion from gross income of the interest of any Tax-Exempt Bonds for federal income tax purposes pursuant to Section 103 of the Code, the City may conclusively rely on such opinion in complying with the provisions hereof.

ARTICLE V

BONDS FUNDS AND ACCOUNTS; DISPOSITION OF BONDS PROCEEDS

Section 501. Establishment of Accounts and Funds. (a) Each Authorized Officer is hereby authorized to establish such accounts, subaccounts or other funds as shall be required for the payment of the Bonds, and for the payment of the Capital Improvements, including but not limited to, with such modifications or additions to facilitate the identification of such accounts, subaccounts or other funds:

- A. Debt Retirement Fund; and
- B. Capital Improvement Fund.

Each Authorized Officer is hereby authorized to establish such accounts, subaccounts or funds as shall be required for the issuance and delivery of the Bonds, if any, to accommodate the requirements of such series of Bonds, including, but not limited to, such accounts, subaccounts or funds necessary to facilitate the purchase and payment of variable rate bonds. Each Authorized Officer is hereby authorized to allocate any net original issue premium, if any, received upon the sale of the Bonds to such accounts and in such amounts as permitted by applicable law.

Section 502. Debt Retirement Fund. An Authorized Officer is authorized and directed to open a separate depository or trust account with a bank or trust company to be designated as the [2022/2023] CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) DEBT RETIREMENT FUND (the "Debt Retirement Fund"). The Debt Retirement Fund may be pooled or combined with other debt retirement funds for issues of bonds of like character as provided by Act 34 or other state law. An amount sufficient to assure timely payment of the principal of and interest on the Bonds shall be transferred each year into the Debt Retirement Fund from the general fund of the City or other funds legally available therefor. The moneys deposited in the fund shall be used solely for the purpose of paying the principal of and interest on the Bonds and, as may be necessary, to rebate arbitrage earnings, if any, to the United States Department of Treasury as required by the Internal Revenue Code of 1986, as amended. The accrued interest and premium, if any, received upon delivery of the Bonds shall also be deposited in the Debt Retirement Fund.

The City may provide for the payment of principal of any of the Bonds issued as term bonds through the purchase of municipal securities in the open market at a price not greater than that payable on the next redemption date in order to satisfy all or part of the next succeeding scheduled mandatory redemption.

Section 503. Capital Improvement Fund. The City Treasurer is authorized and directed to create a fund designated as the [2022/2023] CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) CAPITAL IMPROVEMENT FUND (the "Capital Improvement Fund"). The City Treasurer shall deposit the proceeds of the Bonds into the Capital Improvement Fund, less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Capital Improvement Fund shall be used to pay the costs of the Capital Improvements and to pay the costs of

issuance of the Bonds. Moneys remaining in the Capital Improvement Fund after completion of the Capital Improvements may be used for any purpose permitted by law.

Section 504. Investment of Monies in the Bonds Funds and Accounts. (a) An Authorized Officer shall direct the investment of monies on deposit in the funds and accounts established hereunder, and the Transfer Agent, upon written direction or upon oral direction promptly confirmed in writing by an Authorized Officer, shall use its best efforts to invest monies on deposit in the funds and accounts in accordance with such direction.

(b) Monies on deposit in the funds and accounts established under this Article V may be invested in such investments and to the extent permitted by applicable law.

ARTICLE VI DEFEASANCE

Section 601. Defeasance. Bonds shall be deemed to be paid in full upon the deposit in trust of cash or direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, or any combination thereof, not redeemable at the option of the issuer thereof, the principal and interest payments upon which, without reinvestment thereof, will come due at such times and in such amounts, as to be fully sufficient to pay when due, the principal of such Bonds and interest to accrue thereon, as confirmed by a verification report prepared by an independent certified public accountant. Such cash and securities representing such obligations shall be deposited with a bank or trust company and held for the exclusive benefit of the Owners of such Bonds. After such deposit, such Bonds shall no longer be entitled to the benefits of this Resolution (except for any rights of transfer or exchange of Bonds as therein or herein provided for) and shall be payable solely from the funds deposited for such purpose and investment earnings, if any, thereon, and the lien of this Resolution for the benefit of such Bonds shall be discharged.

ARTICLE VII OTHER PROVISIONS OF GENERAL APPLICATION

Section 701. Credit Enhancement. There is hereby authorized to be obtained a Municipal Bond Insurance Policy or other credit enhancement or a combination thereof to secure the payment of all or part of the Bonds, if, and provided that, it shall be determined by an Authorized Officer that such cost of such Municipal Bond Insurance Policy or other credit enhancement or a combination thereof is less than the interest rate savings therefrom or otherwise that it is in the best interest of the City. In the event a commitment for a Municipal Bond Insurance Policy is obtained or a commitment for other credit enhancement is obtained, each Authorized Officer is hereby authorized to approve the terms, perform such acts and execute such instruments that shall be required, necessary or desirable to effectuate the terms of such commitment and the transactions described therein and in this Resolution and the Sale Order provided that such terms are not materially adverse to the City.

Section 702. Approval of Other Documents and Actions; Treasury Approval. The Authorized Officers and any other officers or employees of the City are hereby authorized and directed on behalf of the City to take any and all other actions, perform any and all acts, including causing the publication of the Notice of Intent, and execute any and all documents that shall be required, necessary or desirable to implement this Resolution. The Bonds shall neither be sold nor issued unless and only so long as the issuance of the Bonds as provided herein shall have been authorized and approved in accordance with the applicable provisions of Act 34 and Act 279.

Each Authorized Officer is hereby authorized to do and perform any and all acts and things with respect to the Bonds which are necessary and appropriate, consistent with this Resolution, including to pay the related fees, if any, to the Michigan Department of Treasury (the "Department") at his or her discretion under Act 34 for an Order or Orders of Approval to issue all or a portion of the Bonds; to file applications with the Department for a waiver of the investment grade rating requirement; to enter into one or more dealer-manager agreements, remarketing agreements, indentures, letters of credit and reimbursement agreements, to seek such waivers or other Department approvals as necessary to implement the sale, delivery and security for the Bonds, and as required by the Department and Act 34; to pay any post-closing filing fees required by Act 34 to the Department or other specified agency, as a cost of issuance or from other legally available funds; to secure ratings by bond rating agencies, if cost effective; to negotiate and acquire a Municipal Bond Insurance Policy and/or other credit enhancement, if any, to further secure the Bonds or any portions thereof; to acquire an irrevocable surety bond to fulfill the City's obligation to fund any reserve account; and to incur and pay reasonable fees, costs and expenses incidental to the foregoing and other costs of issuance of the Bonds including, but not limited to fees and expenses of Bond Counsel, the Municipal Advisor, accountants and others, from Bond proceeds or other available funds, for and on behalf of the City.

Section 703. Continuing Disclosure Undertaking. If the Bonds are sold pursuant to a negotiated or public/competitive sale, or as otherwise required, the City shall enter into a continuing disclosure undertaking pursuant to Rule 15c2-12 promulgated by the Securities and Exchange Commission (the "Rule") for the benefit of the holders and beneficial owners of the Bonds as to which the Rule is applicable, as more specifically set forth in Exhibit A hereto (the "Undertaking"); provided, however, that the terms of the Undertaking are subject to completion and modification prior to delivery of the Bonds to such extent as an Authorized Officer shall deem necessary to comply with law or market requirements of the Underwriters. Each Authorized Officer is hereby authorized to execute and deliver the Undertaking after completion and modification as provided in this Resolution and the Sale Order.

Section 704. Delegation to Authorized Officers. (a) Prior to the sale date or dates for the Bonds, an Authorized Officer may cause the preparation and approve the form and distribution of necessary City disclosure for any Preliminary Official Statement or Official Statement and other offering materials to be used in conjunction with the sale or offering of the Bonds, and an Authorized Officer may deem the City's disclosure "final" for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

(b) Pursuant to the authority of Section 315(1)(d) of Act 34, each Authorized Officer is hereby authorized to make the following determinations with respect to the Bonds within the parameters of this Resolution: (i) to determine the principal amounts of the Bonds to be issued on a fixed or variable interest rate basis and tax exempt or taxable basis; (ii) to determine the interest rate provisions, tender and other requirements for Bonds issued on a variable rate basis; (iii) to negotiate the terms for the sale of the Bonds to the Underwriters or other purchasers; (iv) to cause the Preliminary Official Statement and the final Official Statement for the Bonds to be prepared and circulated; and (v) to take such other actions and make such other determinations as may be necessary to accomplish the sale and delivery of the Bonds and the transactions contemplated by this Resolution, as shall be confirmed in the Sale Order.

(c) Except as otherwise provided herein, all determinations and decisions of an Authorized Officer with respect to the issuance and sale of the Bonds as permitted or required by this Resolution shall be confirmed in a Sale Order or Sale Orders, and such confirmations shall constitute determinations that any conditions precedent to such determinations and decisions of any Authorized Officer have been fulfilled.

Section 705. Approving Legal Opinions with Respect to the Bonds. The sale of the Bonds shall be conditioned upon receiving, at the time of delivery, the approving opinion of Bond Counsel, approving legality of the Bonds and, with respect to Bonds determined by an Authorized Officer to be issued as Tax-Exempt Bonds, the exclusion from gross income of the interest paid thereon from federal and State income taxation only.

Section 706. Method of Sale; Award. (a) The Bonds shall be sold at a negotiated sale described in subsection (b) below, or shall be sold at a public sale following the publication of an Official Notice of Sale as described in (c), below, all as shall be determined by an Authorized Officer to be in the best interests of the City based on the recommendation of Bond Counsel and the Municipal Advisor.

(b) *Negotiated Sale.* In order to optimize the interest rate upon the issuance of the Bonds and in order to provide flexibility with respect to the sale date for the Bonds, the Bonds are authorized to be sold via a negotiated sale or private placement, based on recommendations of Bond Counsel and the Municipal Advisor.

(c) *Public Sale.* If an Authorized Officer, based on recommendations of Bond Counsel and the Municipal Advisor, determines that it is in the best interests of the City to sell the Bonds at a public sale, then each Authorized Officer is authorized and directed to fix the date of sale of the Bonds and to publish an Official Notice of Sale relating to the Bonds in substantially the form attached as Exhibit C (the "Official Notice of Sale"), in accordance with law, once in either The Bond Buyer or other newspaper of general circulation at least seven days prior to the date fixed for receipt of bids for the purchase of the Bonds. The Authorized Officers, and each of them individually, are hereby authorized to act for and on behalf of the City to receive bids for the purchase of the

Bonds and to take all other steps necessary in connection with the sale, award and delivery thereof.

Section 707. Delivery of Bonds. Subject to the provisions of the Sale Order, each Authorized Officer is hereby authorized to deliver the Bonds to the Underwriters upon receiving the purchase price therefor in lawful money of the United States.

Section 708. Official Statement. Each Authorized Officer is hereby authorized to execute the Official Statement or other offering materials with respect to the Bonds in the form approved by an Authorized Officer with such changes as an Authorized Officer may authorize. Such Official Statement or other offering materials to be used in conjunction with the sale or offering of the Bonds are hereby authorized to be printed and used by the Underwriters in connection with the sale of the Bonds to the public. Circulation of the Preliminary Official Statement, if any, or other preliminary offering materials by the Underwriters is hereby approved.

Section 709. Appointment of Bond Counsel, Municipal Advisor; Engagement of Other Parties. The appointment of the law firm of Dykema Gossett PLLC of Lansing, Michigan, as Bond Counsel for the Bonds is hereby ratified and confirmed, notwithstanding the periodic representation by Dykema Gossett PLLC in unrelated matters of other parties and potential parties to the issuance of the Bonds. The fees and expenses of Bond Counsel and other accumulated bond-related fees and expenses shall be payable as a cost of issuance from proceeds of the Bonds or other available funds in accordance with the letter of such firm on file with the City.

The appointment of Robert W. Baird & Co. Incorporated as Municipal Advisor for the Bonds is hereby ratified and confirmed. The fees and expenses of the Municipal Advisor and other accumulated bond related fees and expenses shall be payable as a cost of issuance from proceeds of the Bonds or other available funds in accordance with the letter of such firm on file with the City.

Each Authorized Officer is hereby authorized to engage other necessary professionals as he or she deems necessary and appropriate in connection with the sale, issuance and delivery of the Bonds and to pay the fees and expenses thereof from the proceeds of the Bonds or other available funds.

Section 710. No Recourse Under Resolution. All covenants, agreements and obligations of the City contained in this Resolution shall be deemed to be the covenants, agreements and obligations of the City and not of any councilperson, member, officer or employee of the City in his or her individual capacity, and no recourse shall be had for the payment of the principal of or interest on the Bonds or for any claim based thereon or on this Resolution against any councilperson, member, officer or employee of the City or any person executing the Bonds in his or her official individual capacity.

Section 711. Severability. If any one or more sections, clauses or provisions of this Resolution shall be determined by a court of competent jurisdiction to be invalid or

ineffective for any reason, such determination shall in no way affect the validity and effectiveness of the remaining sections, clauses and provisions hereof.

Section 712. Cover Page, Table of Contents and Article and Section Headings. The cover page, table of contents and Article and Section headings hereof are solely for convenience of reference and do not constitute a part of this Resolution, and none of them shall affect its meaning, construction or effect.

Section 713. Conflict. All resolutions or parts of resolutions or other proceedings of the City in conflict herewith shall be and the same hereby are repealed insofar as such conflict exists.

Section 714. Governing Law and Jurisdiction. This Resolution shall be governed by and construed in accordance with the laws of the State.

Section 715. Resolution and Sale Order are a Contract. The provisions of this Resolution and the Sale Order shall constitute a contract between the City, the Bondholders and the Bond Insurer, if any.

Section 716. Effective Date. This Resolution shall take effect immediately upon its adoption by the Council.

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN) ss.

COUNTIES OF INGHAM AND EATON)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regularly scheduled meeting of the City Council of the City of Lansing, Michigan held on the 5th day of December, 2022 and said resolution is on file in the office of the City of Lansing and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting of at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the City's Charter. The members of the City Council present at the meeting constituted a quorum.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 9th day of December, 2022

Chris Swope, City Clerk
City of Lansing, Michigan

EXHIBIT A
FORM OF CONTINUING DISCLOSURE UNDERTAKING

This Continuing Disclosure Undertaking (the “Undertaking”) is executed and delivered by the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the “City”) in connection with the issuance of its [] (the “Bonds”). The City covenants and agrees for the benefit of the Bondholders, as hereinafter defined, as follows:

(a) *Definitions.* The following terms used herein shall have the following meanings:

“Audited Financial Statements” means the City’s audited financial statements prepared by an individual or firm of independent certified public accountants as required by Act 2, Public Acts of Michigan, 1968, as amended, which presently requires preparation in accordance with generally accepted accounting principles.

“Bondholders” shall mean the registered owner of any Bond or any person (a) with the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including any person holding a Bond through a nominee, depository or other intermediary) or (b) treated as the owner of any Bond for federal income tax purposes.

“City” means the City of Lansing, Counties of Ingham and Eaton, State of Michigan.

“Disclosure Representative” means the Finance Director of the City or her designee, or such other officer, employee, or agent as the City shall designate from time to time in writing.

“EMMA” shall mean the MSRB’s Electronic Municipal Market Access System.

“MSRB” means the Municipal Securities Rulemaking Board.

“Rule” means Rule 15c2-12 promulgated by the SEC pursuant to the Securities Exchange Act of 1934, as amended.

“SEC” means the United States Securities and Exchange Commission.

“Unaudited Financial Statements” means the same as Audited Financial Statements, except that they shall not have been audited by an individual or firm of independent certified public accountants.

(b) *Continuing Disclosure.* The City hereby agrees, in accordance with the provisions of the Rule, to provide or cause to be provided to the MSRB through EMMA, on or before the last day of the sixth (6th) month following the end of the fiscal year of

the City, commencing with the fiscal year ended June 30, 2019, in an electronic format as prescribed by the MSRB:

- (1) Certain annual financial information and operating data reasonably available to the City in form and substance similar to the information appearing in the sections or tables in the [Main Body and Appendix #] of the Official Statement relating to the Bonds as described below:

[TO BE CONFORMED TO HEADINGS USED IN APPLICABLE OFFICIAL STATEMENT]

- a. Appendix A - GENERAL FINANCIAL INFORMATION - Property Valuations - Historical Valuation;
 - b. Appendix A - GENERAL FINANCIAL INFORMATION - Major Taxpayers;
 - c. Appendix A - GENERAL FINANCIAL INFORMATION - Tax Rates (Per \$1,000 of Valuation);
 - d. Appendix A - GENERAL FINANCIAL INFORMATION - Tax Levies and Collections;
 - e. Appendix A - GENERAL FINANCIAL INFORMATION - City Income Tax;
 - f. Appendix A - GENERAL FINANCIAL INFORMATION - Revenues From the State of Michigan;
 - g. Appendix A - GENERAL FINANCIAL INFORMATION - Labor Force;
 - h. Appendix A - GENERAL FINANCIAL INFORMATION - Pension Fund;
 - i. Appendix A - GENERAL FINANCIAL INFORMATION - Debt Statement - Direct Debt; and
 - j. Appendix B - General Fund Budget Summary.
- (2) The Audited Financial Statements. Provided, however, that if the Audited Financial Statements are not available by the date specified above, they shall be provided when available and unaudited financial statements will be filed by such date and the Audited Financial Statements will be filed as soon as available.
 - (3) Such additional financial information or operating data as may be determined by the City and its advisors as desirable or necessary to comply with the Rule.

Such annual financial information and operating data described above are expected to be provided directly by the City or by specific reference to other documents

available to the public through EMMA or filed with the SEC, including official statements of debt issues of the City or related public entities.

If the fiscal year of the City is changed, the City shall send notice of such change to the MSRB through EMMA prior to the earlier of the ending date of the fiscal year prior to such change or the ending date of the fiscal year as changed.

(c) *Notice of Failure to Disclose.* The City agrees to provide or cause to be provided, in a timely manner, to the MSRB through EMMA, notice of a failure by the City to provide the Annual Financial Information with respect to the City described in subsection (b) above on or prior to the dates set forth in subsection (b) above.

(d) *Occurrence of Events.* The City agrees to provide or cause to be provided in a timely manner to the MSRB through EMMA, notice of the occurrence of any of the following events listed in (b)(5)(i)(C) of the Rule with respect to the Bonds, if applicable, if material (each a “Material Event”):

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) modifications to rights of holders of the Bonds;
- (8) Bond calls;
- (9) defeasances;
- (10) release, substitution, or sale of property securing repayment of the Bonds; and
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer, which is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material.

(15) incurrence of a financial obligation of the issuer or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the issuer or obligated person, any of which affect security holders, if material; and

(16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the issuer or obligated person, any of which reflect financial difficulties.

(e) *Materiality Determined Under Federal Securities Laws.* The City agrees that its determination of whether any event listed in subsection (d) is material shall be made in accordance with federal securities laws.

(f) *Termination of Reporting Obligation.* The obligation of the City to provide Annual Financial Information and notices of Material Events, as set forth above, shall be terminated if and when the City no longer remains an “obligated person” with respect to the Bonds within the meaning of the Rule, including upon legal defeasance of all Bonds.

(g) *Benefit of Bondholders.* The City agrees that its undertaking pursuant to the Rule set forth in this Section is intended to be for the benefit of the Bondholders and shall be enforceable by any Bondholder; provided that, the right to enforce the provisions of this Undertaking shall be limited to a right to obtain specific enforcement of the City’s obligations hereunder and any failure by the City to comply with the provisions of this Undertaking shall not constitute a default or an event of default with respect to the Bonds or under the Resolution.

(h) *Amendments to the Undertaking.* Amendments may be made in the specific types of information provided or the format of the presentation of such information to the extent deemed necessary or appropriate in the judgment of the Disclosure Representative on behalf of the City, provided that the City agrees that any such amendment will be adopted procedurally and substantively in a manner consistent with the Rule, including, any interpretations thereof by the SEC, which, to the extent applicable, are incorporated herein by reference. Such interpretations currently include the requirements that (a) the amendment may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the City or the type of activities conducted thereby, (b) the undertaking, as amended, would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, and (c) the amendment does not materially impair the interests of Bondholders, as determined by parties unaffiliated with the City (such as independent legal counsel), but such interpretations may be changed in the future. If the accounting principles to be followed by the City in preparing the Audited Financial Statements are modified, the Annual Financial Information for the year in which the change is made shall present a comparison between the financial statements as prepared on the prior basis and the statements as

prepared on the new basis, and otherwise shall comply with the requirements of the Rule, in order to provide information to investors to enable them to evaluate the ability of the City to meet its obligations. A notice of the change in accounting principles shall be sent to the MSRB through EMMA.

(i) *Additional Information.* Nothing in this Undertaking shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Undertaking or any other means of communication, or including any other information in any Annual Financial Information or notice of occurrence of a Material Event, in addition to that which is required by this Undertaking.

(j) *[Municipal Advisory Council of Michigan.* The City shall also file by electronic or other means any information or notice required to be filed with the MSRB through EMMA pursuant to this Undertaking in a timely manner with the Municipal Advisory Council of Michigan.]

(k) *Governing Law.* This Undertaking shall be construed and interpreted in accordance with the laws of the State of Michigan (the "State"), and any suits and actions arising out of this Undertaking shall be instituted in a court of competent jurisdiction in the State; *provided*, that to the extent this Undertaking addresses matters of federal securities laws, including the Rule, this Undertaking shall be construed in accordance with such federal securities laws and official interpretations thereof.

IN WITNESS WHEREOF, the City has caused this Undertaking to be executed by its authorized officer.

CITY OF LANSING

Counties of Ingham and Eaton
State of Michigan

By _____

Its

Dated: _____

EXHIBIT B
FORM NOTICE OF INTENT

**NOTICE OF INTENTION OF THE CITY OF LANSING
TO ISSUE GENERAL OBLIGATION
CAPITAL IMPROVEMENT BONDS
AND OF RIGHT TO PETITION FOR REFERENDUM THEREON**

**TO ALL ELECTORS AND TAXPAYERS OF THE
CITY OF LANSING:**

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan (the "City"), intends to issue and sell the City's General Obligation Capital Improvement Bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an aggregate principal amount not to exceed _____ Dollars (\$_____) (the "Bonds"), for the purpose of acquiring, constructing and installing within the City certain capital improvements, including a public media and performing arts center, with parking and other necessary appurtenances and infrastructure (collectively, the "Capital Improvements").

SAID BONDS will be payable in annual installments, not to exceed thirty (30) in number, and will bear interest at the rate or rates to be determined at public or negotiated sale, but in no event shall the net interest cost exceed 6.00% per annum for Bonds issued on a tax-exempt basis or 9.00% per annum for Bonds issued on a taxable basis, with regard to the balance of the Bonds from time to time remaining unpaid. Payment of principal of and interest on the Bonds will be secured by the City's limited tax general obligation pledge as described below.

**FULL FAITH AND CREDIT AND TAXING POWER OF
THE CITY OF LANSING WILL BE PLEDGED**

NOTICE IS FURTHER GIVEN that the Bonds will be general obligation bonds of the City. The full faith and credit of the City will be pledged to the payment of principal of and interest on the Bonds. Pursuant to such pledge of its full faith and credit, the City will be obligated to levy such ad valorem taxes upon all taxable property in the City as shall be necessary to make such payments of principal and interest, which taxes, however, will be subject to applicable statutory, constitutional and charter limitations on the taxing power of the City.

RIGHT TO PETITION FOR REFERENDUM

NOTICE IS FURTHER GIVEN to the electors and taxpayers of the City of Lansing to inform them of their right to petition for a referendum on the question of issuance of the Bonds. The City intends to issue the Bonds without a vote of the electors thereon, but the Bonds shall not be issued until 45 days after publication of this notice and until final approval by the City Council. If, within such 45-day period, a petition for referendum

requesting an election on the issuance of the Bonds, signed by not less than 10% or 15,000 of the registered electors of the City, whichever is less, has been filed with the City Clerk, the Bonds shall not be issued unless and until approved by a majority of the electors of the City voting thereon at a general or special election.

This notice is given by order of the City Council. Further information may be obtained at the office of the City Clerk, 124 W. Michigan Avenue, 9th Floor, Lansing, Michigan 48933.

Chris Swope
City Clerk, City of Lansing

EXHIBIT C
FORM OF OFFICIAL NOTICE OF SALE

\$ _____
CITY OF LANSING

Counties of Ingham and Eaton, State of Michigan
[2022/2023] CAPITAL IMPROVEMENT BONDS
(LIMITED TAX GENERAL OBLIGATION)

BID OPENING: Bids for the purchase of the above bonds (the “Bonds”) will be publicly opened and read by an agent of the City of Lansing on [date], until [time] Eastern Time.

SEALED BIDS for the purchase of the Bonds will be received at the office of the Municipal Advisory Council of Michigan, 26211 Central Park Blvd, Ste 508, Southfield, Michigan 48076.

FAXED BIDS, signed by the bidder, may be submitted by members of the Municipal Advisory Council of Michigan to MAC at fax number (313) 963-0943 or by any bidder to the City at fax (517) [fax number], Attention: Chief Strategy and Financial Officer; provided that faxed bids must arrive before the time of sale and the bidder bears all risks of transmission failure.

ELECTRONIC BIDS: Electronic bids will be received by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or Client Services, 1359 Broadway, Second Floor, New York, New York 10018, (212) 849-5021. If any provision of this Official Notice of Sale shall conflict with information provided by Bidcomp/Parity, as the approved provider of electronic bidding services, this Official Notice of Sale shall control. No change of the dated date will be allowed for the computation of the winning bid.

Bidders may choose any means to present bids but a bidder may not present a bid by more than one means. The City will award or reject bids on the date of the bid opening.

BOND DETAILS: The Bonds will be registered bonds of the denomination of \$5,000 or integral multiples thereof up to the amount of that maturity, originally dated as of the date of delivery thereof (currently anticipated to be [date]), and will bear interest from their date payable on November 1, _____, and semiannually thereafter.

