

Regular Meeting Of Lansing City Council

Tony Benavides Lansing City Council Chambers
David C. Hollister Lansing City Hall
124 W. Michigan Avenue, 10th Floor
Lansing, Michigan



Agenda for August 9, 2021 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.

Mask Requirement

Face coverings are required by all Council Members, City officials and staff, and members of the public at all City Council and committee meetings. For City of Lansing COVID-19 Information, please visit www.lansingmi.gov/coronavirus

ROLL CALL

Roll call

MEDITATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

1. July 12 and 26, 2021

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

2. Award Presentation; Landscape Architects & Planners for Rotary Park

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.)

comment sheets

SCHEDULED PUBLIC HEARINGS

COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

ORDINANCES FOR PASSAGE

CONSENT AGENDA

3. Appointment; Kristiane James as an At-Large member of the Park Board for a term to expire June 30, 2024 (PEND-2588)
4. Community Funding; Eastside Neighborhood Organization, Eastside Summer Fest (PEND-2622)
5. Reappointment; John Folkers as the First Ward member of the Board of Ethics for a Term to expire June 30, 2025 (PEND-2627)

RESOLUTIONS FOR ACTION

6. Claim Appeal; Claim #1847, Brandi Day for \$8,890 in trash fees at 1040 N. Cedar St. (PEND-2578)
7. Setting a Show Cause Hearing in consideration for a Orders to Make Safe or Demolish to the owners of property located at 125 E. Mt. Hope Avenue (PEND-2599)
8. Fiscal Year 2020-2021 Emergency Carryforwards (PEND-2607)
9. Setting a Public Hearing in consideration of Tax Equity and Fiscal Responsibilities Act (TEFRA) Bond for Lansing Charter Academy (PEND-2593)

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

10. Payment in Lieu of Taxes (PILOT); The Apartments West, 519 W. Kalamazoo Street (PEND-2602)
11. Payment in Lieu of Taxes (PILOT); Walter French, 1900 S. Cedar St. (PEND-2608)
12. Payment in Lieu of Taxes (PILOT); Cedar Place, 201 W. Jolly Rd. (PEND-2611)
13. Payment in Lieu of Taxes (PILOT); The Porter Apartments, 505 Townsend Street (PEND-2600)
14. Amend Chapter 658 Section 658.03, to replace willful annoyance with the prohibition that no person shall threaten another person by word of mouth, gesture, or other physical action that accosts, molests, or other harasses the other person (PEND-2612)

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:

15. Minutes of Boards and Commissions placed on file in the Clerk's Office

Item(s) from the Mayor re:

16. Sole Source Purchase Notification; Legal Solutions - Blue Line Law Firm for the Lansing Police Department (LPD) to provide consultation for conducting independent review of LPD policies and procedures with the guidelines of President Obama Task Force on 21st Century Policing
17. Setting a Public Hearing in consideration of an Ordinance to add a new Chapter ### to create the Arts and Culture Board (PEND-2614)
18. Ordinance to Create a new Chapter 266 to create the Arts and Culture Board (PEND-2615)
19. Setting a Public Hearing in consideration of Noise Special Permit; MDOT request to allow for I-496 Freeway reconstruction on weekdays from 8 PM to 7 AM and any time on weekends or holidays for the period January 24, 2022, through December 1, 2022 and for the period March 1, 2023 through November 15, 2023 (PEND-2623)
20. Noise Special Permit; MDOT request to allow for I-496 Freeway reconstruction on weekdays from 8 PM to 7 AM and any time on weekends or holidays for the period January 24, 2022, through December 1, 2022 and for the period March 1, 2023 through November 15, 2023 (PEND-2613)
21. Grant Acceptance; Financially Distressed Cities, Villages, and Townships (FDCVT) Grant (PEND-2618)
22. Fee Reduction; Non-sufficient Funds (NSF) Check Fee (PEND-2619)
23. Appointment; 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 (PEND-2621)
24. Reappointment; Nancy Mahlow as the 1st Ward member of the Board of Public Service for a term to expire June 30, 2025 (PEND-2620)
25. Setting a Show Cause Hearing in consideration of Orders to Make Safe or Demolish to the owners of property located at 1113 W. Saginaw (PEND-2616)
26. Orders to Make Safe or Demolish to the owners of property located at 1113 W. Saginaw (PEND-2617)

Communications and Petitions

27. Affidavit of Disclosure; Mandi Beasinger, Lansing Police Department
28. Communication from Dot Johnson regarding street lights and speeding on Cavanaugh Road

29. Communication from the Ingham County Drain Commissioner regarding the Resolution to Approve an Agreement to Transfer Jurisdiction, Operation, Maintenance, and Control from the Delta Grande Drain Drainage District to the City of Lansing

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.)

comment sheets

ADJOURNMENT



Chris Swope, City Clerk

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

LANSING CITY COUNCIL MEETING

DATE & TIME: 08/09/21-7:00 PM

Starting Time 7:10

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

COUNCIL MEMBER	PRESENT	ABSENT	ARRIVED
BETZ	☒	☐	_____
DUNBAR	☒	☐	_____
GARZA	☒	☐	_____
HUSSAIN	☒	☐	_____
JACKSON	☒	☐	_____
SPADAFORE	☒	☐	_____
SPITZLEY	☒	☐	_____
WOOD	☒	☐	_____

MEDITATION IN MEMORY OF: None

PLEDGE LED BY: _____

Adjournment Time _____

CHRIS SWOPE
LANSING CITY CLERK

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) RCV Item Description _____

Name (print) Koreta Staraway E-Mail (optional) _____

Address (street, city, zip) 546 Armstrong _____

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

Signature K Staraway _____

- 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.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
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.

RESOLUTION #2021-165

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made the appointment of Kristiane James as an At-Large member of the Park Board for a term to expire June 30, 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 City Operations met on August 4, 2021 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Kristiane James as an At-Large member of the Park Board for a term to expire June 30, 2024.

RESOLUTION #2021-166

**BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, Eastside Neighborhood Organization requested \$500.00 to defray costs for street closing and various activities associated with their event, "1st Annual Eastside Summer Fest" to be held August 27-28, 2021; and

WHEREAS, the maximum total amount of Community Funding Account to be awarded to an organization in one fiscal year is \$500.00; and

WHEREAS, the Committee on City Operations met on August 4, 2021, reviewed the request and approved \$1,000.00.

THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from Community Funding Account to Eastside Neighborhood Organization in the amount of \$1,000.00 to defray costs associated with street closing cost and various activities for their event "1st Annual Eastside Summer Fest" to be held on August 27-28, 2021.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$1,000.00 to the Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that Eastside Neighborhood Organization shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.

RESOLUTION #2021-167

BY COUNCILMEMBER BETZ

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the term for John Folkers, First Ward representative on the Board of Ethics, expired June 30, 2021; and

WHEREAS, the First Ward Councilmember Brandon Betz has recommended the reappointment of John Folkers; and

WHEREAS, the recommendation has been vetted, and meets all Charter Requirements.