The Bonds will mature on May 1 of each year, as follows:

YEAR PRINCIPAL AMOUNT

Year	Amount		Year	Amount
------	--------	--	------	--------

2023			2028	
2024			2029	
2025			2030	
2026			2031	
2027			2032	

[Additional years to incorporate the useful life of the Capital Improvements]

INTEREST RATE AND BIDDING DETAILS: The Bonds shall bear interest at a rate or rates such that the net interest cost shall not exceed 6.00% per annum, if issued on a tax-exempt basis, or 9.00% per annum, if issued on a taxable basis, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one Bond shall be at one rate only and all Bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the Bonds shall not exceed 1.00% per annum. THE INTEREST RATE BORNE BY BONDS MATURING IN ANY ONE YEAR SHALL NOT BE LESS THAN THE INTEREST RATE BORNE BY BONDS MATURING IN THE RESPECTIVE PRECEDING YEAR. No proposal for the purchase of less than all of the Bonds or at a price less than 97% or more than 120% of their par value will be considered. In submitting a bid for the Bonds, the bidder agrees to the representation of the City by Dykema Gossett PLLC as bond counsel.

TERM BOND OPTION: Bidders shall have the option of designating the Bonds as term bonds or serial bonds or both. The bid must designate whether each of the principal amounts shown above represent a serial maturity or a mandatory redemption requirement for a term bond maturity. In any event, the above principal amount schedule shall be represented by either serial bond maturities or mandatory redemption requirements, or a combination of both. Any such designation must be made at the time bids are submitted. If the term bond option is selected, then the principal amount of the term bonds of a maturity to be redeemed on the dates set forth above may be reduced by the principal amount of the term bonds of the same maturity which have been previously redeemed or called for redemption (other than as a result of a mandatory redemption) or purchased or acquired by the City and delivered to the transfer agent. The City may satisfy mandatory redemption requirements by the purchase and surrender of term bonds in lieu of the calling of such term bonds for redemption.

Notice of mandatory redemption of any Bond or portion thereof shall be given by the transfer agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the transfer agent. No further interest on a Bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the transfer agent to redeem the Bond or portion thereof. In case less than the full amount of an outstanding Bond is called for redemption, the transfer agent, upon presentation of the Bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new Bond in the principal amount of the portion of the original Bond not called for redemption.

[NO] OPTIONAL REDEMPTION: The bonds [are/are not] subject to optional redemption prior to maturity.

ADJUSTMENT IN PRINCIPAL AMOUNT: Following receipt of bids and prior to final award, the College reserves the right to increase or decrease the principal amount of the bonds. Such adjustment, if necessary, will be made in increments of \$5,000, and may be made in one or more maturities. The purchase price will be adjusted proportionately to the adjustment in the principal amount of the bonds, but the interest rates specified by the successful bidder will not change. The successful bidder may not withdraw its bid as a result of any changes made as provided in this paragraph.

AWARD OF BONDS - TRUE INTEREST COST: The Bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on May 1, 2023 and semiannually thereafter) necessary to discount the debt service payments from their respective payment date to [date], [2022/2023] in an amount equal to the price bid. [date], [2022/2023] is the anticipated date of delivery of the Bonds. In the event there is an election to exercise the Term Bond option, true interest cost shall be calculated by applying the interest rate of such Term Bonds to each mandatory sinking fund redemption for such Term Bonds.

BOOK-ENTRY-ONLY OPTION: At the option of the purchaser of the Bonds, the Bonds will be issued in book-entry-only form as one fully registered Bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. If this option is selected, then an authorized agent of DTC will act as securities depository for the Bonds, purchase of the Bonds will be made in book-entry only form, in the denomination of \$5,000 or any integral multiple of \$5,000, and bondholders will not receive certificates representing their interest in Bonds purchased. The book-entry-only system is described further in the preliminary Official Statement for the Bonds. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the Bonds.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable to the registered owner of the Bonds at the designated office of a bank or trust company qualified to carry out such duties under the laws of the State of Michigan to be designated as transfer agent by the City. If the purchaser chooses the book-entry-only option, then as long as The Depository Trust Company or its nominee, Cede & Co., is the bondholder, payments will be made directly to DTC. Disbursement of such payments to the DTC Participants is the responsibility of DTC and disbursement of such payments to the beneficial owners of the Bonds is the responsibility of the DTC Participants and Indirect Participants as described in the preliminary official statement for the Bonds. Interest shall be paid by check or draft mailed to the registered owner of record as shown on the registration books kept by the transfer agent as of the 15th day of the month prior to an interest payment date. The Bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The Bonds are issued pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution of the City Council for the purpose of acquiring, constructing and installing within the City certain capital improvements, including a public media and performing arts center, with parking and other necessary appurtenances and infrastructure. The Bonds will pledge the limited tax full faith and credit of the City for payment of the principal and interest thereon, and will be payable as a first budget obligation from the general fund of the City, and from ad valorem taxes, which may be levied against all taxable property in the City, subject to applicable constitutional, statutory, and charter tax rate limitations. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally, now existing or hereafter enacted, and by the application of general principles of equity including those relating to equitable subordination.

GOOD FAITH: A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of \$_____ payable to the order of the City Treasurer, will be required of the successful bidder. THE SUCCESSFUL BIDDER IS REQUIRED TO SUBMIT ITS GOOD FAITH DEPOSIT TO THE CITY AS INSTRUCTED BY THE CITY OR THE MUNICIPAL ADVISOR NOT LATER THAN NOON, EASTERN TIME, ON THE NEXT BUSINESS DAY FOLLOWING THE SALE. The good faith deposit will be applied to the purchase price of the Bonds. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the City. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the Bonds shall be made at the closing.

[TAX MATTERS: In the opinion of Dykema Gossett PLLC, bond counsel, under existing law, assuming compliance with certain covenants, interest on the Bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the Bonds and interest thereon are exempt from all taxation by the State of Michigan or by any taxing authority within the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.]

[NOT] BANK QUALIFIED: The Bonds have [not] been designated as qualified tax exempt obligations for purposes of deduction of interest expense by financial institutions pursuant to the Internal Revenue Code.

[ISSUE PRICE CERTIFICATE: The successful bidder will be required to furnish, prior to the delivery of the Bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the Bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended. Such certificate will include (i) for those maturities where 10% of each such maturity of the Bonds has been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the Bonds, the price at which the first 10% of each such maturity was sold to members of the general public, and (ii) for those maturities where 10% of such maturity has not been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the

Bonds, an agreement by the successful bidder to provide bond counsel with the prices at which the first 10% of each such maturity is ultimately sold to members of the general public.]

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Dykema Gossett PLLC, attorneys of Lansing and Detroit, Michigan. The opinion will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The fees of Dykema Gossett PLLC, for services rendered in connection with such approving opinion are expected to be paid from Bond proceeds. Except to the extent necessary to issue its approving opinion as to the validity of the Bonds, Dykema Gossett PLLC has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the Bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish executed Bonds to be delivered at its expense to an authorized agent of DTC or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of delivery of the Bonds. If the Bonds are not tendered for delivery by twelve o'clock noon, Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the Bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the Bonds shall be made in immediately available funds.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the City has requested and received a rating on the Bonds from a rating agency, the City will pay for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser of the insurance. **FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.**

CUSIP NUMBERS: CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the [City of Lansing, Michigan/purchaser of the Bonds].

OFFICIAL STATEMENT: A preliminary Official Statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from the City's Municipal Advisor, Robert W. Baird & Co. Incorporated at the address and telephone listed under MUNICIPAL ADVISOR below. The City will provide the winning bidder with a reasonable number of final Official Statements within 7 business days from the date of sale so as to permit the underwriter to comply with Rule 15c2-12. Additional copies of the Official Statement will be supplied by Robert W. Baird & Co. Incorporated upon request and agreement by the purchaser of the Bonds to pay the cost of additional copies. Requests for additional copies should be made to Robert W. Baird & Co. Incorporated within 24 hours of the date of sale.

CONTINUING DISCLOSURE: As described more fully in the Official Statement, the City will execute and deliver prior to delivery of the Bonds a written continuing disclosure undertaking in order to enable the underwriters of the Bonds to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission.

MUNICIPAL ADVISOR: Additional information may be obtained from the City's Municipal Advisor, Robert W. Baird & Co. Incorporated, attention: Brian J. Lefler, 124 West Allegan Street, Suite 2200, Lansing, Michigan 48933, telephone (517) 371-2607.

In submitting a bid for the Bonds, the bidder represents that it is not an "Iran linked business" within the meaning of the Iran Economic Sanctions Act, Act 517 of the Public Acts of Michigan of 2012.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for [2022/2023] Capital Improvement Bonds."

Chris Swope, City Clerk
City of Lansing, Michigan

Resolution #2022-309

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the “City”), plans to finance the development of, and provide for the operation of, a public media and performing arts center to be located within the City (the “Project”); and

WHEREAS, prior to September 30, 2022, the City submitted an application (the “Application”) to the Michigan Economic Development Corporation (the “MEDC”), grant administrator on behalf of the State of Michigan (the “State”), for a Michigan Enhancement Grant; and

WHEREAS, pursuant to Section 1096(76) of 2021 Michigan Public Act 87 (“Act 87”), the State has earmarked two million dollars (\$2,000,000) (the “Grant”) of the funds appropriated for Michigan Enhancement Grants to the City, to assist with the financing of the Project; and

WHEREAS, specifically, Section 1096(76) of Act 87 states that the Grant is for a music and arts center in a city with a population greater than 100,000 and in a county with a population between 275,000 and 300,000 according to the 2010 federal decennial census; and

WHEREAS, it is anticipated that, upon receipt and processing of the Application, the MEDC will confirm the Grant in favor of the City; and

WHEREAS, pursuant to this Resolution, the City, by and through its City Council, wishes to accept and appropriate the Grant to support the financing of the Project; and

WHEREAS, while there is no local match requirement for the Grant, the City has demonstrated its additional anticipated financing sources for the Project in the Application.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City accepts the Michigan Enhancement Grant in the amount of \$2,000,000 and appropriates such funds as necessary to support the financing of or provide security for the Project; and

BE IT RESOLVED, the total amount of the Grant funds may be received from the MEDC in one or more distributions; and

BE IT RESOLVED, the Mayor of the City and the Finance Director or their designees are authorized to create appropriate accounts to make necessary operating transfers for the expenditure and control of the balance of the awarded Grant for the benefit of the Project as ultimately designed; and

BE IT RESOLVED, the Mayor of the City and the Finance Director or their designees are authorized representatives to execute any documents on behalf of the City or its affiliate, including a Grant Agreement with the MEDC, the Michigan Strategic Fund or any other party relating to the receipt of the Grant and application of Grant funds for the benefit of the Project; and

BE IT RESOLVED, that the acceptance, approvals and authorizations contained in this Resolution will apply to the Grant, including if the amount of the Grant is increased from time to time, and including the negotiation and execution of any additional documentation reflecting such increases.

INTRODUCTION OF ORDINANCE

The Committee on Development and Planning introduced:

An ordinance of the City of Lansing, Michigan, providing for the conditional rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1242.02 of the Code of Ordinances. Property located at:

Z-1-2022: 109 E. Randolph Street, from "R-6A" Urban Detached Residential to "R-AR" Residential Adaptive Reuse, with the condition that the uses of the property are limited to one single family dwelling, one two-family dwelling or a state licensed adult foster care home with a maximum capacity of 20 residents, with approval of a special land use permit

is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2022-310

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 9, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for conditional rezoning:

Z-1-2022: 109 E. Randolph Street, from “R-6A” Urban Detached Residential to “R-AR” Residential Adaptive Reuse, with the condition that the uses of the property are limited to one single family dwelling, one two-family dwelling or a state licensed adult foster care home with a maximum capacity of 20 residents, with approval of a special land use permit

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1242.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-1-2022
Parcel Number's:	33-01-01-04-401-072
Addresses:	109 E. Randolph Street
Legal Descriptions:	Lot 17 & part of Lot 18, North Gardens Subdivision and also part of Lot 11, Assessors Plat No 45 lying Easterly of a line commencing 3.3 feet West of the Southeast corner of Lot 11, thence North 137.77 feet, West 9.15 feet, North 28.74 feet, West 13.2 feet, North 02degrees 05minutes20seconds West 8 feet to the Northwest corner of Lot 18 & the point of beginning, North Gardens Subdivision, from "R-6A" Urban Detached Residential to "R-AR" Residential Adaptive Reuse, with the condition that the allowable uses of the property are restricted to one single family dwelling, one two-family dwelling or a state licensed adult foster care home with a maximum capacity of 20 residents, with approval of a special land use permit.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2022, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1300, Sections 1300.02, 1300.04, 1300.09, and 1300.11 to update the ordinance to reflect changes in laws and rules by the Cannabis Regulatory Agency, formerly known as the Marijuana Regulatory Agency, and adding Section 1300.17 to codify the process for temporary marihuana events.

Is read a second time by its title. The Ordinance was reported from the Committee of the Whole and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
BROWN	☐	☐
DANIELS	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

Ordinance #1308

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1300, SECTIONS 1300.02, 1300.04, 1300.09, AND 1300.11 TO UPDATE THE ORDINANCE TO REFLECT CHANGES IN LAWS AND RULES BY THE CANNABIS REGULATORY AGENCY, FORMERLY KNOWN AS THE MARIJUANA REGULATORY AGENCY, AND ADDING SECTION 1300.17 TO CODIFY THE PROCESS FOR TEMPORARY MARIHUANA EVENTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1300, Sections 1300.02, 1300.04, 1300.09, and 1300.11 of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended and Section 1300.17 is added to read as follows:

1300.02. Definitions, interpretation and conflicts.

For the purposes of this chapter:

- (a) Any term defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq., as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. (MMFLA), as amended, the Marihuana Tracking Act ("MTA"), MCL 333.27901 et seq., the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951 et seq., shall have the definition given in those acts; if the definition of a word or phrase set forth in this chapter conflicts with the definition in the MMMA, MMFLA or MTA, or if a term is not defined but is defined in the MMMA, MMFLA MTA, or MRTMA then the definition in the MMMA, MMFLA, MTA, or MRTMA shall apply.
- (b) Any term defined by 21 USC 860(e) referenced in this chapter shall have the definition given by 21 USC 860(e).
- (c) This chapter shall not limit an individual or entity's rights under the MMMA, MMFLA, MTA, or MRTMA and these acts supersede this chapter where there is a conflict between them and the immunities and protections established in the MMMA and MRTMA unless superseded or preempted by the MMFLA and/or MRTMA.
- (d) All activities related to medical marihuana, including those related to a Medical Marihuana Provisioning Center, a Medical Marihuana Grower Facility, a Medical Marihuana Secure Transporter, a Medical Marihuana Processor or a Medical Marihuana Safety Compliance Facility shall be in compliance with the rules of the Marihuana Regulatory Agency, the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City, the MMMA, MMFLA and the MTA.
- (e) All activities related to non-medical marihuana shall be in compliance with the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City and MRTMA.
- (f) Any use which purports to have engaged in the cultivation or processing of marihuana into a usable form, or the distribution of marihuana, or the testing of marihuana either prior to or after enactment of this chapter without obtaining the required licensing set forth in this chapter shall be deemed to be an illegally established

use and therefore not entitled to legal nonconforming status under the provisions of this chapter, and/or State law. Any license granted pursuant to this chapter shall be exclusive to the licensee, and is a revocable privilege. Granting a license does not create or vest any right, title, franchise, or other property right.

(g) The following terms shall have the definitions given:

Application/License Application means an application for a license pursuant to the terms and conditions set forth in Sections 1300.04 and 1300.05.

Application for a License Renewal means an application for a license renewal pursuant to the terms and conditions of Section 1300.07.

Buffered Use means a use subject to the buffering and dispersion requirements of Sections 1300.10 and 1300.11.

Building means an independent, enclosed structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is completely separated from every other part by dividing walls from the ground up, and without openings, each portion of such structure shall be deemed a separate structure, regardless of whether the portions of such structure share common pipes, ducts, boilers, tanks, furnaces, or other such systems. This definition refers only to permanent structures, and does not include tents, sheds, greenhouses and private garages on residential property, stables, or other accessory structures not in compliance with MMMA or MRTMA. A building does not include such structures with interior areas not normally accessible for human use, such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers or similar structures.

Chapter means this Chapter 1300.

Church means an entire space set apart primarily for purposes of public worship, and which is tax exempt under the laws of this state, and in which religious services are held, and the entire building structure of which is kept for that use and not put to any other use inconsistent with that use.

City means the City of Lansing, Michigan.

Clerk shall mean the City Clerk of Lansing, Michigan.

Council or City Council means the City Council of Lansing, Michigan.

Employee means any individual who is employed by an employer in return for the payment of direct or indirect monetary wages or profit, under contract, and any individual who volunteers his or her services to an employer for no monetary compensation, or any individual who performs work or renders services, for any period of time, at the direction of an owner, lessee, or other person in charge of a place.

License means a license issued for the operation of a medical marijuana facility or marijuana establishment pursuant to the terms and conditions of this chapter and includes a license which has been renewed pursuant to Section 1300.07.

Licensee means a person issued a license for a medical marijuana facility or marijuana establishment pursuant to this chapter.

Limit means a competitive application process by which the municipality selects applicants who are best suited to operate in compliance with the Michigan Regulation and Taxation of Marijuana Act and this chapter and prevents the Department of Licensing and Regulatory Affairs from issuing a State license within the municipality's

jurisdiction if the applicant is not selected, in compliance with MCL § 333.27956(1) and MCL § 333.27959(4).

Marihuana Educational Research License means any person or entity licensed by the United States Drug Enforcement Administration (DEA) and in affiliation with a degree or certificate program offered by an institution of higher learning accredited by the Higher Learning Commission and subject to the requirements outlined under State of Michigan Rule 420.27a, as may be updated or amended from time to time.

Marihuana Establishment means any marihuana operation that is required to be licensed under this chapter and possesses a license or approval to operate under the MRTMA, including a Marihuana Microbusiness, a Marihuana Retailer, a Marihuana Grower, a Marihuana Processor, a Marihuana Secure Transporter, a Marihuana Safety Compliance Facility, and a Designated Consumption Establishment.

Marihuana Grower means a licensee that is a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to terms and conditions of this chapter that cultivates, dries, trims or cures and packages marihuana in accordance with State law.

Marihuana Microbusiness means a person or entity licensed **as a marihuana microbusiness or class A microbusiness, as defined by State of Michigan Rules 420.105 and 420.105a which may be updated or amended from time to time**, ~~to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a Marihuana Safety Compliance Facility, but not to other marihuana establishments,~~ located in the City that is licensed or approved to operate by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter.

Marihuana Operation/Operator means all types of medical and non-medical marihuana establishments and facilities operating in the City of Lansing that are required to be licensed under this chapter and possess a license or approval to operate under State law.

Marihuana Processor or Medical Marihuana Processor Facility means a commercial entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter, that extracts resin from the marihuana or creates a marihuana-infused product, processes and packages marihuana, and sells or otherwise transfers marihuana to marihuana operations, to the extent permitted by State law and rules.

Marijuana Regulatory Agency or MRA means the agency within the State of Michigan Department of Licensing and Regulatory Affairs created pursuant to Executive Order 2019-07 to regulate medical and recreational marihuana.

Marihuana Retailer means a licensee located in the City that is licensed or approved to operate by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to a marihuana establishment and to individuals who are 21 years of age or older.

Marihuana Safety Compliance Facility or *Medical Marihuana Safety Compliance Facility* means a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter, that tests marihuana, including certification for potency, the presence of contaminants, and tetrahydrocannabinol and other cannabinoids.

Medical Marihuana Facility means any facility or center that is required to be licensed under this chapter and possesses a license or approval to operate from the State under the MMFLA, including: A Medical Marihuana Provisioning Center, a Medical Marihuana Processor, a Medical Marihuana Grower Facility, a Marihuana Secure Transporter, and a Medical Marihuana Safety Compliance Facility.

Medical Marihuana Provisioning Center means a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed by the City pursuant to the terms and conditions of this chapter, that sells, supplies, or provides marihuana to registered qualifying patients only as permitted by State law. Medical Marihuana Provisioning Center, as defined in the MMMA, MMFLA and MTA, includes any commercial property or business where marihuana is sold in conformance with State law and regulation. A noncommercial or nonbusiness location used by a primary caregiver to assist a qualifying patient, as defined in the MMMA, MMFLA or MTA connected to the caregiver through the State's marihuana registration process in accordance with the MMMA, MMFLA or MTA is not a Medical Marihuana Provisioning Center for purposes of this chapter.

MMFLA means the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. as amended from time to time.

MMMA means the Michigan Medical Marihuana Act, MCL 333.26421 et seq. as amended from time to time.

MRTMA means the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 et seq., as amended from time to time.

MTA means the Marihuana Tracking Act, MCL 333.27901 et seq., as amended from time to time.

Ordinance means the ordinance adopting this Chapter 1300.

Park means an area of land designated by the City as a park on its master plan or on a Council-approved list of City parks.

Person means an individual, partnership, firm, company, corporation, association, sole proprietorship, limited liability company, joint venture, estate, trust, or other legal entity.

School means and includes buildings used for school purposes to provide instruction to children and youth in grades pre-kindergarten through 12, and headstart when that instruction is provided by a public, private, denominational, or parochial school.

Secure Transporter or *Medical Marihuana Secure Transporter* means a commercial or business entity that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed to operate by the City pursuant to the terms and conditions of this chapter, that stores marihuana and transports marihuana between medical marihuana facilities or marihuana establishments for a fee and in accordance with State law.

Stakeholder means, with respect to a trust, the trustee and beneficiaries; with respect to a limited liability company, the managers and members; with respect to a corporation, whether profit or non-profit, the officers, directors, or shareholders; and with respect to a partnership or limited liability partnership, the partners, both general and limited.

State means the State of Michigan.

Ward means the four wards of the City of Lansing as outlined in 2-203 of the Lansing City Charter.

(h) Any term defined by the MMMA, the MMFLA, MTA, or MRTMA and not defined in this chapter shall have the definition given in the MMMA, MMFLA, MTA, or MRTMA as applicable.

1300.04. License application submission.

(a) Each marihuana operation must be licensed by the City. Applications for a license shall be made in writing to the City Clerk.

All applications submitted to the City Clerk in accordance with the provisions of this chapter shall be considered for the issuance of a license. An applicant may apply for multiple licenses under this chapter of the same or different natures simultaneously, as permitted by law.

(b) A complete application for a license or licenses required by this chapter shall be made under oath on forms provided by the City Clerk, and shall contain all of the following:

(1) If the applicant is an individual, the applicant's name, date of birth, physical address, email address, one or more phone numbers, including emergency contact information, and a copy of a government-issued photo identification card of the applicant.

(2) If the applicant is not an individual, the names, dates of birth, physical addresses, email addresses, and one or more phone numbers of each stakeholder of the applicant including designation of a stakeholder as an emergency contact person and contact information for the emergency contact person, articles of incorporation or organization, internal revenue service SS-4 EIN confirmation letter, and the operating agreement or bylaws of the applicant, if a limited liability company.

(3) Any applicant who meets any of the follow criteria must provide the necessary disclosure information outlined in 1300.04(b)(1) and (2):

(A) For an individual or sole proprietorship: the proprietor and spouse.

(B) For a partnership and limited liability partnership: all partners and their spouses.

(C) For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the partnership, and their spouses.

(D) For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the company, and their spouses.

(E) For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all

stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(F) For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(G) For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.

(H) For a nonprofit corporation: all individuals and entities with membership or shareholder rights in accordance with the articles of incorporation or the bylaws and their spouses.

(I) For a trust: trustees, any individual or body able to control and direct the affairs of the trust, and any beneficiary who receives or has the right to receive more than 10% of the gross or net profit of the trust during any full or partial calendar or fiscal year and their spouses.

- ~~(3)~~**(4)** The name, date of birth, physical address, copy of photo identification, and email address for any operator or employee if other than the applicant.
- ~~(4)~~**(5)** The name and address of the proposed marihuana operation and any additional contact information deemed necessary by the City Clerk.
- ~~(5)~~**(6)** Applicant or licensee shall keep records of the results of the criminal history background checks performed pursuant to MMFLA and/or MRTMA requirements and shall provide copies for every applicant, licensee, stakeholder, and employee to the City Clerk within five business days of receipt.
- ~~(6)~~**(7)** An affirmation under oath as to whether the applicant or operator has had a business license revoked or suspended, and if revoked or suspended, then the reason for such revocation or suspension.
- ~~(7)~~**(8)** A copy of the proposed business plan for the marihuana operation, including, but not limited to, the following:
 - i. The proposed ownership structure of the marihuana operation, including percentage ownership of each person; and
 - ii. A current organization chart that includes position descriptions and the names of each person holding each position.
- ~~(8)~~**(9)** One of the following: (a) proof of ownership of the entire premises wherein the marihuana operation is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring licensure under this chapter along with a copy of any lease for the premises.
- ~~(9)~~**(10)** Verify compliance with State-mandated security measures as outlined in Emergency Rule 35 of the Department of Licensing and Regulatory Affairs: Adult-Use Marihuana Establishments Emergency Rules of July 3, 2019, as may be updated or amended from time to time.
- ~~(10)~~**(11)** A floor plan of the marihuana operation, as well as a scale diagram illustrating the property including all available parking spaces, all available handicapped accessible parking, and noting storage spaces for any flammable or combustible substances.