NOW, THEREFORE BE IT RESOLVED the Lansing City Council, hereby, reappoints John Folkers to the Board of Ethics, First Ward position, term to expire June 30, 2025.

RESOLUTION #2021-168

**BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, Brandi Day sought to eliminate a special assessment of \$8,890 for trash and debris removal fees, associated penalties and interest, on the property tax bill for 1040 N. Cedar Street (ID #33-01-01-09-430-041); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on August 4, 2021 and denied the claim in the amount of \$8,890.00

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$8,890.00 for trash and debris removal fees, associated penalties and interest on the property tax bill for 1040 N. Cedar Street (Tax ID #33-01-01-09-430-041).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

RESOLUTION #2021-169

**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 125 E. MT. Hope Ave., Parcel # 33-01-01-21-455-028 legally described as the South 95 feet of Lot 13, Reo Park Addition, City of Lansing is unsafe or dangerous 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

WHEREAS, the Code Compliance Officer red tagged the building on 6/07/2020 and requested the property order be ordered to demolish or otherwise make safe the building; and

WHEREAS, on 05/27/2021, the Lansing Demolition Board held a special 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 (1460.01, et seq.), and ordered the property owner to make safe or demolish the structure by 6/27/2021; 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 the Lansing City Council hereby schedules a show cause hearing for Monday, August 23, 2021 at 7:00 p.m. in Council Chambers on the Tenth Floor of City Hall, 124 W Michigan Ave, Lansing, Michigan 48933, in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the building at 125 E. Mt. Hope Ave., 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 FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

RESOLUTION #2021-170

**BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, at any time during the fiscal year, the City Council may consider appropriations and carryforwards to meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, gun violence has increased significantly in cities throughout the nation during the course of the COVID-19 public health emergency and in Lansing exists at a higher rate than seen in the past 20 years; and

WHEREAS, youth and community engagement activities can offer mutual connection and opportunities that reduce behaviors resulting in gun violence; and

WHEREAS, the Police Department, City Council, Mayor's Office, and Parks and Recreation Department are all committed to resolving this emergency in carrying forward funds from the previous fiscal year; and

NOW, THEREFORE, BE IT RESOLVED that the following remaining balances as of June 30, 2021 be reappropriated in Fiscal Year 2021/2022 as indicated:

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriation accounts and to make the necessary operating transfers for the expenditure and control of the balance of the carryforwards.

<u>Appropriation</u>	<u>Description</u>	<u>Amount</u>
<u>GENERAL FUND</u>		
General Fund	Use Of Fund Balance	\$ 180,000
Police Operating	Youth Athlete Interaction Program	80,000
Mayor Operating (1)	Mentorship	20,000
Mayor Operating (2)	Athletics	20,000
Mayor Operating (3)	Science Technology, Engineering, Arts, Mathematics	20,000
Parks Operating (1)	After School Activities	20,000
Parks Operating (2)	Community Organizing Fund	20,000
	Total Community Engagement Activities	100,000
General Fund Total		\$ 180,000

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee of the Whole received a request to approve issuance of certain bonds by The Industrial Development Authority of the County of La Paz (the "Authority") of qualified 501(c)(3) bonds (the "Bonds") as defined in section 145 of the Internal Revenue Code of 1986, as amended (the "Code") in one or more series pursuant to a plan of finance. The hearing is being held pursuant to section 147(f) of the Code; and

WHEREAS, The Bonds will be issued for the project described below in an aggregate principal amount not to exceed \$12,500,000. The funds in question do not involve City of Lansing funds, taxes or other financial resources. Further, this public hearing or any subsequent resolution of City Council does not affect any determination as to non-profit status by the City of Lansing Assessor; and

WHEREAS, Proceeds of the sale of the Bond which will be issued as qualified 501(3) bonds will be loaned by the Authority to Campus Partners 1 and its affiliates, all single member limited liability companies and disregarded entities of Campus Partners 1 (collectively, the "Borrower") to be used to finance or reimburse all or a portion of the costs of a project that consists of (1) the acquisition and improvement of a public charter school facility (the "Charter School Facility") identified below for use in its school operations at the location and in the estimated maximum principal amount listed below; (2) the funding of any required reserves; and (3) the payment of the costs of issuance of the Bonds. The Borrower will lease the Charter School Facility to qualified 501(c)(3) entities or governmental entities. The Charter School Facility will be owned by the Borrower as the initial legal owner.

WHEREAS, In accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder, a public hearing on the issuance of bonds shall be held;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held, at the Lansing City Council meeting held on August , 2021, at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers on the tenth floor of City Hall, in consideration of the request to approve issuance of bonds.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 888.____ FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR SEVENTY-FIVE (75) LOW INCOME MULTI-FAMILY DWELLING UNITS IN A PROJECT KNOWN AS APARTMENTS WEST, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new Section 888.____ to read as follows:

888.____ APARTMENTS WEST

(A) *PURPOSE*. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC

1 NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH
2 HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN
3 REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC
4 PURPOSE.

5 (B) *DEFINITIONS.*

6 (1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT,
7 BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

8 (2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN
9 AGREED ANNUAL PERIOD FROM ALL PERSONS OF LOW OR MODERATE
10 INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING
11 RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE
12 OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES
13 FURNISHED TO THE OCCUPANTS.

14 (3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT
15 AUTHORITY.

16 (4) "*HOUSING DEVELOPMENT* " OR " *DEVELOPMENT*" MEANS A DEVELOPMENT
17 WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF
18 LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING,
19 COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND
20 EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL
21 IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO
22 HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR THE

PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS
APARTMENTS WEST, AND CONSISTS OF SEVENTY-FIVE (75) UNITS OF
RENTAL HOUSING LOCATED WITHIN LANSING AT:

BLOCK 140 ORIG PLAT OF THE CITY OF LANSING

(5) "*HUD*" MEANS THE DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

(6) "*LOW INCOME HOUSING TAX CREDIT PROGRAM*" MEANS THE PROGRAM
ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE
CODE.

(7) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME
ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

(8) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY
AND INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE
FINANCING OF THE PURCHASE AND REHABILITATION OF THE HOUSING
DEVELOPMENT.

(9) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING
DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT.
FOR PURPOSES OF THIS SECTION, THE SPONSOR OF APARTMENTS WEST IS
GENERAL CAPITAL DEVELOPMENT, LLC, OR ITS SUCCESSORS OR ASSIGNS.

(10) "*UTILITIES*" MEANS FUEL, WATER, SANITARY SEWER AND/OR ELECTRICAL
SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT.

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

1 (1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY
2 HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF APARTMENTS WEST
3 IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS
4 SECTION AND UPON THE QUALIFICATION OF THE SEVENTY-FIVE (75)
5 UNITS OF HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION
6 FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS SECTION.

7 (2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND
8 THE ACT, THE SEVENTY-FIVE (75) UNITS IN THE HOUSING DEVELOPMENT
9 FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS
10 APARTMENTS WEST AND THE PROPERTY ON WHICH THEY ARE
11 CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT
12 MORE THAN FORTY (40) YEARS, COMMENCING WITH THE ACQUISITION OF
13 THE PROPERTY BY SPONSOR.