- (12) Verify compliance with State-mandated marketing and advertising restrictions as outlined in Emergency Rule 52 of the Department of Licensing and Regulatory Affairs: Adult-Use Marihuana Establishments Emergency Rules of July 3, 2019, as may be updated or amended from time to time.
- (13) A location area map, as measured pursuant to Section 1300.10, of the marihuana operation and surrounding area that identifies the relative locations and the distances, as measured pursuant to Section 1300.10(d), to the buffered uses set forth in Section 1300.10(a), and noting any residentially-zoned property within one-quarter mile of the marihuana operation.
- (14) An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the City. Specifically, that the applicant or stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligation to the City.
- (15) A signed acknowledgment that the applicant is aware and understands that all matters related to marihuana, growing, cultivation, possession, dispensing, testing, safety compliance, transporting, distribution, and use are currently subject to State and Federal laws, rules, and regulations, and that the approval or granting of a license hereunder does not exonerate or exculpate the applicant from abiding by the provisions and requirements and penalties associated with those laws, rules and regulations or exposure to any penalties associated therewith; and further the applicant waives and forever releases any claim, demand, action, legal redress, or recourse against the City, its elected and appointed officials and its employees and agents for any claims, damages, liabilities, causes of action, damages, and attorney fees the applicant may occur as a result of the violation by applicant, its officials, members, partners, shareholders, employees and agent of those laws, rules, and regulations and hereby waives, and assumes the risk of, any such claims and damages, and lack of recourse against the City, its elected and appointed officials, employees, attorneys, and agents.
- (16) Proof of an insurance policy covering each license and naming the City, its elected and appointed officials, employees, and agents, as additional insured parties, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors, in the amount of (a) at least \$1,000,000.00 for property damage; (b) at least \$1,000,000.00 for injury to one person; and (c) at least \$2,000,000.00 for injury to two or more persons resulting from the same occurrence. The insurance policy underwriter must have a minimum A.M. Best Company insurance ranking of B+, **DemoTech** consistent with State law, or similar rating from another credit rating agency for the insurance industry. The policy shall provide that the City shall be notified by the insurance carrier 30 days in advance of any cancellation. The insurer must be licensed in the State of Michigan.
- (17) i. Proof of a surety bond in the amount of \$50,000.00 with the City listed as the obligee to guarantee performance by applicant of the terms, conditions and obligations of this chapter in a manner and surety approved by the City Attorney; or, in the alternative,
- ii. Creation of an escrow account as follows:

- a. The account must be provided by a State or federally regulated financial institution or other financial institution; and
 - b. The account must be for the benefit of the City to guarantee performance by licensee in compliance with this chapter and applicable law; and
 - c. The account must be in the amount of \$20,000.00 and in a form prescribed by the City Attorney.
- (17)(18) Projected or actual annual budget and revenue based upon generally accepted accounting principles (GAAP standards) demonstrating sufficient financial resources to fund and execute the submitted business plans and building plans.
- (18)(19) An estimate of the number and type of full-time equivalent jobs that the marihuana operation expects to create and the amount and type of compensation for each position, including but not limited to healthcare, retirement, and paid time off.
- (19)(20) Submission of an odor plan to address any potential odors stemming from the use, storage, growing, or processing of marihuana.
- (20)(21) Execution of the Financial Resources Litigation History form made available by the City Clerk.
- (21)(22) Execution of the Morals, Good Order and General Welfare Litigation History form made available by the City Clerk.
- (22)(23) Any other information requested by the City Clerk to assist in the review of the application. Failure to provide required or requested information may result in an incomplete application determination and may result in denial or revocation of licensure.
- (23)(24) There is an ongoing obligation to provide updated information to the City Clerk. Should there be a change to any portion of an application, the applicant must advise the City Clerk within seven days from date of change and provide any documentation to support the change in application. Failure to provide documentation shall result in an incomplete application determination and is subject to denial of licensure.
- (c) Each application shall be accompanied by a license application fee in an amount of \$5,000.00.
- (d) Upon receipt of a completed application meeting the requirements of this section and the appropriate license application fee, the City Clerk shall refer a copy of the application to each of the following for their approval: the City Attorney, the Building Safety Office, the Police Department, the Zoning Administrator, and the City Treasurer.
- (e) No application shall be approved unless:
- (1) The Building Safety Office has inspected the proposed location or approved proposed site plans for compliance with all laws for which they are charged with enforcement and for compliance with the requirements of this chapter.
 - (2) The Zoning Administrator has confirmed that the proposed location complies with the Zoning Code and this chapter.
 - (3) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant are not in default to the City, including but not limited to, non-payment of property taxes.

(4) The Police Department has reviewed the criminal history background checks for each applicant, stakeholder, and employees provided by the applicant.

(5) The City Attorney's office has reviewed and approved as to form the insurance and either the surety bond or escrow account documentation for compliance with State and local laws.

1300.07. License renewal application.

(a) Application for a license renewal required by this chapter shall be made in writing to the City Clerk at least 28 days prior to the expiration of an existing license.

(b) An application for a license renewal required by this chapter shall be made under oath on forms provided by the City, and shall contain all of the information required by Section 1300.04(b).

(c) An application for a license renewal shall be accompanied by a renewal fee in an amount of \$5,000.00. The renewal fee is established to defray the costs of the administration and enforcement of this chapter expended by the City Clerk's Office, Police Department, City Attorney's Office, Treasury, Building Safety office, Zoning Administrator, and other relevant City departments.

(d) Upon receipt of a completed application for a license renewal meeting the requirements of this chapter and the license renewal fee, the City Clerk shall refer a copy of the renewal application to each of the following for their approval: The City Attorney's Office, the Building Safety Office, the Police Department, the Zoning Administrator, and the City Treasurer.

(e) No application for a license renewal shall be approved unless:

(1) The Building Safety Office has inspected the proposed location and/or approved proposed site plans for compliance with all laws for which they are charged with enforcement within the past calendar year.

(2) The Zoning Administrator has confirmed that the location complies with the Zoning Code and this chapter.

(3) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant and the location of the marihuana operation are not currently in default to the City, including but not limited to property taxes.

(4) The Police Department has reviewed the criminal history background checks for each applicant, stakeholder, and employee, as provided by the applicant.

(5) The City Attorney's Office has reviewed and approved as to form the insurance and either the surety bond or escrow account documentation for compliance with State and local laws.

(6) The applicant possesses the necessary State licenses or approvals.

(7) The applicant has operated the marihuana operation in accordance with the conditions and requirements of this chapter as well as Federal and State laws and regulations.

(8) The marihuana operation has not been declared a public nuisance.

(f) If written approval is given by each individual, department, or entity identified in subsection (e), the City Clerk confirms compliance with subsection (b) and receipt of the renewal fee, the City Clerk shall issue a license renewal to the applicant. The renewal shall be deemed approved if the City has not issued formal notice of denial within 60 days of the filing date of the application, unless the applicant is advised of non-compliance under Section 1300.07(e) during such period.

- (g) If an applicant receives conditional approval to receive a license but fails to obtain that license within 24 months from the date of conditional approval, the City Clerk may revoke the conditional approval and deny licensure. conditional approval is not a license and in no way permits growing, processing, testing, transport, or sale of marihuana or marihuana product.

1300.09. Minimum operational standards of a marihuana operation.

Except as may be preempted by State law or regulation:

- (a) Every Medical Marihuana Provisioning Center, Marihuana Retailer, and Designated Consumption Establishment must be located in a building, as defined under Section 1300.02.
- (b) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or Designated Consumption Establishment shall be open between the hours of 10:00 p.m. and 9:00 a.m.
- (c) Consumption of marihuana shall be prohibited on the premises of a marihuana operation except as permitted by City Charter Section 8-501, State law, and a designated consumption establishment license has been obtained.
- (d) No marihuana operation shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the marihuana operation is operated; or any other nuisance that hinders the public health, safety and welfare of the residents of the City.
- (e) The license required by this chapter shall be prominently displayed on the premises of a marihuana operation.
- (f) The premises shall be open for inspection during the stated hours of operation and as such other times as anyone is present on the premises. Refusal to permit inspection may result in revocation or suspension of licensure.
- (g) It shall be prohibited to display any signs that are inconsistent with local laws or regulations or State law.
- (h) No other accessory uses are permitted within the same establishment or facility unless expressly permitted by State or local law.
- (i) All processing activity shall be performed indoors in a building.
- (j) All persons working in direct contact with marihuana shall conform to hygienic practices while on duty, including but not limited to:
 - (1) Maintaining adequate personal cleanliness;
 - (2) Washing hands thoroughly in adequate hand-washing areas before starting work and at any other time when the hands may have become soiled or contaminated;
 - (3) Refraining from having direct contact with medical marihuana if the person has or may have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.
- (k) Marihuana operations must be kept clean and in good repair, including proper disposal of all waste and litter.
- (l) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or Designated Consumption Establishment shall permit the sale, consumption, or serving of alcohol.

- (m) Any marihuana licensee engaged in the sale of marijuana must apply for and receive approval from the Zoning Administrator prior to operating a drive-through (drive-thru).**

1300.11. Location of Marihuana Growers, Marihuana Safety Compliance Facilities, Marihuana Processors, Marihuana Secure Transporters, Marihuana Microbusinesses, and Designated Consumption Establishment.

- (a) All Marihuana Growers and Marihuana Microbusinesses shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial) and Ind-3 (urban industrial) zoning districts as identified in this Code.
- (b) All Marihuana Safety Compliance Facilities, Marihuana Processors, **Educational Research Facilities**, and Marihuana Secure Transporters shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.
- (c) All Designated Consumption Establishments shall be limited to S-C (suburban corridor), MX-C (mixed use urban corridor), MX-2 (mixed use community center), MX-3 (mixed use district center), Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.
- (d) No marihuana operation shall be located in an unzoned area or in an area subject to an agreement entered into pursuant to Public Act 425 of 1984.

1300.17. Temporary Marihuana Events

- (a) Any temporary marihuana event occurring in the City of Lansing shall submit the following to the Office of the Mayor for municipal approval or denial:**
 - (1) A full and complete copy of the application submitted to the State of Michigan;**
 - (2) Proof of Marihuana Event Organizer License from the State of Michigan;**
 - (3) A complete Special Event Permit Application if the event is to occur on City-owned property;**
 - (4) Submission of a \$5,000 license application fee;**
- (b) Upon receipt of a completed application meeting the requirements of this section and payment of the appropriate license application fee, the application shall be referred to the following departments for their approval: the City Attorney, the Police Department, the Fire Department, and the Department of Parks & Recreation if hosted on City-owned property.**
- (c) The Mayor is the final authority in the decision whether to approve, deny, or modify the application.**

Section 2. All ordinances, resolutions or rules, parts of ordinances inconsistent with these 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 by City Council and pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2031.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1300, SECTIONS 1300.02, 1300.04, 1300.09, AND 1300.11 TO UPDATE THE ORDINANCE TO REFLECT CHANGES IN LAWS AND RULES BY THE CANNABIS REGULATORY AGENCY, FORMERLY KNOWN AS THE MARIJUANA REGULATORY AGENCY, AND ADDING SECTION 1300.17 TO CODIFY THE PROCESS FOR TEMPORARY MARIHUANA EVENTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1300, Sections 1300.02, 1300.04, 1300.09, and 1300.11 of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended and Section 1300.17 is added to read as follows:

1300.02. Definitions, interpretation and conflicts.

For the purposes of this chapter:

(a) Any term defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq., as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. (MMFLA), as amended, the Marihuana Tracking Act ("MTA"), MCL 333.27901 et seq., the Michigan Regulation and Taxation of Marihuana Act (MRTMA"), MCL 333.27951 et seq., shall have the definition given in those acts; if the definition of a word or phrase set forth in this chapter conflicts with the definition in the MMMA, MMFLA or MTA, or if a term is not defined but is defined in the MMMA, MMFLA MTA, or MRTMA then the definition in the MMMA, MMFLA, MTA, or MRTMA shall apply.

(b) Any term defined by 21 USC 860(e) referenced in this chapter shall have the definition given by 21 USC 860(e).

(c) This chapter shall not limit an individual or entity's rights under the MMMA, MMFLA, MTA, or MRTMA and these acts supersede this chapter where there is a conflict between them and the immunities and protections established in the MMMA and MRTMA unless superseded or preempted by the MMFLA and/or MRTMA.

(d) All activities related to medical marihuana, including those related to a Medical Marihuana Provisioning Center, a Medical Marihuana Grower Facility, a Medical Marihuana Secure Transporter, a Medical Marihuana Processor or a Medical Marihuana Safety Compliance Facility shall be in compliance with the rules of the Marihuana Regulatory Agency, the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City, the MMMA, MMFLA and the MTA.

(e) All activities related to non-medical marihuana shall be in compliance with the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City and MRTMA.

(f) Any use which purports to have engaged in the cultivation or processing of marihuana into a usable form, or the distribution of marihuana, or the testing of marihuana either prior to or after enactment of this chapter without obtaining the required licensing set forth in this chapter shall be deemed to be an illegally established use and therefore not entitled to legal nonconforming status under the provisions of this chapter, and/or State law. Any license granted pursuant to this chapter shall be exclusive to the licensee, and is a revocable privilege. Granting a license does not create or vest any right, title, franchise, or other property right.

(g) The following terms shall have the definitions given:

Application/License Application means an application for a license pursuant to the terms and conditions set forth in Sections 1300.04 and 1300.05.

Application for a License Renewal means an application for a license renewal pursuant to the terms and conditions of Section 1300.07.

Buffered Use means a use subject to the buffering and dispersion requirements of Sections 1300.10 and 1300.11.

Building means an independent, enclosed structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is completely separated from every other part by dividing walls from the ground up, and without openings, each portion of such structure shall be deemed a separate structure, regardless of whether the portions of such structure share common pipes, ducts, boilers, tanks, furnaces, or other such systems. This definition refers only to permanent structures, and does not include tents, sheds, greenhouses and private garages on residential property, stables, or other accessory structures not in compliance with MMMA or MRTMA. A building does not include such structures with interior areas not normally accessible for human use, such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers or similar structures.

Chapter means this Chapter 1300.

Church means an entire space set apart primarily for purposes of public worship, and which is tax exempt under the laws of this state, and in which religious services are held, and the entire building structure of which is kept for that use and not put to any other use inconsistent with that use.

City means the City of Lansing, Michigan.

Clerk shall mean the City Clerk of Lansing, Michigan.

65 *Council or City Council* means the City Council of Lansing, Michigan.

66 *Employee* means any individual who is employed by an employer in return for the payment of
67 direct or indirect monetary wages or profit, under contract, and any individual who volunteers his or her
68 services to an employer for no monetary compensation, or any individual who performs work or renders
69 services, for any period of time, at the direction of an owner, lessee, of other person in charge of a
70 place.

71 *License* means a license issued for the operation of a medical marihuana facility or marihuana
72 establishment pursuant to the terms and conditions of this chapter and includes a license which has
73 been renewed pursuant to Section 1300.07.

74 *Licensee* means a person issued a license for a medical marihuana facility or marihuana
75 establishment pursuant to this chapter.

76 *Limit* means a competitive application process by which the municipality selects applicants who
77 are best suited to operate in compliance with the Michigan Regulation and Taxation of Marihuana Act
78 and this chapter and prevents the Department of Licensing and Regulatory Affairs from issuing a State
79 license within the municipality's jurisdiction if the applicant is not selected, in compliance with MCL §
80 333.27956(1) and MCL § 333.27959(4).

81 ***Marihuana Educational Research License*** means any person or entity licensed by the United
82 States Drug Enforcement Administration (DEA) and in affiliation with a degree or certificate program
83 offered by an institution of higher learning accredited by the Higher Learning Commission and subject
84 to the requirements outlined under State of Michigan Rule 420.27a, as may be updated or amended
85 from time to time.

Marihuana Establishment means any marihuana operation that is required to be licensed under this chapter and possesses a license or approval to operate under the MRTMA, including a Marihuana Microbusiness, a Marihuana Retailer, a Marihuana Grower, a Marihuana Processor, a Marihuana Secure Transporter, a Marihuana Safety Compliance Facility, and a Designated Consumption Establishment.

Marihuana Grower means a licensee that is a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to terms and conditions of this chapter that cultivates, dries, trims or cures and packages marihuana in accordance with State law.

Marihuana Microbusiness means a person or entity licensed as a **marihuana microbusiness or class A microbusiness, as defined by State of Michigan Rules 420.105 and 420.105a which may be updated or amended from time to time, to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a Marihuana Safety Compliance Facility, but not to other marihuana establishments,** located in the City that is licensed or approved to operate by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter.

Marihuana Operation/Operator means all types of medical and non-medical marihuana establishments and facilities operating in the City of Lansing that are required to be licensed under this chapter and possess a license or approval to operate under State law.

Marihuana Processor or Medical Marihuana Processor Facility means a commercial entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter, that extracts resin from the marihuana or creates a marihuana-infused product, processes and packages marihuana,

108 and sells or otherwise transfers marihuana to marihuana operations, to the extent permitted by State
109 law and rules.

110 *Marijuana Regulatory Agency or MRA* means the agency within the State of Michigan
111 Department of Licensing and Regulatory Affairs created pursuant to Executive Order 2019-07 to regulate
112 medical and recreational marihuana.

113 *Marihuana Retailer* means a licensee located in the City that is licensed or approved to operate
114 by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of
115 this chapter to obtain marihuana from marihuana establishments and to sell or otherwise transfer
116 marihuana to a marihuana establishment and to individuals who are 21 years of age or older.

117 *Marihuana Safety Compliance Facility or Medical Marihuana Safety Compliance Facility* means a
118 commercial or business entity located in the City that is licensed or approved to operate by the State
119 pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of
120 this chapter, that tests marihuana, including certification for potency, the presence of contaminants,
121 and tetrahydrocannabinol and other cannabinoids.

122 *Medical Marihuana Facility* means any facility or center that is required to be licensed under this
123 chapter and possesses a license or approval to operate from the State under the MMFLA, including: A
124 Medical Marihuana Provisioning Center, a Medical Marihuana Processor, a Medical Marihuana Grower
125 Facility, a Marihuana Secure Transporter, and a Medical Marihuana Safety Compliance Facility.

126 *Medical Marihuana Provisioning Center* means a commercial or business entity located in the
127 City that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed by the
128 City pursuant to the terms and conditions of this chapter, that sells, supplies, or provides marihuana to
129 registered qualifying patients only as permitted by State law. Medical Marihuana Provisioning Center, as

defined in the MMMA, MMFLA and MTA, includes any commercial property or business where marihuana is sold in conformance with State law and regulation. A noncommercial or nonbusiness location used by a primary caregiver to assist a qualifying patient, as defined in the MMMA, MMFLA or MTA connected to the caregiver through the State's marihuana registration process in accordance with the MMMA, MMFLA or MTA is not a Medical Marihuana Provisioning Center for purposes of this chapter.

MMFLA means the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. as amended from time to time.

MMMA means the Michigan Medical Marihuana Act, MCL 333.26421 et seq. as amended from time to time.

MRTMA means the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 et seq., as amended from time to time.

MTA means the Marihuana Tracking Act, MCL 333.27901 et seq., as amended from time to time.

Ordinance means the ordinance adopting this Chapter 1300.

Park means an area of land designated by the City as a park on its master plan or on a Council-approved list of City parks.

Person means an individual, partnership, firm, company, corporation, association, sole proprietorship, limited liability company, joint venture, estate, trust, or other legal entity.

School means and includes buildings used for school purposes to provide instruction to children and youth in grades pre-kindergarten through 12, and headstart when that instruction is provided by a public, private, denominational, or parochial school.

Secure Transporter or Medical Marihuana Secure Transporter means a commercial or business entity that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed to operate by the City pursuant to the terms and conditions of this chapter, that stores marihuana and transports marihuana between medical marihuana facilities or marihuana establishments for a fee and in accordance with State law.

Stakeholder means, with respect to a trust, the trustee and beneficiaries; with respect to a limited liability company, the managers and members; with respect to a corporation, whether profit or non-profit, the officers, directors, or shareholders; and with respect to a partnership or limited liability partnership, the partners, both general and limited.

State means the State of Michigan.

Ward means the four wards of the City of Lansing as outlined in 2-203 of the Lansing City Charter.

(h) Any term defined by the MMMA, the MMFLA, MTA, or MRTMA and not defined in this chapter shall have the definition given in the MMMA, MMFLA, MTA, or MRTMA as applicable.

1300.04. License application submission.

(a) Each marihuana operation must be licensed by the City. Applications for a license shall be made in writing to the City Clerk.

All applications submitted to the City Clerk in accordance with the provisions of this chapter shall be considered for the issuance of a license. An applicant may apply for multiple licenses under this chapter of the same or different natures simultaneously, as permitted by law.

(b) A complete application for a license or licenses required by this chapter shall be made under oath on forms provided by the City Clerk, and shall contain all of the following:

(1) If the applicant is an individual, the applicant's name, date of birth, physical address, email address, one or more phone numbers, including emergency contact information, and a copy of a government-issued photo identification card of the applicant.

(2) If the applicant is not an individual, the names, dates of birth, physical addresses, email addresses, and one or more phone numbers of each stakeholder of the applicant including designation of a stakeholder as an emergency contact person and contact information for the emergency contact person, articles of incorporation or organization, internal revenue service SS-4 EIN confirmation letter, and the operating agreement or bylaws of the applicant, if a limited liability company.

(3) Any applicant who meets any of the follow criteria must provide the necessary disclosure information outlined in 1300.04(b)(1) and (2):

(A) For an individual or sole proprietorship: the proprietor and spouse.

(B) For a partnership and limited liability partnership: all partners and their spouses.

(C) For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the partnership, and their spouses.

(D) For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the company, and their spouses.

(E) For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(F) For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(G) For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.

(H) For a nonprofit corporation: all individuals and entities with membership or shareholder rights in accordance with the articles of incorporation or the bylaws and their spouses.

(I) For a trust: trustees, any individual or body able to control and direct the affairs of the trust, and any beneficiary who receives or has the right to receive more than 10% of the gross or net profit of the trust during any full or partial calendar or fiscal year and their spouses.

~~(3)~~(4) The name, date of birth, physical address, copy of photo identification, and email address for any operator or employee if other than the applicant.

~~(4)~~(5) The name and address of the proposed marihuana operation and any additional contact information deemed necessary by the City Clerk.

~~(5)~~(6) Applicant or licensee shall keep records of the results of the criminal history background checks performed pursuant to MMFLA and/or MRTMA requirements and shall provide copies for every applicant, licensee, stakeholder, and employee to the City Clerk within five business days of receipt.

213 ~~(6)~~(7) An affirmation under oath as to whether the applicant or operator has had a business license
214 revoked or suspended, and if revoked or suspended, then the reason for such revocation or
215 suspension.

216 ~~(7)~~(8) A copy of the proposed business plan for the marihuana operation, including, but not limited to,
217 the following:

218 i. The proposed ownership structure of the marihuana operation, including percentage
219 ownership of each person; and

220 ii. A current organization chart that includes position descriptions and the names of each
221 person holding each position.

222 ~~(8)~~(9) One of the following: (a) proof of ownership of the entire premises wherein the marihuana
223 operation is to be operated; or (b) written consent from the property owner for use of the
224 premises in a manner requiring licensure under this chapter along with a copy of any lease for the
225 premises.

226 ~~(9)~~(10) Verify compliance with State-mandated security measures as outlined in Emergency Rule 35 of
227 the Department of Licensing and Regulatory Affairs: Adult-Use Marihuana Establishments
228 Emergency Rules of July 3, 2019, as may be updated or amended from time to time.

229 ~~(10)~~ (11) A floor plan of the marihuana operation, as well as a scale diagram illustrating the
230 property including all available parking spaces, all available handicapped accessible parking, and
231 noting storage spaces for any flammable or combustible substances.

232 ~~(11)~~ (12) Verify compliance with State-mandated marketing and advertising restrictions as
233 outlined in Emergency Rule 52 of the Department of Licensing and Regulatory Affairs: Adult-Use

Marihuana Establishments Emergency Rules of July 3, 2019, as may be updated or amended from time to time.

~~(12)~~**(13)**A location area map, as measured pursuant to Section 1300.10, of the marihuana operation and surrounding area that identifies the relative locations and the distances, as measured pursuant to Section 1300.10(d), to the buffered uses set forth in Section 1300.10(a), and noting any residentially-zoned property within one-quarter mile of the marihuana operation.

~~(13)~~**(14)**An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the City. Specifically, that the applicant or stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligation to the City.

~~(14)~~**(15)**A signed acknowledgment that the applicant is aware and understands that all matters related to marihuana, growing, cultivation, possession, dispensing, testing, safety compliance, transporting, distribution, and use are currently subject to State and Federal laws, rules, and regulations, and that the approval or granting of a license hereunder does not exonerate or exculpate the applicant from abiding by the provisions and requirements and penalties associated with those laws, rules and regulations or exposure to any penalties associated therewith; and further the applicant waives and forever releases any claim, demand, action, legal redress, or recourse against the City, its elected and appointed officials and its employees and agents for any claims, damages, liabilities, causes of action, damages, and attorney fees the applicant may occur as a result of the violation by applicant, its officials, members, partners, shareholders, employees and agent of those laws, rules, and regulations and hereby waives, and assumes the risk of, any such claims and damages, and lack of recourse against the City, its elected and appointed officials, employees, attorneys, and agents.

(15)(16) Proof of an insurance policy covering each license and naming the City, its elected and appointed officials, employees, and agents, as additional insured parties, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors, in the amount of (a) at least \$1,000,000.00 for property damage; (b) at least \$1,000,000.00 for injury to one person; and (c) at least \$2,000,000.00 for injury to two or more persons resulting from the same occurrence. The insurance policy underwriter must have a minimum A.M. Best Company insurance ranking of B+, ~~DemoTech~~ consistent with State law, or **similar rating from another credit rating agency for the insurance industry**. The policy shall provide that the City shall be notified by the insurance carrier 30 days in advance of any cancellation. The insurer must be licensed in the State of Michigan.

(16)(17) i. Proof of a surety bond in the amount of \$50,000.00 with the City listed as the obligee to guarantee performance by applicant of the terms, conditions and obligations of this chapter in a manner and surety approved by the City Attorney; or, in the alternative,

ii. Creation of an escrow account as follows:

a. The account must be provided by a State or federally regulated financial institution or other financial institution; and

b. The account must be for the benefit of the City to guarantee performance by licensee in compliance with this chapter and applicable law; and

c. The account must be in the amount of \$20,000.00 and in a form prescribed by the City Attorney.

- 276 ~~(17)~~**(18)** Projected or actual annual budget and revenue based upon generally accepted accounting
277 principles (GAAP standards) demonstrating sufficient financial resources to fund and execute the
278 submitted business plans and building plans.
- 279 ~~(18)~~**(19)** An estimate of the number and type of full-time equivalent jobs that the marihuana operation
280 expects to create and the amount and type of compensation for each position, including but not
281 limited to healthcare, retirement, and paid time off.
- 282 ~~(19)~~**(20)** Submission of an odor plan to address any potential odors stemming from the use, storage,
283 growing, or processing of marihuana.
- 284 ~~(20)~~**(21)** Execution of the Financial Resources Litigation History form made available by the City Clerk.
- 285 ~~(21)~~**(22)** Execution of the Morals, Good Order and General Welfare Litigation History form made
286 available by the City Clerk.
- 287 ~~(22)~~**(23)** Any other information requested by the City Clerk to assist in the review of the application.
288 Failure to provide required or requested information may result in an incomplete application
289 determination and may result in denial or revocation of licensure.
- 290 ~~(23)~~**(24)** There is an ongoing obligation to provide updated information to the City Clerk. Should there be
291 a change to any portion of an application, the applicant must advise the City Clerk within seven
292 days from date of change and provide any documentation to support the change in application.
293 Failure to provide documentation shall result in an incomplete application determination and is
294 subject to denial of licensure.
- 295 (c) Each application shall be accompanied by a license application fee in an amount of \$5,000.00.

(d) Upon receipt of a completed application meeting the requirements of this section and the appropriate license application fee, the City Clerk shall refer a copy of the application to each of the following for their approval: the City Attorney, the Building Safety Office, the Police Department, the Zoning Administrator, and the City Treasurer.

(e) No application shall be approved unless:

(1) The Building Safety Office has inspected the proposed location or approved proposed site plans for compliance with all laws for which they are charged with enforcement and for compliance with the requirements of this chapter.

(2) The Zoning Administrator has confirmed that the proposed location complies with the Zoning Code and this chapter.

(3) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant are not in default to the City, including but not limited to, non-payment of property taxes.

(4) The Police Department has reviewed the criminal history background checks for each applicant, stakeholder, and employees provided by the applicant.

(5) The City Attorney's office has reviewed and approved as to form the insurance and either the surety bond or escrow account documentation for compliance with State and local laws.

1300.07. License renewal application.

(a) Application for a license renewal required by this chapter shall be made in writing to the City Clerk at least 28 days prior to the expiration of an existing license.

(b) An application for a license renewal required by this chapter shall be made under oath on forms provided by the City, and shall contain all of the information required by Section 1300.04(b).

(c) An application for a license renewal shall be accompanied by a renewal fee in an amount of \$5,000.00. The renewal fee is established to defray the costs of the administration and enforcement of this chapter expended by the City Clerk's Office, Police Department, City Attorney's Office, Treasury, Building Safety office, Zoning Administrator, and other relevant City departments.

(d) Upon receipt of a completed application for a license renewal meeting the requirements of this chapter and the license renewal fee, the City Clerk shall refer a copy of the renewal application to each of the following for their approval: The City Attorney's Office, the Building Safety Office, the Police Department, the Zoning Administrator, and the City Treasurer.

(e) No application for a license renewal shall be approved unless:

(1) The Building Safety Office has inspected the proposed location and/or approved proposed site plans for compliance with all laws for which they are charged with enforcement within the past calendar year.

(2) The Zoning Administrator has confirmed that the location complies with the Zoning Code and this chapter.

(3) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant and the location of the marihuana operation are not currently in default to the City, including but not limited to property taxes.

(4) The Police Department has reviewed the criminal history background checks for each applicant, stakeholder, and employee, as provided by the applicant.

(5) The City Attorney's Office has reviewed and approved as to form the insurance and either the surety bond or escrow account documentation for compliance with State and local laws.

(6) The applicant possesses the necessary State licenses or approvals.

(7) The applicant has operated the marihuana operation in accordance with the conditions and requirements of this chapter as well as Federal and State laws and regulations.

(8) The marihuana operation has not been declared a public nuisance.

(f) If written approval is given by each individual, department, or entity identified in subsection (e), the City Clerk confirms compliance with subsection (b) and receipt of the renewal fee, the City Clerk shall issue a license renewal to the applicant. The renewal shall be deemed approved if the City has not issued formal notice of denial within 60 days of the filing date of the application, unless the applicant is advised of non-compliance under Section 1300.07(e) during such period.

(g) If an applicant receives conditional approval to receive a license but fails to obtain that license within 24 months from the date of conditional approval, the City Clerk may revoke the conditional approval and deny licensure. conditional approval is not a license and in no way permits growing, processing, testing, transport, or sale of marihuana or marihuana product.

1300.09. Minimum operational standards of a marihuana operation.

Except as may be preempted by State law or regulation:

(a) Every Medical Marihuana Provisioning Center, Marihuana Retailer, and Designated Consumption Establishment must be located in a building, as defined under Section 1300.02.

(b) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or Designated Consumption Establishment shall be open between the hours of 10:00 p.m. and 9:00 a.m.

- 358 (c) Consumption of marihuana shall be prohibited on the premises of a marihuana operation except as
359 permitted by City Charter Section 8-501, State law, and a designated consumption establishment
360 license has been obtained.
- 361 (d) No marihuana operation shall be operated in a manner creating noise, dust, vibration, glare,
362 fumes, or odors detectable to normal senses beyond the boundaries of the property on which the
363 marihuana operation is operated; or any other nuisance that hinders the public health, safety and
364 welfare of the residents of the City.
- 365 (e) The license required by this chapter shall be prominently displayed on the premises of a marihuana
366 operation.
- 367 (f) The premises shall be open for inspection during the stated hours of operation and as such other
368 times as anyone is present on the premises. Refusal to permit inspection may result in revocation
369 or suspension of licensure.
- 370 (g) It shall be prohibited to display any signs that are inconsistent with local laws or regulations or
371 State law.
- 372 (h) No other accessory uses are permitted within the same establishment or facility unless expressly
373 permitted by State or local law.
- 374 (i) All processing activity shall be performed indoors in a building.
- 375 (j) All persons working in direct contact with marihuana shall conform to hygienic practices while on
376 duty, including but not limited to:
- 377 (1) Maintaining adequate personal cleanliness;
- 378 (2) Washing hands thoroughly in adequate hand-washing areas before starting work and at
379 any other time when the hands may have become soiled or contaminated;

(3) Refraining from having direct contact with medical marihuana if the person has or may have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

(k) Marihuana operations must be kept clean and in good repair, including proper disposal of all waste and litter.

(l) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or Designated Consumption Establishment shall permit the sale, consumption, or serving of alcohol.

(m) Any marihuana licensee engaged in the sale of marijuana must apply for and receive approval from the Zoning Administrator prior to operating a drive-through (drive-thru).

1300.11. Location of Marihuana Growers, Marihuana Safety Compliance Facilities, Marihuana Processors, Marihuana Secure Transporters, Marihuana Microbusinesses, and Designated Consumption Establishment.

(a) All Marihuana Growers and Marihuana Microbusinesses shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial) and Ind-3 (urban industrial) zoning districts as identified in this Code.

(b) All Marihuana Safety Compliance Facilities, Marihuana Processors, **Educational Research Facilities**, and Marihuana Secure Transporters shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.

(c) All Designated Consumption Establishments shall be limited to S-C (suburban corridor), MX-C (mixed use urban corridor), MX-2 (mixed use community center), MX-3 (mixed use district center), Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.

(d) No marihuana operation shall be located in an unzoned area or in an area subject to an agreement entered into pursuant to Public Act 425 of 1984.

404 1300.17. Temporary Marihuana Events

405 **(a) Any temporary marihuana event occurring in the City of Lansing shall submit the following to the**

406 **Office of the Mayor for municipal approval or denial:**

407 **(1) A full and complete copy of the application submitted to the State of Michigan;**

408 **(2) Proof of Marihuana Event Organizer License from the State of Michigan;**

409 **(3) A complete Special Event Permit Application if the event is to occur on City-owned**
410 **property;**

411 **(4) Submission of a \$5,000 license application fee;**

412 **(b) Upon receipt of a completed application meeting the requirements of this section and payment**
413 **of the appropriate license application fee, the application shall be referred to the following**
414 **departments for their approval: the City Attorney, the Police Department, the Fire Department,**
415 **and the Department of Parks & Recreation if hosted on City-owned property.**

416 **(c) The Mayor is the final authority in the decision whether to approve, deny, or modify the**
417 **application.**

418 Section 2. All ordinances, resolutions or rules, parts of ordinances inconsistent with these
419 provisions are repealed.

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

423 Section 4. This ordinance shall take effect on the 30th day after enactment by City Council and
424 pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2031.

425



Chris Swope

Lansing City Clerk

December 2, 2022

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website: [Agendas & Minutes | Lansing, MI - Official Website \(lansingmi.gov\)](https://www.lansingmi.gov/agendas-minutes)

BOARD NAME

DATE OF MEETING

Historic District Commission	September 12, 2022
Board of Police Commissioners	September 20 and October 18, 2022
Board of Water and Light	September 27, 2022
Board of Ethics	July 13, 2022
South MLK Jr. Corridor Improvement Authority	October 20, 2022
Mayor's Neighborhood Advisory Board	October 20, 2022
Ad Hoc on Housing and Resident Safety	October 28, 2022
LEPFA Board of Commissioners	June 28, August 23, August 29, and October 25, 2022
Arts and Culture Commission	October 3 and November 7, 2022
Demolition Board	October 27, 2022

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 □ 517-377-0068 FAX
www.lansingmi.gov/clerk □ city.clerk@lansingmi.gov

Planning Board

November 1, 2022

Board of Zoning Appeals

June 9, 2022

Employees' Retirement System

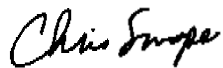
April 19, and June 21, 2022

Joint Retirement System Board

August 16, 2022

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,



Chris Swope, MMC/MiPMC
Lansing City Clerk



Chris Swope

Lansing City Clerk

December 2, 2022

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

Dear President and Council Members:

Pursuant to Lansing City Ordinance 260.03 Lansing Housing Commission Reports, my office received on November 21, 2022 and placed on file:

[Lansing Housing Commission Financial Report - June 30, 2022 \(PDF\)](#)

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of [Public Notices & Documents on File](#).

Sincerely,

Chris Swope, MMC/MiPMC
Lansing City Clerk

Resolution #2022-###

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Comfort Zone Cigar Lounge LLC for a Class C license, Sunday Sales (AM/PM), dance, entertainment, and outdoor service permits; and

WHEREAS, the Committee on City Operations reviewed the request with affirmative action taken;

Whereas, Comfort Zone Cigar Lounge LLC shall not operate until the final Certificate of Occupancy or a letter of Final Approval has been issued by the Building Safety Office.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Comfort Zone Cigar Lounge LLC for a Comfort Zone Cigar Lounge LLC for a Class C license, Sunday Sales (AM/PM), dance, entertainment, and outdoor service permits.

OPERATING AGREEMENT
FOR
THE COMFORT ZONE CIGAR LOUNGE & BAR LLC

THIS OPERATING AGREEMENT is hereby made as of this 4th day of May, 2022, by Steven L. Lonzo as the sole Member. Steven L. Lonzo, Member and any additional parties that shall agree to be bound hereby shall, with the consent of Steven L. Lonzo, Member hereafter be referred to individually as a “Member” and collectively as “Members”.

1. **Formation.** The Company has been organized as a Michigan Limited Liability Company under and pursuant to the Act by the filing of the Articles of Organization with the Michigan Department of Licensing and Regulatory Affairs on May 4, 2022.

2. **Name.** The name of the Company shall be The Comfort Zone Cigar Lounge & Bar LLC, or such other name as may be mutually acceptable to the Members in the future. The Company may also conduct its business under one or more assumed names.

3. **Purpose.** The purpose of the Company is to engage in any activity for which limited liability companies may be formed under the Act.

4. **Duration.** The Company shall continue in existence in perpetuity or until the Company shall be sooner dissolved and its affairs wound up in accordance with the Act or this Operating Agreement.

5. **Effective Date.** This Operating Agreement shall be effective as of the later of the date of this Operating Agreement or the date of filing of the Articles of Organization and shall continue until terminated.

6. **Registered Office and Resident Agent.** The Registered Office and Resident Agent of the Company shall be as designated in the initial Articles or any amendment thereof. The Registered Office and/or Resident Agent may be changed from time to time. Any such change shall be made in accordance with the Act. If the Resident Agent shall ever resign, the Company shall promptly appoint a successor.

7. **Principal Office and Headquarters.** The principal office and headquarters of the Company shall be at 12760 Paradise Drive, Dewitt, MI 48820, United States of America.

8. **Fiscal Year.** The Company's fiscal year shall end on the last day of the calendar year. The particular accounting methods and principles to be followed by the Company shall be selected by the Manager from time to time.

9. **Management of the Company.** The business and affairs of the Company shall be managed by the Member.

10. **Authorized Signer for Michigan Liquor Control Commission.** The Company shall name any present and future Members of the Company and Michael J. Brown, Esq., of Carlin Edwards Brown PLLC, as an authorized agent/signer, for purposes of any and all documents to be filed with or used by the Michigan Liquor Control Commission.

Steven L. Lonzo, as the sole Member executes this Operating Agreement effective as of the date first above written.

The Comfort Zone Cigar Lounge & Bar LLC

By: _____

Steven L. Lonzo, Sole Member

CONTRIBUTION

<u>Member</u>	<u>Address</u>	<u>Company Percentage</u>	<u>Initial Capital Contribution</u>
Steven L. Lonzo	12760 Paradise Drive, Dewitt, MI 48820	100%	\$100.00

7. **Principal Office and Headquarters.** The principal office and headquarters of the Company shall be at ~~12760 Paradise Drive, Dewitt, MI 48820, United States of America.~~

1140 Abbott Road, Suite 1362 East Lansing MI 48823

8. **Fiscal Year.** The Company's fiscal year shall end on the last day of the calendar year. The particular accounting methods and principles to be followed by the Company shall be selected by the Manager from time to time.

9. **Management of the Company.** The business and affairs of the Company shall be managed by the Member.

10. **Authorized Signer for Michigan Liquor Control Commission.** The Company shall name any present and future Members of the Company and Michael J. Brown, Esq., of Carlin Edwards Brown PLLC, as an authorized agent/signer, for purposes of any and all documents to be filed with or used by the Michigan Liquor Control Commission.

Steven L. Lonzo, as the sole Member executes this Operating Agreement effective as of the date first above written.

The Comfort Zone Cigar Lounge & Bar LLC

By: _____

Steven L. Lonzo, Sole Member

CONTRIBUTION

<u>Member</u>	<u>Address</u>	<u>Company Percentage</u>	<u>Initial Capital Contribution</u>
Steven L. Lonzo	12760 Paradise Drive, Dewitt, MI 48820	100%	\$100.00



Report of Stockholders, Members, or Partners (LCC-301)

Part 1 - Licensee Information

Please state your name as it is filed with the State of Michigan Corporation Division.

Licensee name(s): The Comfort Zone Cigar Lounge & Bar LLC

Address: 600 S. Pennsylvania Avenue

City: Lansing

State: MI

Zip Code: 48912-1733

Part 2a - Corporations - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all stockholders:	No. of Shares Issued:	Date Issued/Acquired:
n/a		

Name and address of Corporate Officers and Directors, pursuant to administrative rule R 436.1109:

Part 2b - Limited Liability Companies - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all members:	Percent % Issued:	Date Issued/Acquired:
Steven L. Lonzo, 12760 Paradise Drive, Dewitt, MI 48820	100	5-4-22

Name and address of Managers and Assignees, pursuant to administrative rule R 436.1110:



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Report of Stockholders, Members, or Partners (LCC-301) - Continued

Part 2c - Limited Partnerships - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all partners:	Percent % Issued:	Date Issued/Acquired:
n/a		

Name and address of Managers, pursuant to administrative rule R 436.1111:

Part 3 - Authorized Signers (Authorized in compliance with R 436.1109(1)(c) for a corporation or R 436.1110(1)(g) for a limited liability company)

Name & Title:	Steven L. Lonzo
Name & Title:	Michael J. Brown, Attorney & Authorized Signer
Name & Title:	
Name & Title:	
Name & Title:	

I certify that the authorized signers under Part 3 of this form have been authorized in compliance with R 436.1109(1)(c) for a corporation or R 436.1110(1)(g) for a limited liability company.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

Steven L. Lonzo, Member

Print Name of Applicant or Licensee & Title

Signature of Applicant or Licensee

6-24, 2022

Date

Please return this completed form to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Overnight packages: 2407 N. Grand River, Lansing, MI 48906
Fax to: 517-763-0059



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC Use Only)

On-Premises Retailer License & Permit Application (LCC-100a)

Part 1 - Applicant Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it is filed with the State of Michigan Corporation Division.

Applicant name(s): The Comfort Zone Cigar Lounge & Bar LLC

Address to be licensed: 600 S. Pennsylvania Avenue

City: Lansing, MI

Zip Code: 48912-1733

City/township/village where license will be issued: City of Lansing

County: Ingham

Federal Employer Identification Number (FEIN):

1. Are you requesting a new license? ☐ Yes ☒ No
2. Are you applying ONLY for a new permit or permission? ☐ Yes ☒ No
3. Are you buying an existing license? ☒ Yes ☐ No
4. Are you transferring the classification of an existing on premises license? ☐ Yes ☒ No
5. Are you modifying the size of the licensed premises? ☐ Yes ☒ No
If Yes, specify: ☐ Adding Space ☐ Dropping Space ☐ Redefining Licensed Premises
6. Are you transferring the location of an existing license? ☐ Yes ☒ No
7. Is this license being transferred as the result of a default or court action? ☐ Yes ☒ No
8. Do you intend to use this license actively? ☒ Yes ☐ No

Leave Blank - MLCC Use Only

Part 2 - License Transfer Information (If Applicable)

If transferring ownership of a license ONLY and not transferring the location of a license, fill out only the name of the current licensee(s)

Current licensee(s): Leo's Outpost, Inc. (BID: 143287)

Current licensed address:

City:

Zip Code:

City/township/village where license is issued:

County:

Part 3 - Licenses, Permits, and Permissions

Applicants for on premises licenses, permits, and permissions (e.g. restaurants, hotels, bars, etc.) must complete the attached Schedule A and return it with this application. Transfer the fee calculations from the Schedule A to Part 4 below.

Part 4 - Inspection, License, and Permit Fees - Make checks payable to State of Michigan

Inspection Fees - Pursuant to MCL 436.1529(4) a nonrefundable inspection fee of \$70.00 shall be paid to the Commission by an applicant or licensee at the time of filing of a request for a new license or permit, a request to transfer ownership or location of a license, a request to increase or decrease the size of the licensed premises, or a request to add a bar. Requests for a new permit in conjunction with a request for a new license or transfer of an existing license do not require an additional inspection fee.

License and Permit Fees - Pursuant to MCL 436.1525(1), license and permit fees shall be paid to the Commission for a request for a new license or permit or to transfer ownership or location of an existing license.

Inspection Fees:	\$140.00	License & Permit Fees:	\$965.00	TOTAL FEES:	\$1,105.00
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Schedule A - Licenses, Permits, & Permissions

Applicant name: The Comfort Zone Cigar Lounge & Bar LLC

On-Premises License Type:	Base Fee:	Fee Code MLCC Use Only
New Transfer		
☐ ☐ B-Hotel License	\$600.00	
Number of guest rooms: _____		
☐ ☐ A-Hotel License	\$250.00	
Number of guest rooms: _____		
☐ ☒ Class C License	\$600.00	4034
☐ ☐ Tavern License	\$250.00	
☐ ☐ Resort License	Upon Licensure	
☐ ☐ DDA/Redevelopment License	Upon Licensure	
☐ ☐ Brewpub License	\$100.00	
☐ ☐ G-1 License	\$1,000.00	
☐ ☐ G-2 License	\$500.00	
☐ ☐ Aircraft License	\$600.00	
☐ ☐ Watercraft License	\$100.00	
☐ ☐ Train License	\$100.00	
☐ ☐ Continuing Care Retirement Center License	\$600.00	
☐ MCL 436.1545(1)(b)(i) ☐ MCL 436.1545(1)(b)(ii)		

B-Hotel or Class C Licenses Only:

☐ ☐ Additional Bar(s)

Number of Additional Bars: _____

B-Hotel or Class C Licenses allow licensees to have one (1) bar within the licensed premises. A \$350.00 licensing fee is required for each additional bar over the one (1) bar initially issued with the license.

Licenses, permits, and permissions selected on this form will be investigated as part of your request. Please verify your information prior to submitting your application, as some licenses, permits, or permissions cannot be added to your request once the application has been sent out for investigation by the Enforcement Division.

Inspection, License, Permit, & Permission Fee Calculation

Number of Licenses: 2 x \$70.00 Inspection Fee

Total Inspection Fee(s): Fee Code: 4036 \$140.00

Total License Fee(s): \$700.00

Total Permit Fee(s): \$265.00

TOTAL FEES DUE: \$1,105.00

Please note that requests to transfer SDD licenses will require the payment of additional fees based on the seller's previous calendar year's sales. These fees will be determined prior to issuance of the license to the applicant.

Make checks payable to **State of Michigan**

On-Premises Permits:	Base Fee:	Fee Code MLCC Use Only
☒ Sunday Sales Permit (AM)*	\$160.00	4033
☒ Sunday Sales Permit (PM)**	\$90.00	4032
☐ Catering Permit	\$100.00	
☐ Social District Permit	\$250.00	
☐ Banquet Facility Permit - Complete Form LCC-200		
<i>A Banquet Facility Permit is an extension of the license at a different location. It may have its own permits and permissions. It is not a banquet room on the licensed premises.</i>		
☒ Outdoor Service	No charge	
☒ Dance Permit	No charge	
☒ Entertainment Permit	No charge	
☐ Extended Hours Permit:	No charge	
☐ Dance ☐ Entertainment Days/Hours: _____		
☐ Specific Purpose Permit:	No charge	
Activity requested: _____		
Days/Hours requested: _____		
☐ Living Quarters Permit	No charge	
☐ Topless Activity Permit	No charge	
☐ Off-Premises Storage	No charge	
☐ Direct Connection(s)	No charge	

Pursuant to MCL 436.1533, on-premises retailers may be issued a Specially Designated Merchant (SDM) license or a Specially Designated Distributor (SDD) license at the same location in conjunction with the on-premises license under certain circumstances.

Off-Premises License Type:	Base Fee:	Fee Code MLCC Use Only
New Transfer		
☐ ☒ SDM License	\$100.00	4034
☐ ☐ SDD License	\$150.00	

Off Premises Permits:	Base Fee:	Fee Code MLCC Use Only
☐ SDD Sunday Sales Permit (PM)** For Spirit Products	\$22.50	
☒ SDM Sunday Sales Permit (PM)** For Mixed Spirit Drink Products	\$15.00	4032
☐ Motor Vehicle Fuel Pumps	No charge	

*Sunday Sales Permit (AM) allows the sale of spirits, mixed spirit drink, beer, and wine on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

**Sunday Sales Permit (PM) allows the sale of spirits and mixed spirit drink on Sunday afternoons and evenings between 12:00 noon and 2:00am (Monday morning), if allowed by the local unit of government. No Sunday Sales Permit (PM) is required for the sale of beer and wine on Sunday after 12:00 noon. The Sunday Sales Permit (PM) fee is 15% of the fee for the license that allows the sale of spirits or mixed spirit drink. Additional bar fees and hotel room fees are also calculated as part of the permit fee. A separate Sunday Sales Permit (PM) is required for each license that will sell spirits or mixed spirit drink on Sunday after 12:00 noon.

Part 5a - Information on Individual Applicant, Stockholder, Member, or Limited Partner

Each individual, stockholder, member, or partner must complete Part 5a, 5b, and 5c. If a stockholder or member of an applicant company is a corporation or limited liability company, complete Part 5a and 5c and submit a completed Form LCC-301.

For applications with multiple individuals, stockholders, members, or partners - each person or entity must complete a separate copy of this page.

Name: Steven L. Lonzo		
Home address: 12760 Paradise Drive		
City: Dewitt	State: MI	Zip Code: 48820
Business Phone:	Cell Phone: 517-204-4459	Email: steven.lonzo10@gmail.com
Have you ever been licensed by the Michigan Liquor Control Commission (MLCC) or do you currently hold an interest in any other licenses issued by the MLCC? If Yes , please list business ID numbers below. If you hold interest in 2 or more locations under the same name, please also write "chain" below. Pursuant to MCL 436.1603, a retailer licensee <u>may not</u> hold interest in a manufacturer or wholesaler licensee. ☐ Yes ☒ No		
Do you hold 10% or more interest in the applicant entity? ☒ Yes ☐ No		
If you answered "no" to the first question and "yes" to the second question, you must submit fingerprints and undergo an investigation by the MLCC. Please see the attached instructions for submitting fingerprints to the MLCC. You must submit a copy of the completed and endorsed <u>Livescan Fingerprint Background Request (LCC-105)</u> with your application.		

Part 5b - Personal Information (Individuals) - Must be at least 21 years of age, pursuant to administrative rule R 436.1105(1)(a).