14 (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE SEVENTY-FIVE (75) UNITS
15 IN THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY
16 WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN
17 THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN
18 THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

19 (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE
20 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS
21 AMENDED, CODIFIED AS MCL 125.1415A(1), WHICH PROVIDES: THE OWNER
22 OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH
23 THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF

1 THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED
2 BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE
3 SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY
4 THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN
5 SHALL FILE OR CAUSE TO BE FILED THE CERTIFIED NOTIFICATION OF THE
6 EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1
7 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO
8 BEGIN.

9 (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO
10 SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING
11 DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE
12 PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN
13 EFFECT:

14 A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN
15 LIEU OF TAXES; AND

16 B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO
17 PERSONS OF LOW OF MODERATE INCOME; AND

18 C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING
19 DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN
20 ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED
21 THE PROVISIONS OF THIS SECTION; AND

1 (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.*

2 NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH
3 YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT
4 PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR
5 MODERATE INCOME PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF
6 THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT
7 PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE
8 NOT TAX EXEMPT.

9 (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF

10 TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE
11 SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY,
12 EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY
13 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS
14 CALCULATED.

15 (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION

16 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY
17 AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY
18 UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT
19 IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE
20 ENACTMENT OF THIS SECTION.

21 (G) *COMMENCEMENT AND DURATION.* THIS SECTION SHALL REMAIN IN EFFECT

22 AND SHALL NOT TERMINATE FOR FORTY (40) YEARS, COMMENCING WITH THE
23 ACQUISITION OF THE PROPERTY BY THE SPONSOR, PROVIDED THAT THE

1 SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS
2 SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT
3 CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME PERSONS AT
4 RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT
5 PROGRAM, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR
6 THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE
7 HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR
8 HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND
9 DECEMBER 31, 2062. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF
10 THE SEVENTY-FIVE (75) UNITS OF HOUSING WITHIN THE DEVELOPMENT
11 WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS
12 REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE
13 LANSING CITY CHARTER, AND THE SPONSOR OR OTHER RESPONSIBLE PARTY
14 DOES NOT CURE THE VIOLATION AFTER NOTICE IS GIVEN AS PROVIDED IN THE
15 MANNER CONSISTENT WITH THE METHOD CONTAINED IN SECTION 206.18(b)
16 OF THESE CODIFIED ORDINANCES, THEN THIS SECTION SHALL
17 AUTOMATICALLY EXPIRE AND BE OF NO EFFECT. IF THE CONSTRUCTION OF
18 THE HOUSING DEVELOPMENT DOES NOT COMMENCE WITHIN 1 YEAR FROM
19 THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION SHALL
20 AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

21 SECTION 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
22 inconsistent with the provisions hereof are hereby repealed as they pertain to Walter French at the
23 time this exemption commences.

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 valid.

SECTION 4. This Ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

Approved as to form:

James D. Smiertka, City Attorney

Dated: _____

INTRODUCTION OF ORDINANCE

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Code of ordinances of the City of Lansing by adding a new Section 888.33_ for the purposes of providing for a service charge in lieu of taxes for seventy-five (75) low income multi-family dwelling units in a project known as Apartments West, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning

RESOLUTION #2021-171

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, August 23, 2021, 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 supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for The Apartments West, located at 519 W. Kalamazoo Street in Lansing.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 888.____ FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR SEVENTY-SIX (76) LOW INCOME MULTI-FAMILY DWELLING UNITS IN A PROJECT KNOWN AS WALTER FRENCH, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new Section 888.____ to read as follows:

888.____ WALTER FRENCH

(A) *PURPOSE*. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC

1 NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH
2 HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN
3 REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC
4 PURPOSE.

5 (B) *DEFINITIONS.*

6 (1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT,
7 BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

8 (2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN
9 AGREED ANNUAL PERIOD FROM ALL PERSONS OF LOW OR MODERATE
10 INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING
11 RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE
12 OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES
13 FURNISHED TO THE OCCUPANTS.

14 (3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT
15 AUTHORITY.

16 (4) "*HOUSING DEVELOPMENT* " OR " *DEVELOPMENT*" MEANS A DEVELOPMENT
17 WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF
18 LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING,
19 COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND
20 EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL
21 IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO
22 HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR THE

PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS WALTER
FRENCH, AND CONSISTS OF SEVENTY-SIX (76) UNITS OF RENTAL HOUSING
LOCATED WITHIN LANSING AT:

THAT PART OF ASSESSOR'S PLAT NO. 46, ON THE NORTHEAST
¼ OF SECTION 28, T4N, R2W, CITY OF LANSING, INGHAM
COUNTY, MICHIGAN, RECORDED IN LIBER 12 OF PLATS, PAGE 7,
INGHAM COUNTY RECORDS, BEGINNING ON THE SOUTH RIGHT
OF WAY LINE OF MT. HOPE AVENUE, 43.0 FEET SOUTH OF THE
NORTH SECTION LINE, AT A POINT 100.0 FEET EASTERLY OF
THE WEST LINE OF LOT 5 OF SAID ASSESSOR'S PLAT NO. 46,
RUNNING THENCE ALONG SAID RIGHT OF WAY LINE NORTH
89°11'30" EAST 593.667 FET TO A POINT OF CURVATURE; THENCE
SOUTHEASTERLY 53.53 FEET ALONG THE ARC OF A 30 FOOT
RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH
39°41'30" EAST 46.71 FEET TO THE WESTERLY RIGHT OF WAY
LINE OF CEDAR STREET; THENCE ALONG SAID WESTERLY LINE
THE FOLLOWING FIVE COURSES, SOUTH 11°25'30" WEST 118.66
FEET; THENCE SOUTHERLY 197.93 FEET ALONG THE ARC OF A
917.22 FOOT RADIUS CURSE TO THE LEFT WHOSE CHORD BEARS
SOUTH 5°14'25" WEST 197.53 FEET TO A POINT OF TANGENCY;
THENCE SOUTH 0°56'30" EAST 5.43 FEET; THENCE SOUTH
10°34'39" WEST 22.18 FEET; THENCE SOUTH 0°56'30" EAST 83.05
FEET; THENCE SOUTH 89°08' WEST 403.42 FEET; THENCE SOUTH
350.30 FEET; THENCE WEST 268.84 FEET; THENCE NORTH 648.14
FEET; THENCE NORTH 89°11'30" EAST 100.0 FEET; THENCE
NORTH 0°53' WEST 162.0 FEET TO THE POINT OF BEGINNING;
ALSO LOT 65 OF CHITTENDEN'S SUBDIVISION OF A PART OF
THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 28, T4N,
R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN,
RECORDED IN LIBER 5 OF PLATS, PAGE 7, INGHAM COUNTY
RECORDS.

(5) "HUD" MEANS THE DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

(6) "LOW INCOME HOUSING TAX CREDIT PROGRAM" MEANS THE PROGRAM
ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE
CODE.

(7) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME
ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

(8) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY
AND INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE
FINANCING OF THE PURCHASE AND REHABILITATION OF THE HOUSING
DEVELOPMENT.

(9) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING
DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT.
FOR PURPOSES OF THIS SECTION, THE SPONSOR OF WALTER FRENCH IS
CAPITAL AREA HOUSING PARTNERSHIP, OR ITS SUCCESSORS OR ASSIGNS.

(10) "*UTILITIES*" MEANS FUEL, WATER, SANITARY SEWER AND/OR ELECTRICAL
SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT.

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

(1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY
HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF WALTER FRENCH IN
RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS
SECTION AND UPON THE QUALIFICATION OF THE SEVENTY-SIX (76) UNITS
OF HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL
PROPERTY TAXES AS ESTABLISHED IN THIS SECTION,

(2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND
THE ACT, THE SEVENTY-SIX (76) UNITS IN THE HOUSING DEVELOPMENT
FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS WALTER

1 FRENCH AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL
2 BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN TWENTY
3 (20) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2023.

4 (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE SEVENTY-SIX (76) UNITS IN
5 THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY
6 WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN
7 THE SUM EQUAL TO, SIX PERCENT (6%) OF THE DIFFERENCE BETWEEN THE
8 ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

9 (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE
10 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS
11 AMENDED, CODIFIED AS MCL 125.1415A(1), WHICH PROVIDES: THE OWNER
12 OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH
13 THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF
14 THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED
15 BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE
16 SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY
17 THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN
18 SHALL FILE OR CAUSE TO BE FILED THE CERTIFIED NOTIFICATION OF THE
19 EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1
20 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO
21 BEGIN.

22 (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO
23 SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING

1 DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE
2 PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN
3 EFFECT:

4 A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN
5 LIEU OF TAXES; AND

6 B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO
7 PERSONS OF LOW OF MODERATE INCOME; AND

8 C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING
9 DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN
10 ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED
11 THE PROVISIONS OF THIS SECTION.

12 (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.*

13 NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH
14 YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT
15 PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR
16 MODERATE INCOME PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF
17 THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT
18 PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE
19 NOT TAX EXEMPT.

20 (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF
21 TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE
22 SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY,

1 EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY
2 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS
3 CALCULATED. COLLECTION PROCEDURES SHALL BE IN ACCORDANCE WITH
4 THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206 AS
5 AMENDED; MCL 211.1 ET.SEQ.)

6 (F) *CONTRACTUAL EFFECT*. NOTWITHSTANDING THE PROVISIONS OF SECTION
7 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY
8 AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY
9 UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT
10 IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE
11 ENACTMENT OF THIS SECTION.

12 (G) *COMMENCEMENT AND DURATION*. THIS SECTION SHALL REMAIN IN EFFECT
13 AND SHALL NOT TERMINATE FOR TWENTY (20) YEARS, COMMENCING WITH
14 AND INCLUDING TAX YEAR 2023, PROVIDED THAT THE SPONSOR COMPLIES
15 WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER
16 PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO
17 LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER THE
18 LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE
19 FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR
20 FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS
21 PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE
22 PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2042. IF THE SPONSOR
23 CHANGES THE SCOPE OR PURPOSE OF THE SEVENTY-SIX (76) UNITS OF

1 HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF THE CITY
2 OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE
3 WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, AND THE
4 SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION
5 AFTER NOTICE IS GIVEN AS PROVIDED IN THE MANNER CONSISTENT WITH
6 THE METHOD CONTAINED IN SECTION 206.18(b) OF THESE CODIFIED
7 ORDINANCES, THEN THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE
8 OF NO EFFECT. IF THE CONSTRUCTION OF THE HOUSING DEVELOPMENT DOES
9 NOT COMMENCE WITHIN 1 YEAR FROM THE EFFECTIVE DATE OF THIS
10 SECTION, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO
11 EFFECT.

12 SECTION 2. All ordinances, resolutions or rules, ordinances, parts of ordinances,
13 including Ordinance No 1271, dated January 21, 2021, resolutions or rules inconsistent with the
14 provisions hereof are hereby repealed as they pertain to Walter French at the time this exemption
15 commences.

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

19 SECTION 4. This Ordinance shall take effect on the 30th day after enactment unless given
20 immediate effect by the City Council.

21 Approved as to form:
22
23

24 _____
25 James D. Smiertka, City Attorney

Dated: _____

INTRODUCTION OF ORDINANCE

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new Section 888.34 for the purposes of providing for a service charge in lieu of taxes for seventy-six (76) low income multi-family dwelling units in a project known as Walter French, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning

RESOLUTION #2021-172

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, August 23, 2021, 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 supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Walter French, located at 1900 S. Cedar Street in Lansing.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 888.____ FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR TWO HUNDRED AND TWENTY (220) LOW INCOME MULTI-FAMILY DWELLING UNITS IN A PROJECT KNOWN AS CEDAR PLACE, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new Section 888.____ to read as follows:

888.____ CEDAR PLACE

(A) *PURPOSE*. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC

1 NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH
2 HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN
3 REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC
4 PURPOSE.

5 (B) *DEFINITIONS.*

6 (1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT,
7 BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

8 (2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN
9 AGREED ANNUAL PERIOD FROM ALL PERSONS OF LOW OR MODERATE
10 INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING
11 RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE
12 OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES
13 FURNISHED TO THE OCCUPANTS.

14 (3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT
15 AUTHORITY.

16 (4) "*HOUSING DEVELOPMENT* " OR " *DEVELOPMENT*" MEANS A DEVELOPMENT
17 WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF
18 LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING,
19 COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND
20 EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL
21 IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO
22 HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR THE

PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS CEDAR PLACE, AND CONSISTS OF TWO HUNDRED AND TWENTY (220) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT:

A PARCEL OF LAND IN THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, THE SURVEYED BOUNDARY OF SAID PARCEL DESCRIBED AS: COMMENCING AT THE NORTH 1/4 COMER OF SAID SECTION 4; THENCE SOUTH ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 4 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH ALONG SAID NORTH-SOUTH 1/4 LINE 611.46 FEET (ASSESSED AS 611.45 FEET) TO A POINT 600.00 FEET NORTH OF THE NORTH LINE OF A CONSUMERS POWER COMPANY RIGHT OF WAY; THENCE NORTH 89°55'00"WEST PARALLEL WITH SAID NORTH LINE 97.77 FEET (ASSESSED AS 97.88 FEET); THENCE NORTH 38°27'40"WEST, 705.09 FEET; THENCE NORTH 11°33'30"WEST, 40.00 FEET; THENCE SOUTHWESTERLY 34.27 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 790.00 FEET, A DELTA ANGLE OF 2°29'08", AND A CHORD OF 34.27 FEET BEARING SOUTH 78°41'46"WEST; THENCE NORTH 00°11'00"EAST, 358.59 FEET TO THE NORTH LINE OF SAID SECTION 4; THENCE SOUTH 89°49'00"EAST ALONG SAID NORTH LINE, 444.80 FEET; THENCE SOUTH PARALLEL WITH SAID NORTH-SOUTH 1/4 LINE, 330.00 FEET; THENCE SOUTH 89°49'00"EAST PARALLEL WITH SAID NORTH LINE, 132.00 FEET TO THE POINT OF BEGINNING.