Date of Birth: [REDACTED]	Social Security Number: [REDACTED]	Driver's License Number: [REDACTED]
Are you a citizen of the United States of America?		☒ Yes ☐ No
Have you ever legally changed your name?		☐ Yes ☒ No
If you answered "yes", please list your prior name(s) (including maiden):		
Spouse's full name (if currently married): <u>ReShane Liza Lonzo</u>		
Spouse's date of birth: [REDACTED]	Is your spouse a citizen of the United States of America? ☒ Yes ☐ No	
Do you or your spouse hold any position, appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan? ☐ Yes ☒ No		
Does your spouse hold a retail, manufacturer, or wholesaler license issued by the MLCC? ☐ Yes ☒ No		
Have you ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes , list below (attach additional pages if necessary):		
Date	City/State	Charge
		Disposition
Has your spouse ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes , list below (attach additional pages if necessary):		
Date	City/State	Charge
		Disposition

Part 5c - Signature

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003. (This form must be signed by the person whose information it contains).

Steven L. Lonzo

Print Name

Signature

Date

6-24, 2022

Part 6 - Contact Information

Provide information on the contact person for this application. Please note that corporations and limited liability companies must provide documentation (e.g. meeting minutes, corporate resolution) authorizing anyone other than the applicant or an attorney of record to be the contact person. If an authorization is not provided, your contact person will not be acknowledged if they are anyone other than the applicant or attorney.

What is your preferred method of contact?				☐ Phone	☐ Mail	☒ Email	☐ Fax
What is your preferred method for receiving a Commission Order?				☐ Mail	☒ Email	☐ Fax	
Contact name: Michael J. Brown				Relationship: Attorney			
Mailing address: see contact information							
City:			State:		Zip Code:		
Phone:		Fax number:			Email:		

Part 7 - Attorney Information (If You Have An Attorney Representing You For This Application)

Attorney name: Michael J. Brown		Member Number: P-43015			
Attorney address: 6017 W. St. Joe Hwy., Ste. 202, Lansing, MI 48917					
Phone: 517-321-4616		Fax number: 517-321-4642		Email: mbrown@cebhlaw.com	
Would you prefer that we contact your attorney for all licensing matters related to this application?				☒ Yes ☐ No	
Would you prefer any notices or closing packages be sent directly to your attorney?				☒ Yes ☐ No	

Part 8 - Signature of Applicant

Be advised that the information contained in this application will only be used for this request. This section will need to be completed for each subsequent request you make with this office.

Notice: When purchasing a license, a buyer can be held liable for tax debts incurred by the previous owner. Prior to committing to the purchase of any license or establishment, the buyer should request a tax clearance certificate from the seller that indicates that all taxes have been paid up to the date of issuance. Obtaining sound professional assistance from an attorney or accountant can be helpful to identify and avoid any pitfalls and hidden liabilities when buying even a portion of a business. Sellers can make a request for the tax clearance certificate through the Michigan Department of Treasury.

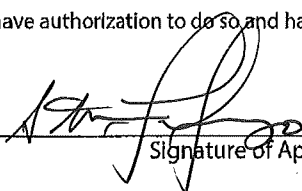
Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

Steven L. Lonzo, Member

Print Name of Applicant & Title



Signature of Applicant

6-24, 2022

Date

Please return this completed form along with corresponding documents and fees to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906

Fax to: 517-284-8557

IdentoGO Center (3200040)
2720 Alpha Access St
Ste C
Lansing, Michigan 48910-3608

IdentoGO[®]

Date: 06/24/2022@03:57 PM
Customer: STEVEN L. LONZO
REGID: QD22004016H
TCN: FW22379022M
UE ID: UZV846854R

Services

MI - Consumer & Industry \$67.25
SVCS Liquor License II-
Consumer Industry SVCS
Liquor License

SubTotal: \$67.25
Total: \$67.25

Payment

Credit Card ending in (7475) \$67.25

Amount Paid: \$67.25

Credit Card Authorization

By signing, I authorize IDEMIA and/or their agents to charge my credit card for service (s) performed and/or products purchased. I agree that I will pay for this purchase in accordance with the issuing bank cardholder agreement.



Signature

Please allow 5 -- 10 business days for processing. Michigan State Police will issue results of the fingerprint background check directly to the Requesting Agency, Employer or Provider.

Application Information

Non-Refundable License Fees

1. Application Fee: \$1450 for New Location, \$400 for Transfer of Ownership

Materials Required

1. Notary Statement
2. Attachment of Michigan Liquor Control Commission Application
3. Treasury Form(s)
4. Floor Plans, if not already on file

(City Codified Ordinances - Chapter 830)

Business Information

I am applying for: * ☐ New Location ☒ Transfer of Ownership

License(s) for which lottery, alcohol sales, tobacco, liquor

I am seeking Local
Government
Approval *

Business Name * THE COMFORT ZONE CIGAR LOUNGE & BAR LLC

Does Business As THE COMFORT ZONE CIGAR LOUNGE & BISTRO

Address *

Street Address

600 S. PENNSYLVANIA AVE.

Address Line 2

City

LANSING

Postal / Zip Code

48912

State / Province / Region

MI

Country

UNITED STATES

Phone* 517-204-4459
xxx-xxx-xxxx

Email comfortzonecb@gmail.com
name@domain

Applicant Information

Applicant Name* STEVEN LONZO

Address*
Street Address
1140 ABBOTT RD
Address Line 2
1362
City
EAST LANSING
Postal / Zip Code
48826

State / Province / Region
MI
Country
United States

Phone* 517-204-4459
xxx-xxx-xxxx

Email* comfortzonecb@gmail.com
name@domain

Business Owner Information

Type of Ownership* ☒ Single Owner

☐ Multiple Owners

Owner Name* STEVEN LONZO

Address*
Street Address
1140 ABBOTT RD
Address Line 2
1362
City
EAST LANSING
Postal / Zip Code
48826

State / Province / Region
MI
Country
United States

Phone* 517-204-4459
xxx-xxx-xxxx

Email* comfortzonecb@gmail.com
name@domain

Owner
Date of
Birth*



Owner
Place of
Birth* USA

**Character of
Business ***

What Character of business do you intend to operate?

CIGAR LOUNGE AND BISTRO

Length of Time *

What is the length of time your business has been of that charater, or in the case of a corporation, the date when its charter was issued?

May 4 2022

Similar Licenses *

Have you made applications for a similar or other license on premises other than those described in this application?

☐ Yes

☒ No

**Are Building Plans
on File? ***

☒ Yes

☐ No

I (we) have never been convicted of a felony and is (are) not disqualified to receive a license by reson of any item contrained in this chapter of the laws of the State.

☒ I Agree

I (we) will not violate any State of Federal laws or any ordinance of the City in the conduct of this business.

☒ I Agree

I (we) or my (our) agent(s) do not owe any personal property taxes.

☒ I Agree

The copy of the Michigan Liquor Control Commission application submitted with this application is a true copy of what I (we) intend to submit to the Michigan Liquor Control Commission.

☒ I Agree

Fees Due

\$ 400.00

Methods for payment are on the first page of this document, under "**Payments.**" Processing this application will not proceed until payment is received.

**Electronic Signature
Agreement**

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

☒ I Agree

I hereby certify that this application is complete and accurate to the best of my knowledge, information and belief. I understand that a false statement on this application may result in either a denial of this application or subsequent revocation if this license is granted.

Signature

Steven L. Lanzo

Date Submitted 9/19/2022

Attachments

A Treasury Form needs to be completed by every stakeholder per the Ordinance. Please click the link below and print, complete, sign, and attach the completed form to the application using the button below. Download Treasury Form Document

Treasury Form for all Stakeholders [Treasury Form Comfort Zone.pdf](#) 89.88KB

Copy of Michigan Liquor Control Commission Application [Comfort Zone Cigar Lounge MLCC Liquor licens...](#) 908.02KB

Your application is required to be notarized per the Ordinance. Please click the link below and print, complete, sign and have notarized, and attach the completed form to the application using the button below. Download Notarization Document

Notarization Document* [Notary Form Comfort Zone.pdf](#) 68.11KB

City Council Document(s)

Approvals

Instructions to City Clerk: Note: this license cannot be issued without approval by City Council. You may attach Council documents in the Attachment page or copy them later to the repository. Following a review of details and approval by council, choose an approval decision on the Clerk Approval row, and click **Submit**.

License Desk Approval ☒ Approved ☐ Denied

Police Approval ☒ Approved ☐ Denied

Fire Marshal Approval ☐ Approved ☐ Denied

Zoning Approval ☐ Approved ☐ Denied

Building Safety Approval ☐ Approved ☐ Denied

Treasury Approval ☒ Approved ☐ Denied

Treasurer Approval ☒ Approved ☐ Denied

Clerk Approval* ☒ Approved ☐ Denied

Note:

Other Departments approved via paper review process.



Chris Swope

Lansing City Clerk

REPORT ON APPLICATION FOR:

<u>ACTION</u>	<u>TYPE OF LICENSE</u>
☐ Transfer Ownership	☒ Class C
☐ Transfer Location	☐ SDD
☐ Add Partner	☐ SDM
☐ Drop Partner	☐ Tavern
☐ Other:	☒ Other: Outdoor, Dance, Entertainment Sunday Sales AM/OM

NAME:

Comfort Zone Cigar Lounge LLC
600 South Pennsylvania
Lansing MI 48912

THAT THE REQUEST: By Comfort Zone Cigar Lounge for a transfer of a Class C with Sunday Sales, Outdoor, Entertainment at 600 South Penn Lansing 48912, Ingham County

Location Approval

Building Approval

Signature & Date

Signature & Date

Chief of Police _____

Fire Marshal _____

Planning/Zoning _____

Building Comm. _____

City Treasurer _already approved ____

Date to City Council _____

**PLEASE RETURN THIS FORM TO: Brian Jackson at brian.jackson@lansingmi.gov
or FAX 517-377-0068**

00



Chris Swope

Lansing City Clerk

REPORT ON APPLICATION FOR:

ACTION

- ☐ Transfer Ownership
- ☐ Transfer Location
- ☐ Add Partner
- ☐ Drop Partner
- ☐ Other:

TYPE OF LICENSE

- ☒ Class C
- ☐ SDD
- ☐ SDM
- ☐ Tavern
- ☒ Other: Outdoor, Dance, Entertainment Sunday Sales AM/OM

NAME:

Comfort Zone Cigar Lounge LLC
600 South Pennsylvania
Lansing MI 48912

THAT THE REQUEST: By Comfort Zone Cigar Lounge for a transfer of a Class C with Sunday Sales, Outdoor, Entertainment at 600 South Penn Lansing 48912, Ingham County

Location Approval

Signature & Date

Chief of Police _____

Fire Marshal _____

Planning/Zoning _____

Building Comm. _____

Building Approval

Signature & Date

Jina Rader 11-17-22

City Treasurer _already approved _

Date to City Council _____

PLEASE RETURN THIS FORM TO: Brian Jackson at brian.jackson@lansingmi.gov
or FAX 517-377-0068



Chris Swope

Lansing City Clerk

REPORT ON APPLICATION FOR:

<u>ACTION</u>	<u>TYPE OF LICENSE</u>
☐ Transfer Ownership	☒ Class C
☐ Transfer Location	☐ SDD
☐ Add Partner	☐ SDM
☐ Drop Partner	☐ Tavern
☐ Other:	☒ Other: Outdoor, Dance, Entertainment Sunday Sales AM/OM

NAME:

Comfort Zone Cigar Lounge LLC
600 South Pennsylvania
Lansing MI 48912

THAT THE REQUEST: By Comfort Zone Cigar Lounge for a transfer of a Class C with Sunday Sales, Outdoor, Entertainment at 600 South Penn Lansing 48912, Ingham County

Location Approval

Signature & Date

Chief of Police _____

Fire Marshal _____

Planning/Zoning _____

Building Comm. _____

City Treasurer _already approved ____

Building Approval

Signature & Date

Date to City Council _____

PLEASE RETURN THIS FORM TO: Brian Jackson at brian.jackson@lansingmi.gov or FAX 517-377-0068

Approvals

Instructions to City Clerk: Note: this license cannot be issued without approval by City Council. You may attach Council documents in the Attachment page or copy them later to the repository. Following a review of details and approval by council, choose an approval decision on the Clerk Approval row, and click **Submit**.

License Desk Approval	☒ Approved	☐ Denied
Police Approval	☒ Approved	☐ Denied
Fire Marshal Approval	☐ Approved	☐ Denied
Zoning Approval	☐ Approved	☐ Denied
Building Safety Approval	☐ Approved	☐ Denied
Treasury Approval	☒ Approved	☐ Denied
Treasurer Approval	☒ Approved	☐ Denied
Clerk Approval*	☒ Approved	☐ Denied



Chris Swope

Lansing City Clerk

REPORT ON APPLICATION FOR:

<u>ACTION</u>	<u>TYPE OF LICENSE</u>
☐ Transfer Ownership	☒ Class C
☐ Transfer Location	☐ SDD
☐ Add Partner	☐ SDM
☐ Drop Partner	☐ Tavern
☐ Other:	☒ Other: Outdoor, Dance, Entertainment Sunday Sales AM/OM

NAME:

Comfort Zone Cigar Lounge LLC
600 South Pennsylvania
Lansing MI 48912

THAT THE REQUEST: By Comfort Zone Cigar Lounge for a transfer of a Class C with Sunday Sales, Outdoor, Entertainment at 600 South Penn Lansing 48912, Ingham County

Location Approval

Signature & Date

Chief of Police _____

Fire Marshal _____

Planning/Zoning [Signature] 11/18/22

Building Comm. _____

Building Approval

Signature & Date

[Signature] 11/18/22

City Treasurer _already approved _

Date to City Council _____

**PLEASE RETURN THIS FORM TO: Brian Jackson at brian.jackson@lansingmi.gov
or FAX 517-377-0068**



On-Premises Alcohol Sales Application

Instructions

Instructions

- It is highly recommended to have all the documents ready for uploading prior to submission.
- All attachments must be in a PDF format.
- PDF files should be compressed to the smallest size possible
- If you need more time to get additional documents together, please save your application as a draft and come back to it when you are ready.
- Applications left open for more than 24 hours will need to be started over.
- If you have submitted the wrong document prior to submission of the application, or wish to update a document after submission of the application, please notify the Clerk's Office in writing at city.clerk@lansingmi.gov.
- It is the responsibility of the submitter to ensure they receive an email confirming the receipt of their application. If they do NOT receive an email with a confirmation number within 24 hours of submitting the application, it is the submitter's responsibility to notify the Clerk's Office in writing at city.clerk@lansingmi.gov.

Payments

- Payment fee must be RECEIVED by the Clerk's Office before the application will be reviewed. Failure to remit payment in a timely manner may result in denial of your application.
- Cash, Credit Card, Debit Card, Check, Electronic Check (ACH) & Money Order are accepted.
- Electronic Checks (ACH), Credit and Debit cards are accepted through the City's Point and Pay site. There is a 3% convenience fee for credit and debit card transactions.

Application Information

Non-Refundable License Fees

- 1. Application Fee: \$1450 for New Location, \$400 for Transfer of Ownership

Materials Required

- 1. Notary Statement
- 2. Attachment of Michigan Liquor Control Commission Application
- 3. Treasury Form(s)
- 4. Floor Plans, if not already on file

(City Codified Ordinances - Chapter 830)

Business Information

I am applying for: * ☐ New Location ☒ Transfer of Ownership

License(s) for which I am seeking Local Government Approval * lottery, alcohol sales, tobacco, liquor

Business Name * THE COMFORT ZONE CIGAR LOUNGE & BAR LLC

Does Business As THE COMFORT ZONE CIGAR LOUNGE & BISTRO

Address *
Street Address
600 S. PENNSYLVANIA AVE.
Address Line 2
City
LANSING
State / Province / Region
MI
Postal / Zip Code
48912
Country
UNITED STATES

Phone* 517-204-4459
XXX-XXX-XXXX

Email comfortzonecb@gmail.com
name@domain

Applicant Information

Applicant Name* STEVEN LONZO

Address*
Street Address
1140 ABBOTT RD
Address Line 2
1362
City
EAST LANSING
Postal / Zip Code
48826

State / Province / Region
MI
Country
United States

Phone* 517-204-4459
XXX-XXX-XXXX

Email* comfortzonecb@gmail.com
name@domain

Business Owner Information

Type of Ownership* ☒ Single Owner ☐ Multiple Owners

Owner Name* STEVEN LONZO

Address*
Street Address
1140 ABBOTT RD
Address Line 2
1362
City
EAST LANSING
Postal / Zip Code
48826

State / Province / Region
MI
Country
United States

Phone* 517-204-4459
XXX-XXX-XXXX

Email* comfortzonecb@gmail.com
name@domain

Owner
Date of
Birth*

Owner
Place of
Birth* USA

Character of Business*

What Character of business do you intend to operate?

CIGAR LOUNGE AND BISTRO

Length of Time*

What is the length of time your business has been of that charater, or in the case of a corporation, the date when its charter was issued?

May 4 2022

Similar Licenses*

Have you made applications for a similar or other license on premises other than those described in this application?

☐ Yes

☒ No

Are Building Plans on File?*

☒ Yes

☐ No

I (we) have never been convicted of a felony and is (are) not disqualified to receive a license by reson of any item contrained in this chapter of the laws of the State.

☒ I Agree

I (we) will not violate any State of Federal laws or any ordinance of the City in the conduct of this business.

☒ I Agree

I (we) or my (our) agent(s) do not owe any personal property taxes.

☒ I Agree

The copy of the Michigan Liquor Control Commission application submitted with this application is a true copy of what I (we) intend to submit to the Michigan Liquor Control Commission.

☒ I Agree

Fees Due

\$ 400.00

Methods for payment are on the first page of this document, under "**Payments.**" Processing this application will not proceed until payment is received.

Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

☒ I Agree

I hereby certify that this application is complete and accurate to the best of my knowledge, information and belief. I understand that a false statement on this application may result in either a denial of this application or subsequent revocation if this license is granted.

Signature

Steven L. Lanzo

Date Submitted

9/19/2022

Attachments

A Treasury Form needs to be completed by every stakeholder per the Ordinance. Please click the link below and print, complete, sign, and attach the completed form to the application using the button below. [Download Treasury Form Document](#)

Treasury Form for all Stakeholders	Treasury Form Comfort Zone.pdf	89.88KB
------------------------------------	--	---------

Copy of Michigan Liquor Control Commission Application	Comfort Zone Cigar Lounge MLCC Liquor licens...	908.02KB
--	---	----------

Your application is required to be notarized per the Ordinance. Please click the link below and print, complete, sign and have notarized, and attach the completed form to the application using the button below. [Download Notarization Document](#)

Notarization Document*	Notary Form Comfort Zone.pdf	68.11KB
------------------------	--	---------

City Council Document(s)

Approvals

Instructions to City Clerk: Note: this license cannot be issued without approval by City Council. You may attach Council documents in the Attachment page or copy them later to the repository. Following a review of details and approval by council, choose an approval decision on the Clerk Approval row, and click **Submit**.

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Building Safety Approval	☐ Approved	☐ Denied
Treasury Approval	☒ Approved	☐ Denied
Treasurer Approval	☒ Approved	☐ Denied
Clerk Approval *	☒ Approved	☐ Denied

Resolution #2022-###

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, on November 8, 1978 the citizens of the City of Lansing adopted a new City Charter; and

WHEREAS, the 1978 City Charter requires that the question of whether there shall be a general revision of the 1978 City Charter shall be submitted to the voters of the City of Lansing at the November 1987 General Election and every twelve years thereafter; and

WHEREAS, 2023 is a year in which the question is to be placed before the electors; and

NOW, THEREFORE, BE IT RESOLVED that the proposal of whether the 1978 City Charter should be subject of a general revision shall be submitted to the qualified electors of the City of Lansing on Tuesday, November 7, 2023 in a manner and form substantially as follows:

Shall there be a general revision of the Lansing City Charter?

Yes _____

No _____

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to cause the above proposal to be placed on the ballot at the election to be held on Tuesday, November 7, 2023.

BE IT FURTHER RESOLVED that the ballot wording is hereby certified to the City Clerk and the Clerks of the Counties of Ingham and Eaton for submission to the City's electors at election to be held on Tuesday, November 7, 2023.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the ballot proposal to the vote of the electors as required by law.

BE IT FURTHER RESOLVED that the canvass and determination of the votes of said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Lansing.

Resolution #2022-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Robert Benstein as an At-Large member of the North Grand River Corridor of Improvement Board of Authority for a term to expire June 30, 2026; and

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

WHEREAS, the Committee on Development and Planning took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Robert Benstein as an At-Large member of the North Grand River Corridor of Improvement Board of Authority for a term to expire June 30, 2026.

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission, or Committee.

Certain boards, commissions, or committees require appointees to be a registered elector in the City of Lansing (Charter Section 2-102) and be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

Appointees to every board, commission, or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2) and not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

Lansing City Charter, Section 5-104, Ineligibility For Boards, restricts certain City employee activities on some boards: "No person holding another City office or activity employed by the City shall be eligible to be a voting member on any board."

Date	10/18/2022
First Name	Robert
Middle	William
Last Name	Benstein
Other name(s) by which you have been known, including maiden names	N/A
Date of Birth	06/25/1963
Address	6429 Drumlin Ct SE
City	Ada
State	MI
Zip Code	49301
Email	rbenstein@craa.com
Gender	Male

If you don't know which ward you live in, visit the [Lansing Neighborhoods Ward Map](#) and type in your address to find out!

Ward	Regional
Best Phone Number to Contact You	5178863716
In what year did you move to Lansing?	N/A
Occupational Background	Currently Vice-President & COO for the Capital Region Airport Authority. Thirty-seven years experience in airport management.
Educational Background	Bachelor of Science degree in Aviation Management from Southern Illinois University.
Previous Appointments	N/A
Current Appointments	N/A
First Choice for Board to Serve on	North Grand River Avenue Corridor Improvement Authority
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission.	Represent the Capital Region Airport Authority on the North Grand River Avenue (Lansing Gateway) Corridor Improvement Authority.

This certification is not required but may impact potential consideration of the appointment being sought. I authorize the use of the information provided above to conduct a background search, including but not limited to criminal history, residency, and indebtedness to the City of Lansing. If selected to serve, I further authorize additional background checks during the term of my service to ensure the required criteria continue to be met. I also acknowledge that I have the affirmative duty to inform the City if I become aware of any change or condition in my status that fails to meet the required criteria.

Agreement to Background Check Authorization • I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge.	Robert Benstein
---	-----------------

Date & Time	10/18/2022 5:05 PM (EDT)
-------------	--------------------------

Receive an email copy of this form.	Yes
-------------------------------------	-----

Resolution #2022-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

SLU-2-2022

340 E. Edgewood Blvd.

Self-storage rental facility

WHEREAS, the applicant, Juniper II, LLC has requested a special land use permit to authorize the use of the existing building at 340 E. Edgewood Blvd. for a self-storage rental facility; and

WHEREAS, a review was completed by staff evaluating the character, location and impact of the proposal on the surrounding area, the environment and public services as well as its consistency with the existing zoning and land use patterns in the area and with the objectives of the Design Lansing Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on October 6, 2022 at which the applicant's representatives spoke in favor and two individuals spoke in opposition to the request; and

WHEREAS, the Planning Board, at its November 10, 2022, meeting, voted (4-1) to recommend approval of SLU-2-2022 for a special land use permit to utilize the building at 340 E. Edgewood Blvd. for a self-storage rental business, with the following conditions:

- The two 6,800 square foot suites shown the attached plans at the northwest corner of the building are to be reserved for commercial uses that are permitted by right in the "S-C" Suburban Commercial zoning district; and
- At least 20% of the existing parking lot is to be converted to green space, primarily in the form of bio-swales or rain gardens that filter and clean the water as it absorbs into the ground (note: this will require approval of a plan showing the area to be converted and how it impacts the layout of the parking lot); and

WHEREAS, the City Council held a public hearing regarding SLU-2-2022 on _____ 2022; and

WHEREAS, the Committee on Development and Planning has reviewed the report and residential development recommendation of the Planning Board and concurs therewith.

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-2-2022 for a special land use permit to utilize the building at 340 E. Edgewood Blvd. for a self-storage rental business, with the following conditions:

- The two 6,800 square foot suites shown the attached plans at the northwest corner of the building are to be reserved for commercial uses that are permitted by right in the “S-C” Suburban Commercial zoning district; and
- At least 20% of the existing parking lot is to be converted to green space, primarily in the form of bio-swales or rain gardens that filter and clean the water as it absorbs into the ground (note: this will require approval of a plan showing the area to be converted and how it impacts the layout of the parking lot)

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

1. The proposed self-storage rental facility will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed self-storage rental facility will not change the essential character of the area.
3. The proposed self-storage rental facility will not interfere with the enjoyment of adjacent properties.
4. The proposed self-storage rental facility does represent an improvement to the property.
5. The proposed self-storage rental facility will not generate any nuisances or hazardous conditions.
6. The proposed self-storage rental facility can be adequately served by public services and utilities.
7. The proposed self-storage rental facility will not place any demand on public services and facilities in excess of current capacities.
8. The proposed self-storage rental facility is consistent with the goals of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed self-storage rental facility will comply with the dimensional requirements of the Zoning Ordinance.

SLU-2-2022, 340 E. Edgewood Blvd. (Former Sam's Club building)

At its November 10, 2022, meeting, the Planning Board, by a vote of 4-1, recommended approval of SLU-2-2022. Board member Tony Cox cast the dissenting vote citing concerns about the proposed use not contributing to the economic vitality of south Lansing.

his is request for a special land use permit to utilize the building at 340 E. Edgewood Blvd. for a self-storage rental business, with the following conditions:

- The two 6,800 square foot suites shown the attached plans at the northwest corner of the building are to be reserved for commercial uses that are permitted by right in the “S-C” Suburban Commercial zoning district; and
- At least 20% of the existing parking lot is to be converted to green space, primarily in the form of bio-swales or rain gardens that filter and clean the water as it absorbs into the ground

At its October 6, 2022, meeting, the Planning Board held a new public hearing at which 2 individuals spoke in opposition to the request. No other comments from the public were received at the hearing. Attached are 7 written communications objecting to the SLU.