1 TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS FOR
2 PEDESTRIAN USE, SAID EASEMENT RUNNING WITH THE AFOREDESCRIBED
3 LAND INCLUDING THE RIGHT TO CONSTRUCT AND MAINTAIN SAID
4 WALKWAYS WITH UNDERGROUND UTILITIES, INCLUDING LIGHTING AS
5 ARE NECESSARY AND LANDSCAPING, OVER THE FOLLOWING DESCRIBED
6 PROPERTY:

7 BEGINNING ON THE NORTH-SOUTH 1/4 LINE OF SECTION 4, TOWNSHIP 3
8 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN,
9 AT A POINT SOUTH 941.4 FEET FROM THE NORTH 1/4 CORNER THEREOF;
10 THENCE CONTINUING ALONG SAID 1/4 LINE SOUTH 7.5 FEET; THENCE
11 NORTH 89°59'20" EAST, 263.77 FEET; THENCE SOUTH 00°00'40" EAST, 15.0
12 FEET; THENCE ALONG THE NORTHERLY LINE OF A 15 FOOT STORM DRAIN
13 EASEMENT THE FOLLOWING TWO COURSES: SOUTH 89°59'20" WEST, 323.16
14 FEET; THENCE NORTH 38°27'40" WEST, 28.89 FEET; THENCE SOUTH
15 89°55' EAST, 77.36 FEET TO THE POINT OF BEGINNING.

16 (5) "*HUD*" MEANS THE DEPARTMENT OF HOUSING AND URBAN
17 DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

18 (6) "*LOW INCOME HOUSING TAX CREDIT PROGRAM*" MEANS THE PROGRAM
19 ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE
20 CODE.

21 (7) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME
22 ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

1 (8) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY
2 AND INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE
3 FINANCING OF THE PURCHASE AND REHABILITATION OF THE HOUSING
4 DEVELOPMENT.

5 (9) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING
6 DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT.
7 FOR PURPOSES OF THIS SECTION, THE SPONSOR OF CEDAR PLACE IS
8 JONATHAN ROSE COMPANIES, OR ITS SUCCESSORS OR ASSIGNS.

9 (10) "*UTILITIES*" MEANS FUEL, WATER, SANITARY SEWER AND/OR ELECTRICAL
10 SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT.

11 (C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

12 (1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY
13 HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF CEDAR PLACE IN
14 RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS
15 SECTION AND UPON THE QUALIFICATION OF THE TWO HUNDRED AND
16 TWENTY (220) UNITS OF HOUSING IN THE HOUSING DEVELOPMENT FOR
17 EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS
18 SECTION.

19 (2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND
20 THE ACT, THE TWO HUNDRED AND TWENTY (220) UNITS IN THE HOUSING
21 DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME
22 IDENTIFIED AS CEDAR PLACE AND THE PROPERTY ON WHICH THEY ARE

1 CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT
2 MORE THAN FORTY (40) YEARS, COMMENCING WITH AND INCLUDING TAX
3 YEAR 2021.

4 (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE TWO HUNDRED AND
5 TWENTY (220) UNITS IN THE HOUSING DEVELOPMENT, THE SPONSOR
6 SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE
7 FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE
8 DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY
9 COLLECTED AND UTILITIES.

10 (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE
11 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS
12 AMENDED, CODIFIED AS MCL 125.1415A(1), WHICH PROVIDES: THE OWNER
13 OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH
14 THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF
15 THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED
16 BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE
17 SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY
18 THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN
19 SHALL FILE OR CAUSE TO BE FILED THE CERTIFIED NOTIFICATION OF THE
20 EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1
21 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO
22 BEGIN.

1 (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO
2 SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING
3 DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE
4 PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN
5 EFFECT:

6 A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN
7 LIEU OF TAXES; AND

8 B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO
9 PERSONS OF LOW OF MODERATE INCOME; AND

10 C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING
11 DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN
12 ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED
13 THE PROVISIONS OF THIS SECTION; AND

14 (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.*
15 NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH
16 YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT
17 PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR
18 MODERATE INCOME PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF
19 THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT
20 PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE
21 NOT TAX EXEMPT.

1 (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF
2 TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE
3 SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY,
4 EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY
5 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS
6 CALCULATED.

7 (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION
8 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY
9 AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY
10 UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT
11 IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE
12 ENACTMENT OF THIS SECTION.

13 (G) *COMMENCEMENT AND DURATION.* THIS SECTION SHALL REMAIN IN EFFECT
14 AND SHALL NOT TERMINATE FOR FORTY (40) YEARS, COMMENCING WITH
15 AND INCLUDING TAX YEAR 2021, PROVIDED THAT THE SPONSOR COMPLIES
16 WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER
17 PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO
18 LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER THE
19 LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE
20 FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR
21 FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS
22 PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE
23 PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2041. IF THE SPONSOR

1 CHANGES THE SCOPE OR PURPOSE OF THE TWO HUNDRED AND TWENTY (220)
2 UNITS OF HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF
3 THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN
4 ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY
5 CHARTER AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE
6 THE VIOLATION AFTER NOTICE IS GIVEN AS PROVIDED IN THE MANNER
7 CONSISTENT WITH THE METHOD CONTAINED IN SECTION 206.18(b) OF THESE
8 CODIFIED ORDINANCES, THEN THIS SECTION SHALL AUTOMATICALLY EXPIRE
9 AND BE OF NO EFFECT. IF THE CONSTRUCTION OF THE HOUSING
10 DEVELOPMENT DOES NOT COMMENCE WITHIN 1 YEAR FROM THE EFFECTIVE
11 DATE OF THIS SECTION, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND
12 BE OF NO EFFECT.

13 SECTION 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
14 inconsistent with the provisions hereof are hereby repealed as they pertain to Cedar Place at the
15 time this exemption commences.

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

19 SECTION 4. This Ordinance shall take effect on the 30th day after enactment unless given
20 immediate effect by the City Council.

21
22 Approved as to form:

23
24 _____
25 James D. Smiertka, City Attorney

26 Dated: _____

INTRODUCTION OF ORDINANCE

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new Section 888.35 for the purposes of providing for a service charge in lieu of taxes for two hundred and twenty (220) low income multi-family dwelling units in a project known as Cedar Place, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning

RESOLUTION #2021-173

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, August 23, 2021, 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 supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Cedar Place, 201 W. Jolly Rd., Lansing.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 884.____ FOR THE PURPOSES OF PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR NINETY-EIGHT (98) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE PORTER SENIOR APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 884 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW SECTION 884.____ TO READ AS FOLLOWS:

884.____ THE PORTER SENIOR APARTMENTS

(A) *PURPOSE.* IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD

1 BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH
2 HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A
3 PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY
4 SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING
5 CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID
6 PUBLIC PURPOSE.

7 (B) *DEFINITIONS.*

8 (1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT,
9 BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

10 (2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN
11 AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR
12 MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT
13 REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS
14 SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR
15 OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

16 (3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT
17 AUTHORITY.

18 (4) "*ELDERLY PERSON(S)*" MEANS (i) A SINGLE PERSON WHO IS 55 YEARS OF AGE
19 OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55
20 YEARS OF AGE OR OLDER OR (ii) A PERSON WITH DISABILITIES, A
21 DISABLED FAMILY, OR DISPLACED FAMILY ALL AS DEFINED IN 24 CFR
22 5.403.

1 (5) "*HOUSING DEVELOPMENT* " OR " *DEVELOPMENT*" MEANS A DEVELOPMENT
2 WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY
3 PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF
4 OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL,
5 COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY
6 DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT
7 RELATES TO HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE
8 INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS
9 DEVELOPMENT IS THE PORTER SENIOR APARTMENTS, AND CONSISTS OF
10 NINETY-EIGHT (98) UNITS OF RENTAL HOUSING LOCATED WITHIN
11 LANSING AT PART OF LOTS 8, 9, 10, 11 & 12 COM NW COR BLOCK 148, E 122
12 FT, S 90 FT, SW 7.1 FT, S 72 FT, E 4 FT, S 163 FT, W 121 FT, N 330 FT TO BEG,
13 ALSO E 36 FT OF W 99 FT LOT 7 BLOCK 148 ORIG PLAT, COMMONLY KNOWN
14 AS 505 TOWNSEND STREET, LANSING (PARCEL ID: 33-01-01-16-380-073).

15 (6) "*HUD*" MEANS THE DEPARTMENT OF HOUSING AND URBAN
16 DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

17 (7) "*LOW INCOME HOUSING TAX CREDIT PROGRAM*" MEANS THE PROGRAM
18 ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE
19 CODE.

20 (8) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME
21 ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

22 (9) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY OR
23 A LOAN INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE

1 FINANCING OF THE PURCHASE OR REHABILITATION OF THE HOUSING
2 DEVELOPMENT.

3 (10) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING
4 DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT.
5 FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE PORTER SENIOR
6 APARTMENTS IS GL HOLDINGS, LLC, OR ITS SUCCESSORS OR ASSIGNS.

7 (11) "*UTILITIES*" MEANS FUEL, WATER, HEAT, SANITARY SEWER AND/OR
8 ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING
9 DEVELOPMENT, AS DEFINED IN THE ACT.

10 (12) OTHER TERMS. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN
11 THIS SECTION SHALL HAVE THE SAME MEANING GIVEN IN THE ACT.

12 (C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

13 (1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY
14 HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE PORTER SENIOR
15 APARTMENTS IN RELIANCE UPON THE ENACTMENT AND CONTINUING
16 EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE NINETY-
17 EIGHT (98) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT
18 FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS
19 SECTION.

20 (2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND
21 THE ACT, THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING
22 DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME

1 IDENTIFIED AS THE PORTER SENIOR APARTMENTS AND THE PROPERTY ON
2 WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL
3 PROPERTY TAXES FOR FORTY (40) YEARS, COMMENCING WITH AND
4 INCLUDING TAX YEAR 2021.

5 (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS
6 IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY,
7 AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC
8 SERVICES, IN THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE
9 DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY
10 COLLECTED AND THE ANNUAL AMOUNT OF UTILITIES PAID DURING THE
11 SAME PERIOD.

12 (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL RESCIND AND
13 REPLACE ANY PRIOR EXEMPTIONS AND SHALL COMMENCE EFFECTIVE AS
14 OF JANUARY 1, 2021 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1)
15 OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415(a)(1), WHICH
16 PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE
17 EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY
18 ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN
19 AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED
20 AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR
21 CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR
22 THE EXEMPTION. THE OWNER THEN SHALL FILE, OR CAUSE TO BE FILED,
23 THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL

1 ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE
2 TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

3 (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO
4 SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING
5 DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE
6 PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN
7 EFFECT:

8 A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN
9 LIEU OF TAXES; AND

10 B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO
11 ELDERLY PERSONS OF LOW OF MODERATE INCOME; AND

12 C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING
13 DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN
14 ALTERED IN ANY MATERIAL FORM, WITH THE EXCEPTION OF LIKE
15 KIND REPLACEMENTS OR REPAIRS NEEDED IN THE ORDINARY COURSE
16 OF BUSINESS, UNLESS THE CITY HAS OTHERWISE AMENDED THE
17 PROVISIONS OF THIS SECTION; AND

18 (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.*

19 NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH
20 YEAR IN LIEU OF TAXES FOR THE RENTAL HOUSING UNITS OF THE HOUSING
21 DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY RESIDENTS
22 OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE

1 EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE
2 DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT
3 PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

4 (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF
5 TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE
6 SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY,
7 AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL
8 PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE GENERAL
9 PROPERTY TAX IN THE PREVIOUS YEAR, EXCEPT THAT THE ANNUAL
10 PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING
11 THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION
12 PROCEDURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE
13 GENERAL PROPERTY TAX ACT (1893 PA 206, AS AMENDED; MCL 211.1, ET SEQ.).

14 (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION
15 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY
16 AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY
17 UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT
18 IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE
19 ENACTMENT OF THIS SECTION.

20 (G) *COMMENCEMENT AND DURATION.* THE PROPERTY TAX EXEMPT STATUS OF
21 THE HOUSING DEVELOPMENT PROJECT ACKNOWLEDGED BY THIS
22 AGREEMENT SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG
23 AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT

1 REMAINS OUTSTANDING AND UNPAID, BUT NOT TO EXCEED FORTY (40)
2 YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021, PROVIDED
3 THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND
4 THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT
5 CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME ELDERLY
6 PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX
7 CREDIT PROGRAM OR AS DETERMINED BY THE HAP CONTRACT, AS THE SAME
8 MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-
9 AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT
10 AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN
11 THE PROPERTY. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE
12 NINETY-EIGHT (98) UNITS OF HOUSING WITHIN THE DEVELOPMENT TO
13 SOMETHING OTHER THAN PROVIDING HOUSING FOR ELDERLY RESIDENTS OF
14 LOW OR MODERATE INCOME WITHOUT THE CONSENT OF THE CITY OF
15 LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE
16 WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION
17 SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT. IF THE
18 CONSTRUCTION OF THE HOUSING DEVELOPMENT DOES NOT COMMENCE
19 WITHIN 2 YEARS FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION
20 SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

21 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
22 inconsistent with the provisions hereof are hereby repealed as they pertain to the Porter Senior
23 Apartments, as contemplated herein.