GENERAL INFORMATION

APPLICANT/OWNER:	Juniper II, LLC 3435 Promenade Avenue, #1001 Eagan, MN 55123
REQUESTED ACTION:	Special land use permit to for self-storage
EXISTING LAND USE:	Vacant building (formerly Sam's Club)
EXISTING ZONING:	"S-C" Suburban Commercial
PROPERTY SIZE & SHAPE:	Irregular Shape – 461,319.6 square feet
SURROUNDING LAND USE:	N: Vacant, Parking Lot, Retail S: Retail, Vehicle Sales E: Multi-Tenant Commercial Building W: Vehicle Sales, Parking Lot, Broadcasting Station
SURROUNDING ZONING:	N: "S-C" Suburban Commercial S: "S-C" Suburban Commercial E: "S-C" Suburban Commercial W: "S-C" Suburban Commercial
MASTER PLAN DESIGNATION:	The Design Lansing Comprehensive Plan designates the subject property for suburban commercial use. E. Edgewood Blvd. and American Road are both designated as suburban corridors.

REQUEST

This is a request by Juniper II, LLC for a special land use permit to utilize the majority of the building at 340 E. Edgewood Blvd. (former Sam's Club) for a self-storage rental business. The property is zoned "S-C" Suburban Commercial, which zoning district permits self-storage, if a special land use permit is approved by the Lansing City Council, following review and a recommendation by the Planning Board.

The building at 340 E. Edgewood Blvd. is 137,454 square feet in area. The applicant's proposal is to reserve 2, 6,800 square feet spaces at the northwest corner of the building for retail use. The applicant has also indicated its intent to reduce the amount of parking on the site by constructing additional retail space and/or converting a significant amount of the parking lot into green space as depicted in the attached renderings.

ANALYSIS

Section 1282.03(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

- 1. Is the proposed special land use designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

The proposal is to permit the large commercial building at 340 E. Edgewood Blvd. to be used for a self-storage facility, with the exception of 13,600 square feet of space at the northwest corner of the building that would be reserved for general commercial use such as retail sales. While self-storage facilities are not the most desirable uses in commercial areas, they are appropriate in certain locations where the lack of activity that they generate does not create negative perceptions with regard to its vibrancy.. Self-storage facilities should be located on sites that do not have direct frontage on a commercial corridor. Those sites should be reserved for businesses that depend on visibility to high volumes of traffic to draw customers. Storage facilities, by contrast, are destination type uses that do not depend on exposure to pass-by traffic to establish a customer base. In this case, the subject property does not have any direct frontage on E. Edgewood Blvd. and is buffered by existing commercial properties located along the road frontage.

The proposed storage facility will allow for use of a building that sat vacant after Sam's Club closed in 2018. It was reused for a short period of time over the past few years when the Stock and Field retail store occupied the building. This chain closed all of its locations in 2021, thus leaving the building vacant once again. Vacant buildings detract, rather than contribute to the vibrancy of commercial areas. Therefore, while self-storage is not the most ideal use of the building, it will generate some additional traffic which may benefit the other businesses in the area by increasing their customer base.

The applicant's proposal includes improving the appearance of the building and converting areas of the parking lot into green space. These improvements will have a positive impact on the site and hence, the surrounding area in general.

- 2. Will the proposed special land use change the essential character of the surrounding area?**

The primary concern with self-storage uses in commercial areas is that they do generate much activity and hence, very little traffic. This typically results in large seas of unused parking that is unattractive and does not contribute to the vibrancy of commercial districts. In this case, however, the site is not located directly on Edgewood Blvd. and in fact, is separated therefrom by commercial sites located along the road frontage.

The applicant's proposal involves reserving space in the building for general commercial uses such as retail sales that will draw some customer traffic to the site. It also includes converting areas of the parking lot into green space which will make the site more attractive and will help to mitigate concerns about the negative impacts that large empty parking lots

can have on the vitality or perception thereof of the commercial areas in which they are located.

3. Will the proposed special land use interfere with the enjoyment of adjacent property?

The proposed self-storage facility will have no negative impacts on the enjoyment of adjacent properties. The facility will not create issues such as noise that would be detrimental to existing businesses or would be a deterrent to drawing new businesses to the area.

4. Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?

The site is almost 100% covered by impervious surface due to an excessive amount of parking, most of which was never used even when Sam's Club was in full operation. The application for the special land use permit indicates that consideration will be given to converting a substantial portion of the parking lot to green space, which would have a very positive impact on the environment. Staff strongly supports and encourages the applicant to reduce the amount of parking on the site and create areas of green space. The City will need to review and approve a site plan for any modifications to the site, including the removal of pavement to ensure that the changes do not interfere with on-site circulation and will not reduce the amount of parking below what is required and actually needed to support the proposed uses.

5. Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?

The applicant's proposal will not generate any nuisances or hazardous conditions. The traffic is anticipated to be very light, and the proposed self-storage rental and general retail sales uses typically do not produce any noise, smoke, odors, fumes or glare.

6. Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?

The site/building is more than adequately served by all necessary public facilities and services to accommodate the proposed uses.

7. Will the proposed special land use place demand on public services and facilities in excess of current capacity?

The proposed special land use will generate very little traffic and its demand for utility services will be very low, particularly in comparison to the former uses of the building for

retail sales and to most other uses that would be permitted by right in the S-C zoning district. Implementation of the plan to convert a significant area of the parking lot into green space would reduce the impact of the site on the stormwater system and is strongly encouraged.

8. Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?

The Design Lansing Comprehensive Plan designates the subject property for suburban commercial use, which is also the zoning designation of the property. The Plan lists the following as “typical uses” for the “Suburban Commercial” land use category:

“General and convenience retail uses; medium-density residential in a suburban format (see Medium-Density Residential, above); office; and light industrial with special approval.”

Self-storage facilities qualify as light industrial uses which makes them consistent with the suburban commercial land use category as defined and described in the master plan.

The reason that self-storage facilities require a special land use permit in the “S-C” zoning district is so that the City can determine if the use is appropriate at a specific location. Such uses should be located on sites where they are easily accessible from but not located directly on a major commercial thoroughfare. The subject property is an appropriate location for the proposed storage facility as it is not located directly on Edgewood Blvd. and is buffered therefrom by commercial properties along the road frontage. This helps to mitigate the concerns described in the preceding sections of this report about the potential negative impacts that a business that does not draw much customer traffic can have on a commercial area.

9. Will the proposed special land use meet the dimensional requirements of the district in which the property is located?

The only dimensional requirement that applies to this request is the required number of parking spaces. The zoning ordinance requires 1 parking space for each 250 square feet of useable retail space and 1 parking space for every 50 self-storage rental units, plus 1 space for each employee associated with the self-storage business. While the number of proposed rental units is not known, there are over 450 parking spaces on the site which is at least 350 parking spaces more than what would be required to serve the proposed uses, using the most conservative estimates.

SUMMARY

This is a request by Juniper II, LLC for a special land use permit to utilize the majority of the building at 340 E. Edgewood Blvd. (former Sam’s Club) for a self-storage rental business. The property is zoned “S-C” Suburban Commercial, which zoning district permits self-storage, if a special land use permit is approved by the Lansing City Council, following review and a recommendation by the Planning Board.

Based on the findings described in this staff report, the proposal complies with all of the criteria of Section 1282.03(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the goals of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

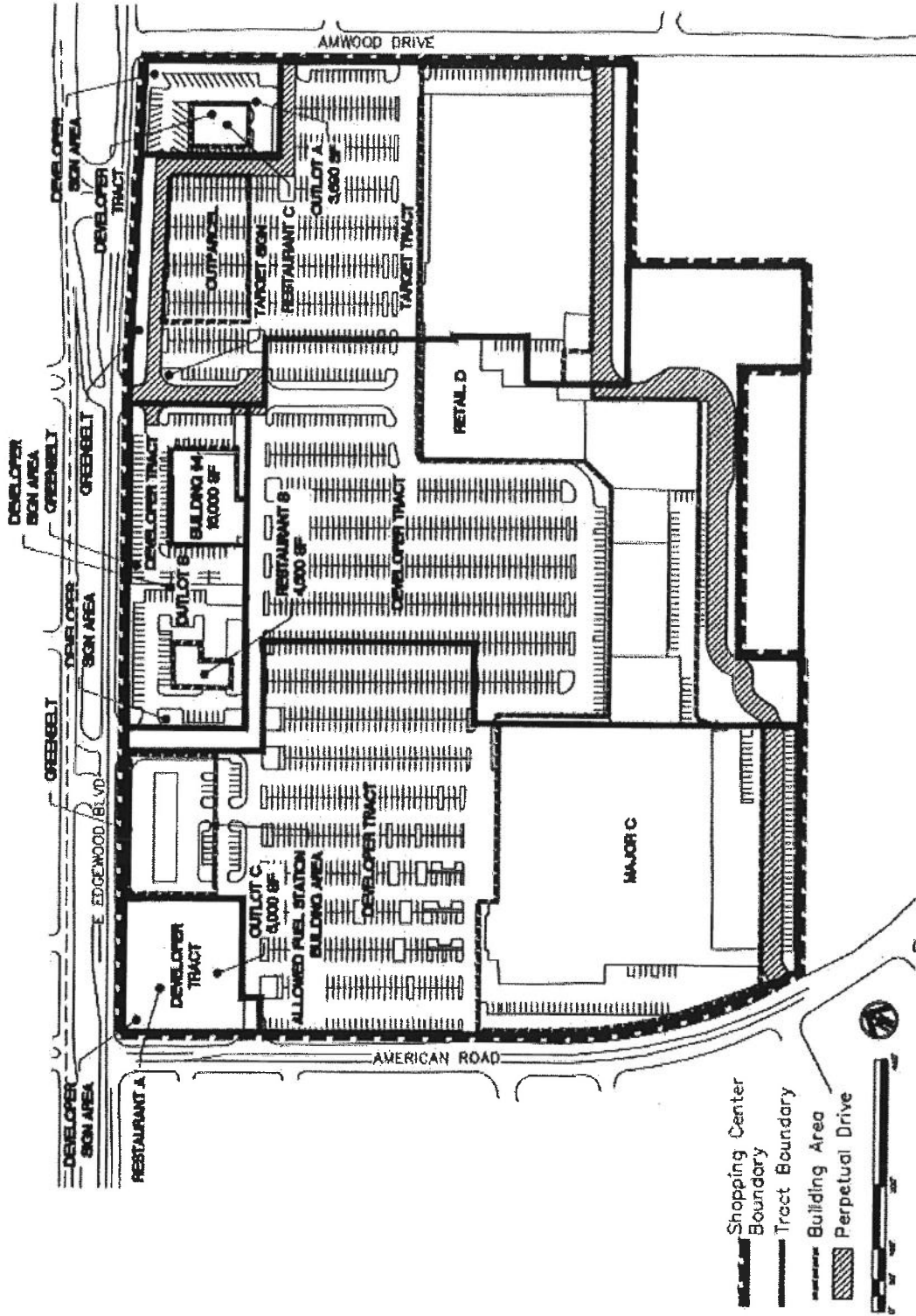
RECOMMENDATION

Staff recommends approval of SLU-2-2022, a special land use permit to utilize the building at 340 E. Edgewood Blvd. for a self-storage rental business, based on the findings of fact described in this staff report, with the following conditions:

- The two 6,800 square foot suites shown the attached plans at the northwest corner of the building are to be reserved for commercial uses that are permitted by right in the “S-C” Suburban Commercial zoning district; and
- At least 20% of the existing parking lot is to be converted to green space, primarily in the form of bio-swales or rain gardens that filter and clean the water as it absorbs into the ground (note: this will require approval of a plan showing the area to be converted and how it impacts the layout of the parking lot).

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



T-0361 Lansing South, MI

K: \0024545.00\DWG\0361SITEX-2.DWG 10/31/2019 7:03:08 AM

Exhibit X-2
Site Plan (Sheet 1 of 2)

[illegible]

¹ PARCEL 1
and situated in the City of Lansing, County of Ingham, and State of Michigan, described as:

Parcel 1
of Lot 27, KAPRES FARM NO. 2, as recorded in Liber 44 of Plats, Pages 5 through 11,
Ingham County Records, being more particularly described as follows: Beginning at the North
corner of Lot 27, thence South, bearing thereon S 89° 06' 00" East, 187.43 feet; thence South 82° 01' 58" West, 224.35
feet; thence North 27° 58' 02" West, 187.43 feet; thence North 82° 01' 58" East, 224.35 feet along the
easterly boundary line of Edgemoor Island to the point of beginning.

[illegible][illegible]

FOR INFORMATION ONLY:

Parcel Address:
PARCEL 1: Vacant Land
PARCEL 2: 340 E. Edgewood Blvd. Lansing, MI 48911

Parcel Numbers:
PARCEL 1: 33-01-06-08-403-015
PARCEL 2: 33-01-06-08-403-014

The above legal description is correct and true to the best of my knowledge and belief.

NOTES CORRESPONDING TO SCHEDULE B:

[illegible][illegible]

phases of New England's and Rhode Island's literature are addressed as an addendum to the main text. See the end of the Introduction in *Liter 46* of *Poets*, Page 5 through 11, illustrations. (Cited on the subject primarily on above.)

GENERAL NOTES:

GENERAL NOTES:

- Respective names are indicated by two asterisks (**). A source of information is indicated by the letter(s) in parentheses. The source of information used for "Telephone Number" is as reported in Letter 44, pages 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 83

(a) SECOND AVENUE CAPITAL PARTNERS, LLC, AS ADMINISTRATIVE AGENT, and its successors and/or assigns and Fidelity National

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, a standard established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 7a, 7c, 8, 10a, 13, 14, 16, 17, 18, and 20 of Table A thereof. The field work was completed on February 28, 2020.

Wendy S. Fuller
Professional Surveyor No. 47969
Email: fuller@eg-sa.com
Date: February 28, 2020
Date of Last Revision: March 3, 2020

NOTE: This survey is for the exclusive use and benefit of the parties indicated and is not intended for future transactions.

PARKING SPACE TABLE	
TYPE OF SPACE	EXISTING STRIPED SPACES
REGULAR	718
HANDICAP	24
TOTAL	742

See General Note #10

See General Note #10

LEGEND:

- [illegible]

**MISS
DIG**

ALTA / NPS LAND TITLE SURVEY
OF
STOCK AND FIELD
340 E EDGEWOOD BOULEVARD
LANSING, MICHIGAN 48911

8100 AND FIELD
2800 EAGAN WOODS DRIVE #120
EAGAN, MINNESOTA 55121

LSG
Engineers
& Surveyors

INVESTIGATION		DATE
REPORTED BY & LABOURER FOR CRIME NO.		08/01/71
REPORTED NAME NO.		08/01/71











Stachowiak, Susan

From: Nancy Mahlow <nmahlow2012@gmail.com>
Sent: Monday, October 3, 2022 12:03 AM
To: Stachowiak, Susan
Cc: wilkes jason; Adam Hussain
Subject: [EXTERNAL] Special SLU for Yet Another Storage Facility

ABSOLUTELY NOT!!

South Lansing and our city in general are saturated with storage units. There are OVER 11 units already on the south side. This has to stop!

This is yet another prime location that could be an attraction for positive growth. How about a family entertainment area? We are trying to encourage people to come to Lansing, look for tourist attractions, and build our neighborhood communities and this is not what we need. This may not be in my ward and/or neighborhood but this is my city and I stand with my southside neighbors.

DO NOT SUPPORT THIS! ENOUGH!

--

Nancy Mahlow
nmahlow2012@gmail.com
517-372-3249

Stachowiak, Susan

From: Elaine M. Womboldt <emwomboldt@comcast.net>
Sent: Monday, October 3, 2022 9:16 PM
To: Stachowiak, Susan
Cc: Hussain, Adam
Subject: [EXTERNAL] Opposing Special Land Use for additional self-storage at the old Sam's Club and Stock and Feed

Ms. Stachowiak and Planning Board Members,

This email is my public comment to vehemently oppose the Special Land Use to allow for additional self-storage at the old Sam's Club and Stock and Field. Please include this email of opposing the Special Land Use as part of the record.

My husband and I have lived in South Lansing since 1969. When we moved into South Lansing it was a thriving community. Over the time we have seen South Lansing deteriorate and be less then a robust community.

It almost seems to me that the Planning Board doesn't have a vision for innovative and positive growth in the South Lansing community. We need small businesses, community centers, medical facilities, unique retail shops, recreational facilities for our youth, just to mention a few ideas. Why not set up the former Sam's / Stock and Field as a Training Tech Facility? One thing South Lansing does not need is another Self Storage business. The one on S. Cedar Street (formally K-Mart) has not been completed and as I understand there are many vacant storage units in other self-storage facilities.

Please consider the citizens in South Lansing's desire to have various positive and , productive businesses so we can attract individuals to buy property in South Lansing.

I encourage each of the Planning Board Members to oppose this proposed Special Land Use of Sam's / Stock and Field,

Thank you for your time to consider my request.

Sincerely,
Elaine Womboldt
4815 Tressa Drive
Lansing, MI 48910
517/393-0317

Stachowiak, Susan

From: Kamiyia Terry <kamiyia.terry1209@gmail.com>
Sent: Monday, October 3, 2022 5:03 PM
To: Stachowiak, Susan
Subject: [EXTERNAL] Former Sam's location

Good afternoon,

I am writing to voice my concerns to convert the former Sam's Club location into another self storage facility.

In case you are not aware, people use that parking lot to drag race, do donuts and congregate at night. There is trash, debris and tires marks in the parking lot. That parking lot has also turned into a semi truck parking location. I am not sure if it was approved by the owners of the property or the city but that is what I have seen recently.

I dont think this is the best use of resources for that location as I feel adding another storage facility will only attract more crime and serve as a hub for mischief.

There are families and seniors that live across the street. There is a shopping center adjacent to this property and I feel more stores will continue to shut down because people will not feel safe.

That location is already deserted enough and I think providing more cover and places to hide will only influence crime in the area.

Has anyone else thought to put a meaningful structure in this space? Like a gas station? Or more food options? As a commuter that uses Edgewood Blvd on a daily basis I find putting another storage facility in this place is a waste of resources and space.

There are more storage facilities than housing options in Lansing. How and why is that so? And why must this facility be located across the street from income driven housing units? A senior citizen facility down the road? Right next to a major highway for easy on and easy off access for crime? How many more facilities does Lansing need to serve as a front for drugs and guns? The owners of these facilities do not care nor do they know what these tenants are actually storing, all they are concerned about is the money.

I'm sorry I am not able to attend the meeting in person as I have a prior commitment but I wanted to voice my concerns.

At this rate, the officials in charge are turning this city into a low income dumping ground and will continue to lose residents if quality businesses are not being brought in.

Thank you
Kamiyia Terry

Stachowiak, Susan

From: Cheryl Leek <cheryl2043@gmail.com>
Sent: Friday, September 30, 2022 3:42 PM
To: Stachowiak, Susan
Subject: [EXTERNAL] Self storage

I want it known that I oppose the self storage planned for the area that used to be Sam's Club. We currently have 3 large facilities that are self storage in South Lansing. I see no reason that the southside needs another one. We really need a family entertainment facility such as indoor year round swimming, indoor go carting, trampoline, roller skating or similar activities. I would like my letter entered into your meeting. Thank you for taking the time to read and consider my suggestions.

Cheryl Leek
2043 Pleasant View Avenue
Lansing, MI 48910

Stachowiak, Susan

From: Maureen Brunette <maureenpat08@att.net>
Sent: Thursday, September 29, 2022 5:50 PM
To: Stachowiak, Susan
Cc: Hussain, Adam
Subject: [EXTERNAL] For Planning Board Oct 4 Public Record

From: Maureen Brunette <maureenpat08@att.net>
Date: September 29, 2022 at 5:42:03 PM EDT
To: susan.stachowiak@lansingmi.gov
Subject: For Planning Board Oct 4

I would like this email to be included in the public record. I oppose any additional self storage facilities in South Lansing, specifically at the defunct Sam's Club/ Farm & Fleet stores. I feel this area could be better utilized with a different option and feel Lansing could do a better job marketing these areas to different companies that would actually promote a more positive image and better tax revenues.

Thank you,

Maureen Brunette
3023 Boston Blvd
Lansing, Mi 48910

Sent from my iPhone

October 3, 2022

To the City of Lansing Planning Board

RE: REQUESTED ACTION: Special land use permit to for self-storage

RE: EXISTING LAND USE: Vacant building (formerly Sam's Club)

REQUEST: This is a request by Juniper II, LLC for a special land use permit to utilize the majority of the building at 340 E. Edgewood Blvd. (former Sam's Club) for a self-storage rental business.

Just how many self storage units does this city need? I realize the bottom line here is money but really can't there be more creativity in designing a use for that building?

The group requesting this Special Land use is an LLC from Minnesota. Don't they have places in Minnesota they can turn into storage units? Do they have to travel to another state to get storage units in a city that just doesn't need them.

This LLC has a Board and Executive Board of ALL MEN to develop something, leave and not have to live with the results.

It was bad enough to have U Haul turn the old K-Mart into storage units. Truly, Malls across the country are using their imagination to develop spaces for family friendly activities instead of the easy way out. While this isn't a Mall it is a space that can be divided into separate areas.

There needs to be a development that will increase retail traffic for the Mall next Door. There is already one store there closing because of lack of traffic. We need more retail. Maybe turn the building into an incubator for new businesses to build brick and mortar speciality shops. Those are springing up all across the country. Why even Manton Michigan (small town in northern Michigan) has that type of retail.

Try using your imaginations and please do not approve another self storage business which is not needed, is being supported by an out of state business, and shows a tremendous lack of imagination in the possibilities. It is an easy fix. Lansing can do better. Please do not approve this area for self storage or has the decision already been made?

Flo Baerren
Lansing Resident

Sue Stachowiak
Zoning Administrator
124 W Michigan Ave
Lansing, MI 48933

October 31, 2022

RE: Special Land Use Application (SLU-2-2022)
Self-Storage Rental, Parcel 33-01-05-09-403-014

Ms. Stachowiak,

This letter is in response to the special land use application (SLU-2-2022) that was submitted to the City and presented at the October Planning Board meeting. I have included the nine (9) standards required for a special land use application from the City's zoning ordinance below with my responses in bold.

1. If the special land use is designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area;
No objection.
2. If the special land use changes the essential character of the surrounding area;
The application's requested use will change the character of the surrounding area as the subject property is completely surrounded by commercial uses. This request is placing an industrial use in the heart of a commercial district. If this application were to be successful, this use could negatively impact other existing commercial uses in the surrounding area via loss of traffic.
3. If the special land use interferes with the general enjoyment of adjacent property;
By removing a commercial use from this subject property, the adjacent properties lose a facility that could generate traffic to their businesses.
4. If the special land use represents an improvement to the use or character of property under consideration and the surrounding area in general and also is in keeping with the natural environment of the lot;
This application will not improve the use or character of the property as it will maintain the current state the facility is in. The facility will not generate traffic at the same level a commercial use would therefore negatively impacting surrounding adjacent commercial uses.
5. If the special land use is not hazardous to adjacent property, or does not involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of Special Land Use Permits 1262 persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare;
No comment.
6. If the special land use is adequately served by essential public facilities and services, or it is demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration;
No objection.
7. If the special land use does not place demands on public services and facilities in excess of current capacity;
No objection.

8. If the special land use is consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan;
From the 2012 Comprehensive Plan, the plan states "*Residential areas, especially in the southern portion of the city, that lack neighborhood-serving retail and services, are automobile dependent and have no clear focal point for community activity and identity.*" This application would remove a neighborhood-serving retail use from the south side of the City which goes against the Comprehensive Plan. In addition, this property is along a Suburban Corridor and noted as "Highest ridership transit corridors (based on CATA annual ridership). This property is readily accessible via CATA as a bus stop is directly in front of the face of the building along Edgewood Boulevard therefore meeting the Comprehensive Plan goals for providing neighborhood-serving retail and automobile independent.
9. If the special land use meets the dimensional requirements of the district in which the property is located.
No objection.

I would encourage the Planning Board to have a discussion regarding the Suburban Commercial, SC, zoning district standards about removing Self-Storage Rental as a special land use. The City, particularly the south side, has seen an influx of self-storage facilities in the Suburban Commercial district. The use is permitted by right in the three (3) Industrial zoning districts which is an appropriate zoning designation for self-storage use. By removing the special land use for a self-storage facility in the SC district, this would require future applicants to request a rezoning which allows the Planning Board to look at the use of properties as opposed to the nine (9) standards required by a special land use application.

Should any members of the Planning Board have any questions or wish to discuss anything further with me, please feel free to email me at igraham@bergmannpc.com or call at (517) 648-2041.

Sincerely,



Ian Graham, PE

Resolution #2022-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2022, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the request for a special land use permit:

SLU-2-2022: 340 E. Edgewood Blvd., Special Land Use permit for a self-storage facility

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**340 E. Edgewood Blvd.
SLU-2-2022, Special Land Use Permit – Self-Storage Facility**

The Lansing City Council will hold a public hearing on Monday, , 2022 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-2-2022. This is a request by Juniper II, LLC for a special land use permit to utilize the existing building at 340 E. Edgewood Blvd. for a self-storage facility. The subject property is zoned “S-C” Suburban Commercial, which zoning district allows self-storage facilities subject to approval of a special land use permit by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2022 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

Resolution #2022-###

City of Lansing
Counties of Ingham and Eaton, State of Michigan

A RESOLUTION ENACTED UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SEWAGE DISPOSAL SYSTEM REVENUE BONDS FOR THE PURPOSES OF PAYING FOR IMPROVEMENTS TO THE SYSTEM, AND PAYING COSTS RELATING THERETO; AUTHORIZING DETERMINATION OF STANDING AND PRIORITY OF LIEN WITH RESPECT TO OUTSTANDING SEWAGE DISPOSAL SYSTEM REVENUE BONDS OF THE CITY ISSUED UNDER CITY ORDINANCE NO. 29-A, AS AMENDED AND SUPPLEMENTED; PROVIDING FOR RETIREMENT AND SECURITY OF THE BONDS HEREIN AUTHORIZED; ACCEPTING ONE OR MORE GRANTS AND AUTHORIZING SUCH AGREEMENTS AND ACTIONS RELATED TO SUCH ACCEPTANCE; AND PROVIDING FOR OTHER MATTERS RELATIVE THERETO.