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

4 Section 4. This ordinance shall take effect on the 30th day after enactment unless given
5 immediate effect by the City Council.

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13 Approved as to form:
14
15
16 _____
17 James D. Smiertka, City Attorney
18 Dated: _____
19

INTRODUCTION OF ORDINANCE

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new Section 884.13 for the purposes of providing for an extension of a Service Charge in Lieu Of Taxes for ninety-eight (98) low income elderly dwelling units in a project known as The Porter Senior Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning

RESOLUTION #2021-174

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday August 23, 2021, at 7:00 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for The Porter Apartments, located at 505 Townsend Street.

INTRODUCTION OF ORDINANCE

Council Member Spitzley introduced:

An ordinance of the City of Lansing, Michigan, to amend the Lansing codified ordinances by amending Chapter 658 Section 658.03, to replace willful annoyance with the prohibition that no person shall threaten another person by word of mouth, gesture, or other physical action that accosts, molests, or otherwise harasses the other person.

The Ordinance is referred to the Committee on Equity Diversity & Inclusion

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for August 23, 2021, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend the Lansing codified ordinances by amending Chapter 658 Section 658.03, to replace willful annoyance with the prohibition that no person shall threaten another person by word of mouth, gesture, or other physical action that accosts, molests, or otherwise harasses the other person.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 658 SECTION 658.03,
TO REPLACE WILLFUL ANNOYANCE WITH THE PROHIBITION THAT NO PERSON
SHALL THREATEN ANOTHER PERSON BY WORD OF MOUTH, GESTURE, OR OTHER
PHYSICAL ACTION THAT ACCOSTS, MOLESTS, OR OTHERWISE HARASSES THE
OTHER PERSON.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 658 Section 658.03, of the Code of Ordinances of the City of
Lansing, Michigan be and is hereby amended to read as follows:

658.03. – ~~Annoying~~ THREATENING persons.

No person shall:

- (a) ~~Willfully annoy another person~~ THREATEN ANOTHER PERSON BY WORD OF
MOUTH, GESTURE, OR OTHER PHYSICAL ACTION THAT ACCOSTS,
MOLESTS, OR OTHERWISE HARASSES THE OTHER PERSON; or
- (b) Recklessly endanger the life, health or well being of another person.

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

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

1 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
2 immediate effect by City Council and shall expire December 31, 2029.

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Approved as to form:

City Attorney

Dated: _____



Chris Swope

Lansing City Clerk

August 5, 2021

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:
<http://lansingmi.gov/AgendaCenter>

BOARD NAME

DATE OF MEETING

Human Relations & Community Service Advisory Board	May 25, 2021
Election Commission	July 6, 2021
Lansing Brownfield Redevelopment Authority	July 9, 2021
Lansing Economic Development Corporation	July 9, 2021
Lansing Tax Increment Finance Authority	July 9, 2021
Board of Water & Light Board of Commissioners	May 25, 2021 June 17, 2021

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

CITY of LANSING

INTEROFFICE COMMUNICATION

TO: Andy Schor, Mayor
FROM: Stephanie Robinson, Senior Buyer
DATE: July 19, 2021
SUBJECT: Sole Source Purchase – Legal Solutions

Please include this Sole Source packet of information in your transmittal to Council as required by the Purchasing Ordinance Section 206.05.

In summary, the Purchasing Office processed the following Sole Source transaction:

Department: Lansing Police Department

Vendor: Legal Solutions – Blue Line Law Firm

Service Purchased: Consultant for conducting comprehensive community driven independent review of LPD policies and procedures with guidelines of the President's Task Force on 21st Century Policing

Dollar Amount: \$ 24,000 from account 7320117502-747000

Additional information pertaining to this purchase is attached for your information.

This letter is filed in accordance with the Purchasing Ordinance Section 206.05 (a) and (b).

slr

CITY of LANSING

INTEROFFICE COMMUNICATION

TO: Andy Schor, Mayor
Nicholas Tate, Deputy Mayor

FROM: Stephanie Robinson, CPPB, Senior Buyer

DATE: May 10, 2021

SUBJECT: Sole Source – Legal Solutions

The Lansing Police Department requests that Legal Solutions be designated as a Sole Source consultant for conducting a comprehensive community driven independent review and assessment of LPD's policies and procedures consistent with guidelines of the President's Task Force on 21st Century Policing.

Please see the attached letter from Chief Daryl Green regarding the request.

Based on the attached letter we recommend issuing a sole source purchase order to Legal Solutions, in the amount of \$ 24,000.00 per the request of the Lansing Police Department.

Attachment

Date: 5/10/2021

Approved X Denied

 
Andy Schor, Mayor



Andy Schor, Mayor

Lansing Police Department Chief of Police Daryl Green

120 West Michigan Avenue
Lansing, MI 48933
Phone: (517) 483-4801
Fax: (517) 377-0166



Daryl Green, Chief

TO: Stephanie Robinson
FROM: Daryl Green, Chief of Police
SUBJECT: Sole Source Request – Legal Solutions
DATE: May 6, 2021

The Lansing Police Department (LPD) requests the granting of sole source status to Legal Solutions for the purpose of conducting a comprehensive, community-driven independent review and assessment of LPD's policies and procedures consistent with guidelines of The President's Task Force on 21st Century Policing. Legal Solutions is a police consultants with offices in several states and is licensed and insured. Legal Solutions has practicing lawyers that are Michigan based. The company has background in the 21st Century Policing Taskforce model and the related policies and practices that adhere to that philosophy.

The review and assessment will encompass the following key areas:

- use of force,
- de-escalation,
- body worn cameras,
- bias-free policing,
- accountability and oversight,
- community engagement,
- officer wellness,
- recruitment and retention, and
- arrest management

The cost for the review and the assessment is \$24,000. LPD plans to use a portion of its Department of Justice Coronavirus grant to pay for this. The cost is inclusive of all team members, contractors, research, travel, and expenses related to preparation of the assessment.

The estimated timeline for completing the review and assessment is 50-65 days.

Upon conclusion of the review and assessment, Legal Solutions will generate, produce, and present LPD a thorough report. The report will recommend changes that are consistent with the 21st Century Policing Taskforce guidelines.

“Neighborhood Strong”



CITY OF LANSING

124 W. Michigan Ave
Lansing, MI 48933
(517) 483-4128

TO: BLUE LINE LAW FIRM PLLC
1645 PALM BEACH LAKES BLVD STE 1200
WEST PALM BEACH, FL 33401

PURCHASE ORDER	
P.O. NUMBER	P087184
DATE	05/14/21
VENDOR I.D.	V050373
DELIVERY DATE	
FOB	
REQUISITION NO	PR015900
OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LIST AND CORRESPONDENCE.	