WHEREAS, the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the **“City”**) by Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 31-A, 32-A, 33-A, 35-A, 838, 873, 993, 0544, 2010-423 and 2012-269, and by Resolution No. 2021-264 (collectively, the **“Outstanding Bond Ordinances”**) has provided for the issuance by the City of Sewage Disposal System Revenue Bonds; and

WHEREAS, the State of Michigan Department of Environment, Great Lakes, and Energy (**“EGLE”**), through its Administrative Consent Order #ACO-05153 (the **“Consent Order”**) dated December 12, 2019, ordered the City to abate raw sewage overflows from its sewerage collection system; and

WHEREAS, EGLE and the City have agreed to implement the City’s Wet Weather Control Plan, as amended (the **“Wet Weather Control Plan”**), in compliance with the Consent Order;

WHEREAS, it is now deemed necessary by the City Council of the City (the **“Council”**) to equip, improve, rehabilitate, acquire, construct and install certain improvements to the City’s Sewage Disposal System (the **“System”**), including but not limited to sanitary sewer overflow remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements (the **“2023 SRF Improvements”**) in compliance with the plans approved under the Consent Order and according to the Wet Weather Control Plan; and

WHEREAS, Act 94, Public Acts of Michigan, 1933, as amended (**“Act 94”**), authorizes the Council to issue bonds under Act 94 without submitting the proposition to the voters of the City for approval and without publishing a notice of intent when the bonds are issued to comply with an order or permit requirement of a state or federal agency of competent jurisdiction to prevent or limit pollution of the environment; and

WHEREAS, the City intends to finance construction and acquisition of the 2023 SRF Improvements through issuance of sewage disposal system revenue bonds (the “**2023 SRF Bonds**”), and to sell the 2023 SRF Bonds to the Michigan Finance Authority (the “**Authority**”); and

WHEREAS, Section 19 of Ordinance No. 29-A authorizes the issuance of revenue bonds of equal standing and priority of lien with the Outstanding Senior Lien Bonds authorized by the Outstanding Bond Ordinances as follows:

(a) For subsequent repairs, extensions, enlargements and improvements to the System or for the purpose of refunding part of any Bonds then outstanding and paying costs of issuing such Additional Bonds including deposits which may be required to be made to the Bond Reserve Account. Bonds for such purposes shall not be issued pursuant to this subparagraph (a) unless the average actual or augmented Net Revenues of the System for the then last two (2) preceding twelve month operating years or the actual or augmented Net Revenues for the last preceding twelve month operating year, if the same shall be lower than the average, shall be equal to at least one hundred thirty (130%) percent of the maximum amount of principal and interest thereafter maturing in any operating year on the then outstanding Bonds and on the Additional Bonds then being issued. If the Additional Bonds are to be issued in whole or in part for refunding outstanding Bonds the maximum annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the annual principal and interest requirements of any Bonds to be refunded from the proceeds of the Additional Bonds. For purposes of this subparagraph (a) the City may elect to use as the last preceding operating year any operating year ending not more than sixteen months from the date of delivery of the Additional Bonds and as the next to the last preceding operating year, any operating year ending not more than twenty-eight months from the date of delivery of the Additional Bonds. If the System rates, fees or charges shall be increased at or prior to the time of authorizing the Additional Bonds, the Net Revenues for each of the two preceding operating years shall be augmented by an amount reflecting the effect of the increase had the System’s billings during such operating years been at the increased rates. In addition, the actual Net Revenues for each of the two preceding operating years may be augmented by the estimated increase in Net Revenues to accrue as a result of the acquisition of the repairs, extensions, enlargements and improvements to said System to be paid for in whole or in part from the proceeds of the Additional Bonds to be issued. In addition, the actual Net Revenues may be augmented by an amount equal to the investment income representing interest on investments estimated to be received each operating year from the addition to the Bond

Reserve Account to be funded from the proceeds of the Additional Bonds being issued. Determination by the Council as to existence of conditions permitting the issuance of Additional Bonds shall be conclusive. No Additional Bonds of equal standing as to the Net Revenues of the System shall be issued pursuant to the authorization contained in this subparagraph if the City shall then be in default in making its required payments to the Operation and Maintenance Fund or the Redemption Fund;

WHEREAS, the City has met or will meet all the conditions and requirements of Section 19 of Ordinance No. 29-A for the issuance of the proposed 2023 SRF Bonds as bonds of equal standing and priority of lien with the Outstanding Senior Lien Bonds issued pursuant to the Outstanding Bond Ordinances, or such 2023 SRF Bonds will be issued on a subordinate, junior lien basis to the Outstanding Senior Lien Bonds and on equal standing and priority of lien with the Outstanding Junior Lien Bonds; and

WHEREAS, all things necessary to the authorization and issuance of the 2023 SRF Bonds under the Constitution and laws of the State of Michigan, particularly Act 94, the Charter and ordinances of the City, and the Outstanding Bond Ordinances, have been done or will be done, and the Council is now empowered and desires to authorize the issuance and sale of the 2023 SRF Bonds; and

WHEREAS, the City has been awarded one or more grants from the Michigan Department of Environment, Great Lakes, and Energy (“**EGLE**”) pursuant to the American Rescue Plan legislation, and appropriated pursuant to Michigan Public Act 53 of 2022, pursuant to America’s Water Infrastructure Act of 2018, which amended section 221 of the Clean Water Act to reauthorize Sewer Overflow and Stormwater Reuse Municipal Grants administered by EGLE’s Water Resources Division, or pursuant to such other legislation or appropriations for the benefit of the 2023 SRF Improvements (collectively, the “**Grant**”) in an aggregate amount of approximately Seventeen Million Dollars (\$17,000,000), or approximately fifty-two percent (52%) of the amount of the 2023 SRF Improvements eligible for financing through the State Revolving Fund program; and

WHEREAS, pursuant to this Resolution, the City, by and through the Council, wishes to accept and appropriate the Grant to support the financing of the 2023 SRF Improvements; and

WHEREAS, the Council wishes to authorize the Authorized Officers (as defined herein) to finalize the terms of the issuance and sale of the 2023 SRF Bonds and to take any actions necessary to receive the Grant, without further resolution of the Council.

NOW, THEREFORE, THE CITY OF LANSING RESOLVES:

Section 1. Definitions. All terms not defined herein shall have the meanings set forth in the Outstanding Bond Ordinances and whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) “2023 SRF Construction Fund” means the 2023 SRF Construction Fund established pursuant to Section 10 of this Resolution for the deposit of the proceeds of the 2023 SRF Bonds for the purpose of constructing and acquiring the 2023 SRF Improvements.

(b) “2023 SRF Improvements” means the following improvements to the System: equipping, improving, rehabilitating, acquiring, constructing and installing certain improvements to the City’s Sewage Disposal System, including but not limited to sanitary sewer overflow remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements as required under the Consent Order and evidenced in the Wet Weather Control Plan.

(c) “2023 SRF Bonds” means the Sewage Disposal System SRF Revenue Bonds, Series 2023 authorized by Section 5 of this Resolution for the purpose of paying for the 2023 SRF Improvements and paying the costs of issuing the 2023 SRF Bonds.

(d) “Authority” means the Michigan Finance Authority.

(e) “Authorized Officer” means any one of the following officials of the City: the Mayor, the Deputy Mayor, the Finance Director, the Chief Strategy Officer or the Interim Finance Director.

(f) “Bond Reserve Requirement” means the lesser of (1) maximum annual debt service due on the Outstanding Senior Lien Bonds (including the 2023 SRF Bonds, if applicable), (2) 125% of the average annual debt service on Outstanding Senior Lien Bonds, or (3) 10% of the original aggregate face amount of each series of bonds currently outstanding, reduced by the net original issue discount, if any.

(g) “Junior Lien Bonds” means any bonds issued on a subordinate basis to any of the City’s Outstanding Senior Lien Bonds and on a parity basis with the City’s Outstanding Junior Lien Bonds.

(h) “Outstanding Junior Lien Bonds” means the City’s Sewage Disposal System Revenue Bonds (SRF Project #5005-24) (Junior Lien), Series 2022.

(i) “Outstanding Senior Lien Bonds” means any bonds currently outstanding under the Outstanding Bond Ordinances, which have not been paid or defeased, payable on a priority basis over the City’s Outstanding Junior Lien Bonds or any additional Junior Lien Bonds.

(j) “Outstanding Bond Ordinances” means Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 30-A, 31-A, 32-A, 33-A, 35-A, 838, 873, 993, 0544, 2010-423 and 2012-269 and by Resolution No. 2021-264.

(k) “Senior Lien Bonds” means any bonds issued pursuant to Section 19 of Ordinance 29-A and on a parity basis with the City’s Outstanding Senior Lien Bonds.

(l) “SRF Program” means the State of Michigan Revolving Fund Program.

Section 2. Conditions Permitting Issuance of Additional Bonds. Pursuant to Section 19 of Ordinance 29-A, if the 2023 SRF Bonds will be of equal standing and priority of lien to the Outstanding Senior Lien Bonds, the Council hereby determines that the 2023 SRF Bonds will be issued within the following parameters:

(a) the average actual or augmented Net Revenues of the System for two consecutive preceding twelve-month operating years ending not more than twenty-eight months from the date of delivery of the 2023 SRF Bonds are equal to at least 130% of the maximum amount of principal and interest thereafter maturing in any operating year on the then Outstanding Senior Lien Bonds and the 2023 SRF Bonds, as required by Section 19(a) of Ordinance No. 29-A; and

(b) the City is not in default in making its required payments to the Operation and Maintenance Fund or the Redemption Fund established by Ordinance No. 29-A.

As applicable, an Authorized Officer shall determine that the conditions of the Outstanding Bond Ordinances including Section 19 of Ordinance 29-A for the issuance of the 2023 SRF Bonds as Senior Lien Bonds have been met.

If the 2023 SRF Bonds will be issued as Junior Lien Bonds, the 2023 SRF Bonds will otherwise be issued pursuant to the requirements of State of Michigan law, the Outstanding Ordinances and specifically the projected annual Net Revenues of the System after payment of the Outstanding Senior Lien Bonds will be at least 1.0x the annual principal and interest due on the 2023 SRF Bonds and any other Outstanding Junior Lien Bonds.

An Authorized Officer is authorized to direct the creation of such accounts and subaccounts within the Funds created by Ordinance 29-A, including but not limited to for the purposes of setting aside Revenues each month as described in Section 13 of Ordinance 29-A for the purpose of paying principal and interest on the 2023 SRF Bonds issued as Junior Lien Bonds, after Revenues have been allocated as required for the Outstanding Senior Lien Bonds.

Section 3. Necessity of 2023 SRF Improvements. It is hereby determined to be necessary for the public health and welfare of the City to proceed to acquire and construct the 2023 SRF Improvements in accordance with approved plans and specifications.

Section 4. Cost and Useful Life of 2023 SRF Improvements. The cost of the improvements to support the City's Wet Weather Control Plan (including the 2023 SRF Improvements) is estimated not to exceed Sixty-One Million Dollars (\$61,000,000) including the payment of incidental expenses as specified in Section 5 of this Resolution, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the 2023 SRF Improvements is estimated to be not less than thirty (30) years.

Section 5. Payment of Costs of 2023 SRF Improvements and Authorization of 2023 SRF Bonds. It is hereby determined that the City shall borrow the sum of not-to-exceed Twenty-Six Million Dollars (\$26,000,000), with such maximum amount being reduced by an amount commensurate with the amount of the Grant ultimately realized by the City, and as finally determined by an Authorized Officer upon the sale of thereof, and the 2023 SRF Bonds shall be issued pursuant to the provisions of Act 94 to pay the cost of acquiring and constructing the 2023 SRF Improvements, including the payment of engineering, legal, financial, bond insurance,

underwriter's discount and other expenses incident thereto and incident to the issuance and sale of the 2023 SRF Bonds. The balance of the cost of the 2023 SRF Improvements, if any, will be paid from other funds of the City legally available therefor.

The 2023 SRF Bonds shall be designated as the SEWAGE DISPOSAL SYSTEM [JUNIOR LIEN] REVENUE BONDS (SRF PROJECT #5005-25), SERIES 2023, with such modifications as may be approved by an Authorized Officer, and, unless required by the Authority and as authorized by Act 94, shall not be a general obligation of the City, but be revenue bonds, payable solely out of the Net Revenues of the System. The 2023 SRF Bonds may constitute an Additional Bond as defined in the Outstanding Bond Ordinances, having equal standing and priority of lien as to the Net Revenues of the System with the Outstanding Senior Lien Bonds, or the 2023 SRF Bonds may be issued as Junior Lien Bonds, as determined by an Authorized Officer.

Section 6. Year of Sale. If the 2023 SRF Bonds, or any series thereof, are not sold or delivered in calendar year 2023, then references to the name of the bonds, funds and accounts approved by this Resolution may be changed to reflect the year in which such bonds will be sold or delivered.

Section 7. 2023 SRF Bond Details. The 2023 SRF Bonds shall be issued in the form of one or more fully-registered, nonconvertible bonds, dated as of the date of delivery, payable in annual principal installments in the amounts and on the dates as determined by the order of the EGLE and approved by the Authority and the Authorized Officer, provided that the final payment on the 2023 SRF Bonds shall occur within the period of usefulness of the 2023 SRF Improvements as set forth in Section 4 of this Resolution. Final determination of the principal amount and the payment dates and amounts of principal installments of the 2023 SRF Bonds shall be evidenced by execution of a Purchase Contract (the "**Purchase Contract**") between the City and the Authority providing for sale of the 2023 SRF Bonds, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract.

The 2023 SRF Bonds shall bear interest at a rate or rates to be determined by the Authorized Officer at the time of execution of the Purchase Contract, but in any event not exceeding the maximum amount permitted by law, payable semiannually on the dates as determined in the Purchase Contract. In addition, if required by the Authority, the 2023 SRF Bonds will bear additional interest, under the terms required by the Authority, in the event of a default by the City in the payment of principal or interest on the 2023 SRF Bonds when due. The 2023 SRF Bonds principal amount is expected to be drawn down by the City periodically, and interest on each installment of the principal amount shall accrue from the date such principal installment is drawn down by the City. Principal installments of the 2023 SRF Bonds will be subject to prepayment prior to maturity as permitted by the Authority and approved by the Authorized Officer.

The Mayor and City Clerk are authorized to execute the 2023 SRF Bonds by manual or facsimile signature. If required, at least one signature on the 2023 SRF Bonds shall be a manual signature. The 2023 SRF Bonds shall have the facsimile corporate seal of the City printed or impressed thereon. The 2023 SRF Bonds may be transferred by the bondholder as provided in the 2023 SRF Bonds as executed.

Section 8. State Revenue Sharing Pledge. If required by the Authority, as additional security for repayment of the 2023 SRF Bonds, the Council agrees to pledge the state revenue

sharing payments that the City is eligible to receive from the State of Michigan under Act 140, Public Acts of Michigan, 1971, as amended, to the Authority as purchaser and holder of the 2023 SRF Bonds. The Authorized Officer is authorized to execute and deliver a revenue sharing pledge agreement between the City and the Authority.

Section 9. Applicability of the Outstanding Bond Ordinances. Except to the extent supplemented or otherwise provided in this Resolution (such as if the 2023 SRF Bonds are issued on a subordinate basis to the Outstanding Bonds), the provisions and covenants provided in the Outstanding Bond Ordinances shall apply to the 2023 SRF Bonds issued pursuant to provisions of this Resolution, such provisions of said Ordinances being made applicable to the 2023 SRF Bonds herein authorized, the same as though said 2023 SRF Bonds were originally authorized and issued as a part of the Outstanding Bonds issued pursuant to the Outstanding Bond Ordinances.

Section 10. 2023 SRF Bond Proceeds. The proceeds of the sale of the 2023 SRF Bonds as received by the City shall be deposited in an account separate from other money of the City and held in a bank or banks qualified to act as depository of the proceeds of sale under the provisions of Section 15 of Act 94 designated “2023 SRF Project Construction Fund” (the “**2023 SRF Construction Fund**”). Moneys in the 2023 SRF Construction Fund shall be applied solely in payment of the cost of the 2023 SRF Improvements including any engineering, legal and other expenses incident thereto and to the costs of issuance of the 2023 SRF Bonds. Any balance remaining in the 2023 SRF Construction Fund after completion of the 2023 SRF Improvements may be used for any other improvements to the System if such use is permitted by state law and will not cause the interest on the 2023 SRF Bonds to be included in gross income for federal income tax purposes within the meaning of the Internal Revenue Code. Any remaining balance shall be paid into the Redemption Fund and used as permitted by state law.

Section 11. Bond Reserve Requirement. The City hereby covenants and agrees with the holders of the Bonds that, if an Authorized Officer determines that the 2023 SRF Bonds shall have equal standing and priority of lien with the Outstanding Bonds, the City shall maintain on deposit in the Bond Reserve Account an amount not less than the Bond Reserve Requirement. If at any time there is any excess in the Bond Reserve Account over the Bond Reserve Requirement, such excess may be transferred to such fund or account as the City shall direct.

Section 12. Bond Form. The 2023 SRF Bonds shall be in substantially the following form subject to changes, including references to additional security, as may be required by the Authority:

[Form of Bond To Be Completed After Bond Sale]
United States of America
State of Michigan
Counties of Ingham and Eaton

CITY OF LANSING
SEWAGE DISPOSAL SYSTEM
[JUNIOR LIEN] REVENUE BOND (SRF PROJECT #5005-25), SERIES 2023

Interest Rate

Date of Maturity

___ %

[Month 1, 20__]

Registered Owner: Michigan Finance Authority

Principal Amount: _____ Dollars (\$_____)

Date of Original Issue: _____, 2023

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the “City”), for value received, acknowledges itself to owe, and for value received hereby promises to pay, but only out of the hereinafter described Net Revenues of the City’s Sewage Disposal System (hereinafter defined), to the Michigan Finance Authority (the “Authority”) the principal amount of this Bond or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environment, Great Lakes, and Energy. During the time funds are being drawn down by the City under this Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on Schedule I attached hereto and made a part hereof, as Schedule I may be adjusted if less than \$[amount] is disbursed to the City. Interest is first payable on [April 1, 202_/October 1, 202_], and semiannually thereafter, and principal is payable on the first day of [April/October] commencing [April 1, 202_/October 1, 202_] (as identified in the Purchase Contract) and annually thereafter.

The Bond is subject to prepayment by the City prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

Notwithstanding any other provision of this Bond, as long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at U.S. Bank Trust Company, National Association or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent (2%) above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

For prompt payment of principal and interest on this Bond, the City has irrevocably pledged the revenues of its Sewage Disposal System, including all appurtenances, extensions and improvements thereto (the "System"), after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and a statutory lien thereon is hereby recognized and created. [This Bond is of [equal][junior] standing and priority of lien as to the Net Revenues of the System with the _____.]

[This Bond is one of a series of bonds aggregating the principal sum of \$_____, issued pursuant to Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 30-A, 31-A, 35-A, 838, 873, 993, 0544, 2010-423, Ordinance No. 2012-269, and Resolution No. 2021-264 and Resolution No. ____, each duly adopted by the City Council of the City, and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan 1933, as amended for the purposes of constructing and acquiring

improvements to the System, and refunding certain outstanding sewage disposal system revenue bonds of the City.]

For a complete statement of the revenues from which and the conditions under which this Bond is payable, a statement of the conditions under which additional bonds of equal standing may thereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinances. Copies of the Ordinances are on file at the office of the City Clerk and reference is made to the Ordinances and any and all supplements thereto and modifications and amendments thereof, if any, and to Act 94 for a more complete description of the pledges and covenants securing the bonds, the nature, extend and manner of enforcement of such pledges, the rights and remedies of the registered owners of the bonds with respect thereto and the terms and conditions upon which the bonds are issued and may be issued thereunder. To the extent and in the manner permitted by the terms of the Ordinances, the provisions of the Ordinances or any resolution or agreement amendatory thereof or supplemental thereto, may be modified or amended by the City, except in specified cases, only with the written consent of the registered owners of at least fifty-one percent (51%) of the principal amount of the bonds then outstanding.

[THIS BOND IS A SELF-LIQUIDATING BOND AND IS NOT A GENERAL OBLIGATION OF THE CITY AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATION, AND IS PAYABLE BOTH AS TO PRINCIPAL AND INTEREST, SOLELY FROM THE NET REVENUES OF THE SYSTEM AND CERTAIN FUNDS AND ACCOUNTS ESTABLISHED UNDER THE ORDINANCES. THE PRINCIPAL AND INTEREST ON THIS BOND ARE SECURED BY THE STATUTORY [FIRST][JUNIOR] LIEN HEREINBEFORE DESCRIBED.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law.

IN WITNESS WHEREOF, the City of Lansing, Counties of Ingham and Eaton, State of Michigan, by authority of its City Council, has caused this bond to be signed for and on its behalf and in its name by the manual or facsimile signatures of the Mayor and Clerk of the City, and the official seal of the City or a facsimile thereof to be impressed or printed hereon, all as of the Date of Original Issue.

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

By _____

Its Mayor

(SEAL)

Countersigned:

By _____

Its City Clerk

[FORM OF SCHEDULE I]

Name of Issuer: CITY OF LANSING

EGLE Project No.: _____

EGLE Approved Amt: _____

SCHEDULE I

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the City is repaid. In the event the Order of Approval issued by the Department of Environment, Great Lakes, and Energy (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the City and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, or (2) that less than the principal amount of assistance approved by the Order is disbursed to the City by the Authority, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the City.

<u>Due Date</u>	<u>Amount of Principal Installment</u>
-----------------	--

Interest on the bond shall accrue on principal disbursed by the Authority to the City from the date principal is disbursed, until paid, at the rate of ____% per annum, payable [date], and semi-annually thereafter.

The City agrees that it will deposit with U.S. Bank National Association, or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

Section 13. Reimbursement; Non-Arbitrage Covenant. The City declares that it reasonably expects to make advances of funds to make 2023 SRF Improvements. The City makes the

following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. §1.150-2 pursuant to the Internal Revenue Code of 1986, as amended (the “Code”):

(a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.

(b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the 2023 SRF Improvements which were or will be paid subsequent to sixty (60) days prior to the date hereof.

The City covenants and agrees with the holders of the 2023 SRF Bonds that as long as any of the 2023 SRF Bonds remain outstanding and unpaid as to either principal or interest, the City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the 2023 SRF Bonds pursuant to the Code in such a manner as to cause the 2023 SRF Bonds to be “arbitrage bonds” within the meaning of the Code. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exemption of interest on the 2023 SRF Bonds from gross income for federal income tax purposes, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of bond proceeds and moneys deemed to be bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the City with the 2023 SRF Bonds.

Section 14. Municipal Advisor. The City hereby confirms Robert W. Baird & Co. Incorporated, as Municipal Advisor for the 2023 SRF Bonds.

Section 15. Negotiated Sale; Application to EGLE and Authority. The Council has considered the option of selling the 2023 SRF Bonds through a competitive sale and a negotiated sale and determines that it is in the best interest of the City to negotiate the sale of the 2023 SRF Bonds to the Authority because the State Revolving Fund financing program provides significant savings to the City compared to a competitive sale in the municipal bond market. The Authorized Officer and the City’s Director of Public Works are authorized to apply to the Authority and to EGLE for placement of the 2023 SRF Bonds with the Authority. The actions taken by the Authorized Officer and the Director of Public Works with respect to the 2023 SRF Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officer is authorized to sell the 2023 SRF Bonds to the Authority and to execute and deliver the Purchase Contract, the Supplemental Agreement and the Issuer’s Certificate in the forms provided by the Authority. The Authorized Officer and the Director of Public Works are further authorized to execute and deliver such contracts, documents and certificates as are necessary or advisable to qualify the 2023 SRF Bonds for the State Revolving Fund program.

Section 16. Bond Counsel. The City hereby appoints Dykema Gossett PLLC as Bond Counsel with respect to the 2023 SRF Bonds notwithstanding Dykema’s occasional representation of the Authority in other unrelated transactions.

Section 17. Acceptance of Grant. The Council accepts the Grant in an aggregate amount of approximately Seventeen Million Dollars (\$17,000,000), or approximately fifty-two percent (52%) of the amount of the 2023 SRF Improvements eligible for financing through the State Revolving Fund program, and appropriates such funds as necessary to support the financing of or

provide security for the 2023 SRF Improvements. The total amount of the Grant funds may be received in one or more distributions. An Authorized Officer is authorized to cause to be created appropriate accounts to make necessary operating transfers for the expenditure and control of the balance of the awarded Grant for the benefit of the 2023 SRF Improvements as ultimately designed. The acceptance, approvals and authorizations contained in this Resolution will apply to the Grant, including if the amount of the Grant is increased from time to time, and including the negotiation and execution of any additional documentation reflecting such increases.

Section 18. Other Actions. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and to facilitate issuance, sale, and delivery of the 2023 SRF Bonds and receipt of the Grant, and to execute and deliver all other agreements, documents, and certificates and to take all other actions necessary or convenient to complete the issuance and delivery of the 2023 SRF Bonds and receipt of the Grant in accordance with this Resolution, and to pay costs of issuance including Bond Counsel fees, Municipal Advisor fees, filing fees with State Treasury, costs of printing the 2023 SRF Bonds, and any other costs necessary to accomplish sale and delivery of the 2023 SRF Bonds. The Authorized Officer is authorized to determine final bond details for the 2023 SRF Bonds and the final Grant details, to the extent necessary or convenient to complete the transactions authorized by this Resolution, to exercise the authority and make determinations authorized pursuant to Section 7a(1)(c) of Act 94, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters.

Section 19. Rates and Charges. Rates shall be fixed and revised from time to time by the Council so as to produce amounts that are sufficient to pay the expenses of administration and the costs of operation and maintenance of the System, to provide an amount of revenues adequate for the payment of principal of and interest on the SRF 2023 Bonds, reserve, replacement and improvement requirements, if any, and to otherwise comply with all requirements and covenants provided herein; and such that are reasonably expected to yield annual Net Revenues of the System to maintain compliance with Section 19 of Ordinance No. 29-A for any then Outstanding Senior Lien Bonds and equal to at least 100% of the average annual principal and interest thereafter maturing in any fiscal year on the then Outstanding Junior Lien Bonds; and promptly upon any material change in the circumstances which were not contemplated at the time such rates and charges were most recently reviewed, but not less frequently than once in each fiscal year, review the rates and charges for its services and promptly revise such rates and charges as necessary to comply with the foregoing requirement. The rates and charges for all services and facilities rendered by the System shall be reasonable and just, taking into consideration the costs and value of the System, the cost of maintaining, repairing, and operating the System, and the amounts necessary for the retirement of all SRF 2023 Bonds and interest accruing on all SRF 2023 Bonds, and there shall be charged such rates and charges as shall be adequate to meet the requirement of this and the preceding sections.

Section 20. No Free Service. No free service shall be furnished by the System to the City or to any individual, firm or corporation, public or private, or to any agency or instrumentality.

Section 21. Defeasance. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of, premium, if any, and interest on any of the 2023 SRF bonds, shall be deposited in trust, this Resolution shall be defeased with respect to such Bonds (the “**Defeased Bonds**”), and the owners of the Defeased Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein. Defeased Bonds shall be treated as if they have been redeemed for all purposes under this Resolution.

Section 22. Fiscal Year of System. The fiscal year for operating the System shall coincide with the fiscal year of the City.

Section 23. Repeal, Savings Clause. All ordinances, resolutions of orders, or parts thereof, in conflict with the provisions of the Ordinance are repealed.

Section 24. Severability; Paragraph Headings, and Conflict. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such action, paragraph, clause or provision shall not affect any of the other provisions of this Resolution. The paragraph headings in this Resolution are furnished for convenience of reference only and shall not be considered to a part of this Resolution.

Section 25. Publication and Recordation. This Resolution shall be published in full in the Lansing City Pulse, a newspaper of general circulation in the City of Lansing, qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the President of the Council and the City Clerk.

Section 26. Effective Date. As provided in Act 94, this Resolution shall be effective upon its adoption.

Passed and adopted by the City of Lansing, Counties of Ingham and Eaton, State of Michigan, on _____, 2022.

[Remainder of page intentionally left blank]

I hereby certify that the foregoing is a true and complete copy of Resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular Meeting held on _____, 2022, and that said meeting was conducted and public notice of said meeting was given pursuant to the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act No. 267.

I further certify that the following City Council members were present at said meeting: _____ and that the following City Council members were absent: _____.

I further certify that City Council member _____ moved adoption of said Ordinance, and that the motion was supported by: _____. A second is not required under Mason's Manual of Legislative Procedure, which are the rules governing the City Council.

I further certify that the following City Council members voted for adoption of said ordinance, _____ and that the following City Council members voted against adoption of said Ordinance. _____

_____ Lansing City Clerk.

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the Lansing City Unit, Local 2256 of the United Auto Workers have negotiated a collective bargaining agreement (the "CBA") for the period covering October 1, 2022 through September 30, 2026, which is summarized in the Tentative Agreement Document approved by the parties ("Tentative Agreement") and which contains the changes to the prior CBA; and

WHEREAS, the Union membership ratified this agreement on November 30, 2022; and

WHEREAS, the Mayor recommends the CBA, as summarized in the Tentative Agreement, be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the Tentative Agreement of the parties for the CBA between the City of Lansing and the Lansing City Unit, Local 2256 of the United Auto Workers for the period covering October 1, 2022 through September 30, 2026.

Approved for placement on the City Council
Agenda:

Jim Smiertka, City Attorney

Date

Resolution #2022-###

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the Capitol City Labor Program Inc., Non-Supervisory Unit have negotiated a collective bargaining agreement (the "CBA") for the period covering July 1, 2022 through June 30, 2026, which is summarized in the Tentative Agreement Document approved by the parties ("Tentative Agreement") and which contains the changes to the prior CBA; and

WHEREAS, the Union membership ratified this agreement on November 21, 2022; and

WHEREAS, the Mayor recommends the CBA, as summarized in the Tentative Agreement, be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the Tentative Agreement of the parties for the CBA between the City of Lansing and the Union, Capitol City Labor Program Inc., Non-Supervisory Unit for the period covering July 1, 2022 through June 30, 2026.



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Monday, November 28, 2022

Randal Toma, Attorney
C/O 7Y97 Store B, LLC
rtoma@tomalaw.com

RID # RQ-2202-00957 **Reference/Transaction:** Transfer ownership 2022 SDD & SDM License with Sunday Sales Permit(AM), Sunday Sales Permit(PM) for SDD License- spirits and Sunday Sales Permit(PM) for SDM License-mixed spirit drink from Kartar Liquor Inc.; Conditional License

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: 7Y97 Store B, LLC

Business address and phone number: 6200 S. Martin Luther King Jr. Blvd., Lansing, MI 48911

Home address and phone number of partner(s)/subordinates:
Mandeep Singh 8305 Amaryllis Way, Lansing, MI 48917 business: (517) 402-6400

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (517) 284-6330

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

A copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

AS

cc: Lansing City (city.clerk@lansingmi.gov)
7Y97 Store B, LLC/Kartar Liquor Inc (amarjit13@yahoo.com)

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Topic(s) to be addressed Homelessness

Name (print) Jody Washburn E-Mail (optional) _____

Address (street, city, zip) _____

Company or organization represented, etc. (if applicable) _____

Signature _____

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Topic(s) to be addressed Mass extinction

Name (print) Abby Denean E-Mail (optional) abby.denean@gmail.com

Address (street, city, zip) 432 N. Clemens Ave Lansing

Company or organization represented, etc. (if applicable) Lansing Area Neighborhood ecology

Signature Abby Denean

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Topic(s) to be addressed

Name (print)

E-Mail (optional)

Address (street, city, zip)

Company or organization represented, etc. (if applicable)

Signature

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Topic(s) to be addressed nise

Name (print) Lorette Staraway E-Mail (optional) _____

Address (street, city, zip) 546 Armstrong

Company or organization represented, etc. (if applicable) _____

Signature J Staraway

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Topic(s) to be addressed Testimony from Rueter Park

Name (print) Kyle Richard E-Mail (optional) 517kyle@gmail.com

Address (street, city, zip) 916 West St Lansing 48915

Company or organization represented, etc. (if applicable) _____

Signature Kyle Richard

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Topic(s) to be addressed Hunting @ Xmas Market
Name (print) Kelsey Hudson E-Mail (optional) Kbrunneh@att.net
Address (street, city, zip) 212 Allen Ave 2 Lansing MI 48902
Company or organization represented, etc. (if applicable) The people's Council
Signature [Signature]

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Topic(s) to be addressed Heat for Homeless

Name (print) JOANN BAUMANN E-Mail (optional) _____

Address (street, city, zip) 824 W. JONIA ST LANSING

Company or organization represented, etc. (if applicable) NA

Signature [Handwritten Signature]

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Topic(s) to be addressed Change Zoning

Name (print) Andy Markovica E-Mail (optional) Andy 5174855000@gmail.com

Address (street, city, zip) 5141 S. MLK old Metro

Company or organization represented, etc. (if applicable) Property Venture of M?

Signature [Signature]

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Topic(s) to be addressed Accountability

Name (print) John Morin E-Mail (optional) morin.john@att.net

Address (street, city, zip) 2040 Delhi St NE / 310 S. Francis Ave.

Company or organization represented, etc. (if applicable) _____

Signature [Handwritten Signature]

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Topic(s) to be addressed Housing

Name (print) Claretta Duckett-Freeman E-Mail (optional) _____

Address (street, city, zip) 919 N. Martin Luther King Jr. Blvd. Lansing, MI 48915

Company or organization represented, etc. (if applicable) _____

Signature cmf

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Topic(s) to be addressed HOME ARP

Name (print) Erica Lynn E-Mail (optional) _____

Address (street, city, zip) 3200 S. Cedar St

Company or organization represented, etc. (if applicable) _____

Signature E. Lynn

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Topic(s) to be addressed And

Name (print) Mike Lynn E-Mail (optional) _____

Address (street, city, zip) _____

Company or organization represented, etc. (if applicable) _____

Signature [Signature]

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**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, December 5, 2022 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by Adding Chapter 291, Sections 291.01-291.04, to establish a conflict of interest policy and regulations for U.S. Department of Housing and Urban Development (HUD) Programs and Funding; including, but not limited to, Continuum of Care (24 CFR 578.95); Emergency Services Grants (24 CFR 576.404); and CDBG (24 CFR 570.611, 24 CFR 578.95, 24 CFR 576.404); and to provide penalties for any violations of the provisions of this ordinance.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

**CITY OF LANSING
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Please take notice that the Lansing City Council will hold a public hearing on a proposed agreement between the City Of Lansing and the Charter Township of Windsor for the conditional transfer of property pursuant to 1984 P.A. 425 on December 5, 2022 at 7:00 P.M. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing.

A copy of the proposed agreement and the description of this land to be transferred is on file with the Lansing City Clerk.

LEGAL DESCRIPTION:

A parcel of land in the North 1/2 of the Northwest 1/4 of Section 10, Township 3 North, Range 3 West, Windsor Township, Eaton County, Michigan described as follows: Beginning at the North 1/4 corner of said Section; thence South 00 degrees 44 minutes 21 seconds East, on the North & South 1/4 line of said Section, 1332.08 feet to the North 1/8 line of said Section; thence North 89 degrees 46 minutes 39 seconds West, on said North 1/8 line, 2646.67 feet to the West line of said Section; thence North 00 degrees 13 minutes 11 seconds West, on said West Section line, 325.28 feet; thence North 89 degrees 46 minutes 49 seconds East, perpendicular to said West Section line, 60.00 feet; thence North 00 degrees 13 minutes 11 seconds West, parallel with said West Section line, 459.79 feet to a point of curvature; thence 246.15 feet on a curve to the left, having a radius of 878.51 feet, a central angle of 16 degrees 03 minutes 13 seconds, and a long chord which bears North 08 degrees 14 minutes 47 seconds West, 245.35 feet to the beginning of an existing Limited Access Right of Way; thence North 23 degrees 05 minutes 11 seconds East, on said Limited Access Right of Way line, 127.96 feet; thence North 64 degrees 59 minutes 25 seconds East, on said Limited Access Right of Way line, 66.86 feet to the end of said Limited Access Right of Way; thence continuing North 64 degrees 59 minutes 25 seconds East, 45.87 feet to a point of curvature; thence 332.12 feet on a curve to the right, having a radius of 758.51 feet, a central angle of 25 degrees 05 minutes 15 seconds, and a long chord which bears North 77 degrees 32 minutes 03 seconds East, 329.47 feet; thence North 00 degrees 04 minutes 40 seconds East, perpendicular to the North line of said Section, 60.00 feet to said North Section line; thence South 89 degrees 55 minutes 20 seconds East, on said North Section line, 2133.55 feet to the point of beginning.

Parcel Number 080-010-100-010-01

Commonly Known as 7000 N. Canal Rd, Dimondale, MI 48821

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CITY OF LANSING
NOTICE OF PUBLIC HEARING

DEC 5'22 1PMCLERK

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In 2019 the City of Lansing used the adopted State Law (Act 280 of 2005) to create what is known as the **South Martin Luther King Jr. Boulevard** Corridor Improvement Authority (CIA) and established a District with eligible property within an area encompassing 500 feet of the centerline of South Martin Luther King Jr. Boulevard, from the railroad tracks south of Victor Avenue to I-96.

The purpose of the Corridor Improvement Authority Act is to help communities plan for and fund improvements along a corridor. The overall goal is to help support economic development and redevelopment of this area. The types of improvements could include sidewalks/pathways, streetlights, streetscape enhancements, façade improvements, and other public investments which could support and enhance economic development and the quality of life for business owners and residents within this district. The CIA's first task to be able to fund these improvements is to create a Development and Tax Increment Financing Plan. This plan describes the types of activities that the CIA can participate in as well as how those activities are financed. The plan covers a 15-year period and explains how Tax Increment Financing (TIF) will work, which is the primary means in which new projects would be funded. **It is important to note that TIF is not a new tax nor does it raise property owner's taxes.**

City Council will hear comments from citizens, taxpayers and property owners, officials from any affected taxing jurisdiction and any other interested persons. All aspects of the Plan will be open for discussion at the public hearing. Maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at the Lansing City Clerk's Office, 124 W Michigan Avenue, 9th Floor of City Hall, Lansing, MI 48933. The Development and Finance Plan can be found on the S. Martin Luther King Jr. Boulevard CIA website: <https://mi-lansing3.civicplus.pro/627/South-MLK-Jr-Blvd-Corridor-Improvement-A>

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Chris Swope, Lansing City Clerk, MMC/CMMC
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AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#22-263- **CITY OF LANSING NOTICE OF PUBLIC HEARING** appeared Wednesday, November 16, 2022, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 16th day of November 2022

A handwritten signature in black ink, appearing to read "Lee D. Purdy", is written over a horizontal line.

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on November 16, 2022

By Lee Purdy

A handwritten signature in blue ink, appearing to read "B. Schwartz", is written over a horizontal line.

Berl Schwartz, Notary Public

My commission expires January 24, 2025

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement -CP#22-272- **CITY OF LANSING SUMMARY OF ADOPTED ORDINANCE # 1307** appeared Wednesday, November 23, 2022, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 23rd day of November 2022



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on November 23, 2022

By Lee Purdy



Berl Schwartz, Notary Public

My commission expires January 24, 2025

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Signature of Declarer

State of Michigan
County of Ingham

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By Lee Purdy



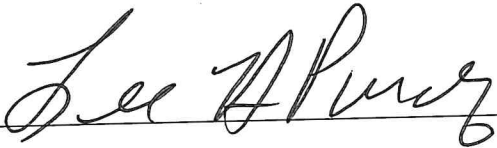
Berl Schwartz, Notary Public

My commission expires January 24, 2025

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WITNESS my signature this 23rd day of November 2022

A handwritten signature in black ink, appearing to read "Lee Purdy", is written over a horizontal line.

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on November 23, 2022

By Lee Purdy

A handwritten signature in blue ink, appearing to read "Berl Schwartz", is written over a horizontal line.

Berl Schwartz, Notary Public

My commission expires January 24, 2025

Two years' retired, Knight keeps an eye on LCC from afar

As president of Lansing Community College, Brent Knight was known for scooting around campus on a golf cart.

So it seems appropriate that in retirement he is living next to a golf course.

"We live in Tuscaloosa, Alabama, home of the University of Alabama. I'm standing in my living room looking at the 17th hole on a golf course," Knight, who turned 76 three weeks ago, said over the phone recently. "Today, I picked up two golf balls, which I'm not complaining" about.

Knight and his wife, Rise, settled not far from her native state of Louisiana. Born in Bay City, Knight said he thought it was only fair to head south after having subjected his wife to the winter climes of Chicago and Lansing as he pursued his career.

Knight said that he's been watching both the Michigan State Spartans and the Alabama Crimson Tide on Saturdays. He also enjoys being in another part of the country and learning about different places. And keeping busy around the house.

"I'm always doing something, tinkering, painting, fixing, I like working with my hands," Knight said.

Knight still feels connected to Lansing and LCC, where he was president from 2008 to 2020.

"I was president for 12 years in Lansing and very much a part of the community, and knew the college from end to end and all the good people who work there," Knight said. "I miss the fun parts of the job, you might say, but on the other hand it's a hard job, and I don't miss those parts."

Asked about student costs for community colleges, Knight said he favors low- to no-cost tuition.

"When I came to LCC in 2008, one of my goals was to keep tuition low," Knight said. "By that, I meant when you compare LCC to other community colleges in Michigan, is tuition lower than most? And, yes, it was."

"Colleges and universities should offer programs that lead to employment at a decent wage," he added. "Cost of higher education has gone up more than almost anything. Tuition is a high cost. No matter what, you have to manage your debt."

Knight said he keeps up with doings in Lansing and the college, including this year's decision to send \$600,000 to improve the façade of the Rogers-Carrier House in Lansing, also



Steven Ashby/City Pulse

Brent Knight says goodbye to well-wishers during a surprise farewell parade on Capital Avenue in 2020 as he ended 12 years as president of Lansing Community College.

known as the Moon House because it was designed by local architect Darius Moon.

"I was just delighted. It would have been a tragedy had that building collapsed," Knight said. "It's a unique home, great architecture, historic. Those homes, you can't replace them."

Knight led the effort to restore the Hermann House, next door on Capital Avenue, at a cost of \$900,000, and lived in it starting in 2013. His successor, Steve Robinson, and his family are the current occupants.

In May 2022, Knight was inducted into the Hall of Fame of the American Association of Community Colleges. He said he was very flattered.

"I was a community college president for 29 years, and very few people are included in the Hall of Fame. Some of the greatest in the history of American community colleges are included," Knight said.

Knight was known for long-term planning at LCC. Many of his visions have come to fruition.

LCC Board of Trustees Vice Chair Angela Mathews praised his foresight.

"We are a community college with a Big Ten feel because of Dr. Knight and his vision and ingenuity." As an example, she cited the new, bigger parking ramp on Grand Avenue, which had long been needed.

"It was completed because he saw it.

his philosophy that an attractive campus will attract students.

Trustee Andrew Abood called Knight "such an asset."

"He reached out as soon as I won the election. He provided a lot of guidance and talked to me in confidence."

Abood sponsored the "Upward Bound" sculpture in the middle of LCC's campus, which he said signifies the uplifting of students. He called it a "signature" for the college.

The sculpture is one that Knight, who brought many pieces of art to the campus inside and out, calls one of his children.

"They're all my children truly, I'm fond of all of them," Knight said.

He said he left some things undone before his retirement but that he was happy with what he was able to accomplish before he left.

"The moment COVID-19 hit, we stopped all the projects that I could, because people couldn't come to work," Knight said. "We didn't get all the projects done that we were working on because of COVID-19, but that's OK"

— JAYDEN HEWITT

(Berl Schwartz contributed to this story.)

He may not have been here (to see it built), but he saw it."

Knight also saw and executed major renovations throughout LCC as part of

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CP#22-271

REWIND

NEWS HIGHLIGHTS FROM THE LAST 7 DAYS

BY NICOLE NOECHEL

Gov. Gretchen Whitmer plans to appoint state Rep. Kyra Harris Bolden to the Michigan Supreme Court, a spokesman said Tuesday, making



her the first Black woman to an to serve on the state's highest court. Bolden, who hails from the Detroit area, was a Democratic nominee for the Supreme Court in the Nov. 8 election but finished third in a race for two seats. She will replace Justice Bridget McCormack, who is resigning. "She will bring a unique perspective to our high court as a Black woman — and a young mom — that has too long been missing," Whitmer said.



Gov. Gretchen Whitmer delivered a near-Shermanesque statement that she won't run for president in 2024.

Whitmer defeated GOP candidate Tudor Dixon by 11 points on Nov. 8, leading the way against a GOP "red wave" in Michigan. The New York Times and others quickly named her one of the top three or four contenders if President Biden doesn't seek reelection. However, Whitmer told the Detroit Free Press she does not foresee herself ever running for president.

The Lansing School District Board of Education may reconsider its choice for J.W. Sexton High School's new mascot following backlash from community members. In July, the school announced it would choose a new character to replace the Native American-themed "Big Reds" mascot. After polling more than 2,500 students, staff and community members on four mascot ideas, "J-Dubbs," named for the late educator Jay Wesley Sexton, won the most votes. But

the school board chose the runner-up, the "Scorpions," as the school's new mascot. Some community members voiced concerns about not being represented in the selection process at the school board's meeting Thursday. The discussion has been postponed until the next meeting on Dec. 1.



Michigan's Cannabis Regulatory Agency fined ACT Laboratories Inc., a Lansing-based cannabis testing laboratory, \$9,000 for failing to comply with deadlines for reporting annual financial statements. Reports were due 30 days after the end of the state's fiscal year on Sept. 30 last year, but the agency says the laboratory didn't submit the statements until Nov. 19. The CRA left a message with the laboratory's Lansing office. ACT Laboratories, which is located across the Northeast and Midwest, was one of 12 licensed companies to receive formal complaints or disciplinary action from the agency.



CITY OF LANSING

SUMMARY OF

ADOPTED ORDINANCE # 1307

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 822, Sections 822.01 through 822.05, 822.11, 822.18, and 822.19, and repealing Chapter 822, Sections 822.16, 822.17, and 822.20, to eliminate City licensing requirements for massage therapists.

Effective date: December 14, 2022

Notice:

The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

Chris Swope, Lansing City Clerk,
MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#22-272

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Parcel Number 080-010-100-010-01

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CP#22-270

Eye Candy

OF THE WEEK



A historic home on Moores River Drive is receiving the TLC it deserves. New owners Holli Seabury, executive director of the Delta Dental Foundation, and her husband, Mark, a chemist at Pratt & Whitney, purchased the fixer-upper this year with the intent to remodel the 93-year-old home while maintaining its charm. And there is a lot of charm to maintain.

Consistent with the English Tudor style, the home has steeply pitched roofs, half-timber accents on its gables and groupings of tall, narrow windows. Limestone is used to accent the ornate windows and front door of the home, and green slate tiles decorate the roof. The interior is just as rich.

"We looked at the house with no intent to buy it," Holli recalls, "but the open floor plan and the paneled library sold me. I am still in awe of the leaded-glass windows and the grand staircase."

While it appears to be in good condition, the building is in serious need of some updates, including structural restoration and modernizing the electric and climate control systems. No strangers to major renovations, the Seaburys anticipate tending to every square inch of the house, inside and out: "We will be working on it for years, but the first priority is to get a functional kitchen and bathrooms."

The home was built by the Estes family, owners of a local furniture store and funeral home. For the last 40 years, it has served as a parsonage for a local church.

— JAMES KNARIAN

"Eye Candy of the Week" is our look at some of the nicer properties in Lansing. It rotates with Eyesore of the Week and Eye for Design. If you have a suggestion, please e-mail eye@lansingcitypulse.com or call Berl Schwartz at 999-5061.



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BOGO 1/2 PRICED BURGERS

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CP#22-263

NOTICE OF PUBLIC HEARINGS
EAST LANSING HISTORIC DISTRICT COMMISSION

Notice is hereby given of the following public hearings to be held by the East Lansing Historic District Commission on **Thursday, December 8, 2022 at 7:00 p.m.**, at the **East Lansing Public Library**, 950 Abbot Road, East Lansing, Michigan 48823:

- A public hearing will be held to consider a request from Laura Dunlap for the property at 1035 Chesterfield Parkway to add siding to the east side of the house.
- A public hearing will be held to consider a request from Brett Mahaffey for the property at 45 University Drive to replace 5 windows.
- A public hearing will be held to consider a request from Mark Hagerly for the property at 349 University Drive to install solar panels on the garage and house.

For more information on the request please contact Daroy Schmitt at (517) 319-6941 or dschmitt@cityofeastlansing.com. Materials related to the request are available for viewing at the Department of Planning, Building, and Development, East Lansing City Hall, 410 Abbot Road, East Lansing, MI, 48823 between the hours of 8:00 am and 5:00 pm or on the City's website located at www.cityofeastlansing.com/currentapplications. Written comments may be sent prior to the public hearing to the Historic District Commission, City of East Lansing, 410 Abbot Road, East Lansing, Michigan, 48823, or by email to coehistoricdistricts@cityofeastlansing.com.

The City of East Lansing will provide reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities upon request received by the City seven (7) calendar days prior to the meeting. Individuals with disabilities requiring aids or services must contact the City Manager's Office, 410 Abbot Road, East Lansing, MI, 48823, (517) 319-6920 (TDD Number: 1-800-649-3777) or via email at nmostel@cityofeastlansing.com.

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act) and the Americans with Disabilities Act (ADA) and published in compliance with the Michigan Zoning Enabling Act, 2006 P.A. 110.

Dated: November 10, 2022
East Lansing, MI 48823

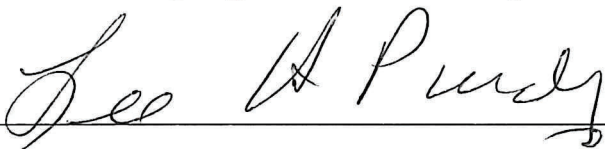
Jennifer Shuster
City Clerk

CP#22-267

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement -CP#22-288- **CITY OF LANSING SUMMARY OF ADOPTED ORDINANCE #1308** appeared Wednesday, December 14, 2022, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 14th day of December 2022

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

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on December 14, 2022

By Lee Purdy

A handwritten signature in blue ink, reading "Berl Schwartz", is written over a horizontal line.

Berl Schwartz, Notary Public

My commission expires January 24, 2025

**CITY OF LANSING
SUMMARY OF
ADOPTED ORDINANCE # 1308**

Lansing City Council adopted an Ordinance of the City of Lansing, Michigan by amending Chapter 1300, Sections 1300.02, 1300.04, 1300.09, and 1300.11 to update the ordinance to reflect changes in laws and rules by the Cannabis Regulatory Agency, formerly known as the Marijuana Regulatory Agency, and adding Section 1300.17 to codify the process for temporary marihuana events.

Effective date: January 4, 2023

Notice: The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
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