PHONE# FAX#

Page 1 of 1

DELIVER ITEMS TO:

LANSING POLICE - ADMINISTRATIVE SUPPORT
120 W MICHIGAN AVENUE 4TH FLOOR
LANSING, MI 48933

SEND INVOICE TO:

LANSING POLICE - ADMINISTRATIVE SUP
120 W MICHIGAN AVENUE 4TH FLOOR
LANSING, MI 48933

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION
001	CONDUCT A COMPREHENSIVE, COMMUNITY-DRIVEN INDEPENDENT REVIEW AND ASSESSMENT OF LPDTCOS POLICIES AND PROCEDURES CONSISTENT WITH GUIDELINES OF THE PRESIDENTTCOS TASK FORCE ON 21ST CENTURY POLICING. THE REVIEW AND ASSESSMENT WILL ENCOMPASS THE FOLLOWING KEY AREAS: TCO USE OF FORCE, TCO DE-ESCALATION, TCO BODY WORN CAMERAS, TCO BIAS-FREE POLICING, TCO ACCOUNTABILITY AND OVERSIGHT, TCO COMMUNITY ENGAGEMENT, TCO OFFICER WELLNESS, TCO RECRUITMENT AND RETENTION, TCO ARREST MANAGEMENT	1	EA	24,000.00	24,000.00
				TAX	0.00
THE ARTICLES SPECIFIED ARE SUBJECT TO THE FOLLOWING CONDITIONS:				TOTAL	24,000.00

- Goods other than those specified on this order must not be substituted or prices changed without authorization.
- If the quantity shipped is short of the purchase order quantity, specify on the packing slip if that quantity is on back order or cancelled.

Legal Solutions was founded by attorney Kevin Drummond who will be personally involved and leading the review and assessment. Some of Mr. Drummond's qualifications are:

- Juris Doctorate from Florida A&M University
- Bachelor of Science in Criminal Justice from Florida Gulf Coast University
- Master of Public Administration from Florida Gulf Coast University
- Worked as Assistant State Attorney and Crime Trial Attorney under Florida State Attorney Dave Aronberg
- Served as Compliance Review trooper Investigator at Florida Highway Patrol
- Worked at the Palm Beach Shores Police Department in various roles including
 - Police Officer,
 - Accreditation Manager, and
 - Legal Advisor
- Police Legal Instructor at Palm Beach State College
- Bar Admissions in Florida, Minnesota, District of Columbia, North Dakota, Immigration Courts and Veteran Affairs.

In conclusion, LPD is seeking the services of Legal Solutions at a total cost of \$24,000 for the purpose of conducting a comprehensive, community-driven independent review and assessment of LPD's policies and procedures consistent with guidelines of The President's Task Force On 21st Century Policing.

Thank you for your assistance with this matter.



Daryl Green, Chief of Police

LEGAL SOLUTIONS

PROPOSAL FOR DEPARTMENTAL REVIEW

Prepared for Chief D. Green, Lansing Police Department

OVERVIEW:

Legal Solutions is pleased to submit this proposal for services to support the Lansing Police Department in achieving its goals in focusing on racial justice and equity through a comprehensive, community-driven independent review of its departmental policies and procedures consistent with the 21st Century Task Force guidelines. We believe given current national efforts of Police Reform, this is the first step to combat injustice.

OBJECTIVE:

While adhering to 21st Century Task Force guidelines, the comprehensive independent review shall encompass following key areas: use of force & de-escalation, body-worn cameras, bias-free policing, accountability & oversight, community engagement, officer wellness, recruitment & retention, and arrest management.

OUR PROPOSAL:

To provide a full and complete assessment focusing on the issues and conflicts that arise in first responders environments and ensure that agencies are well equipped with the training and knowledge to adapt to the situation effective as they arise. This assessment will include an inquiry into the Department's implicit bias impact training currently in use and may recommend alternative if necessary.

The main concerns and focus points shall be to include but not limited to:

- **Use of Force & De-escalation**

Attorney Kevin Drummond and the consulting team will apply its currently updated knowledge of creating similar policies and examine where Lansing PD may be having issues. Further examination will look to see where the issues/problems reside and how to best implement a different approach.

- **Body-worn Cameras**

Attorney Kevin Drummond and the consulting team will examine the current policy and use of body cameras as compared the national standard and recommend areas of improvement.

- **Bias-Free Policing**

Attorney Kevin Drummond and the consulting team will examine the current policy on Bias-free Policing and compare it to different agencies to examine where Lansing PD can improve. An emphasis will be placed on ensuring that policy is in line with recent local and national issues.

- **Accountability & Oversight**

Attorney Kevin Drummond and the consulting team will examine the current policy dealing with oversight that will include internal affairs to access where Lansing PD can improve or an alternative in addressing issues that are perceived. Communications will be with the public and surrounding organizations to ensure that it is transparent.

- **Community Engagement**

Attorney Kevin Drummond and the consulting team will examine the current policy dealing with the engagement of the agency with the community. The effectiveness will be reviewed and any recommendations for improvement will be provided.

- **Officer Wellness**

Attorney Kevin Drummond and the consulting team will examine the current policy pertaining to Officer Wellness. We will contact/ communicate with organizations that deal with Officer suicide and wellness to ensure that we can identify and reduce the stress that Lansing PD Officers may incur while employed.

- **Recruitment & Retention**

Attorney Kevin Drummond and the consulting team will examine the current policy and practice used for the retention and recruitment of Lansing PD Officers. Assessment will include an interview with current and former police officers (if possible) to assess where improvements can be made.

- **Arrest Management**

Attorney Kevin Drummond and the consulting team will examine the current policy in use by the Lansing PD and evaluate its effectiveness. The assessment will include the process from a roadside arrest to the booking and retaining of persons until bond or arraignment and release.

TIMELINE FOR EXECUTION:

We would be request to start as soon as possible. Due to the current COVID-19 environment, certain people and precautions must be taken before commencing. Certain agencies such as Michigan State Police require advanced notice to participate and assist in guidance or recommendations. Estimated timeline would be 50-65 days for completion if no delays (holidays, unavailability for interviews, etc.).

COSTS: \$24,000.00

The cost is inclusive of all the team members, contractors, research, and cost of travel and expenses related to preparation of the assessment. Creation of various contact methods will be utilized for communication to ensure that all input is received.

CONCLUSION:

Once all assessments are concluded, a report will be generated, produced and presented the Chief of Police for presentation along with those request by him. The report shall recommend changes that are consistent with the 21st Century Policing Taskforce guidelines. Concerns will be addressed. The report shall be focused on mainly the issues of concerns.

We look forward to working with Lansing Police Department along with any additional first responder agencies in supporting your efforts to improve your relationship with the community and injunction with compliance with the Executive Directive from the Mayor's Office. We are confident that we can meet the challenges ahead.

If you have questions on this proposal, feel free to contact me at your convenience by email at Kevin@tblf.com or by phone at 888-611-9511. We will be in touch with you to address any additional concerns you may have.

Thank you for your consideration,

Kevin Drummond

INTRODUCTION OF ORDINANCE

Council Member _____ introduced:

An Ordinance of the City of Lansing, Michigan, for the purpose of amending Part 2, Title 8 of the Lansing Codified Ordinances by adding Chapter 286 to create the Arts and Culture Board; to provide for its composition and function; and to define its duties.

The Ordinance is read a first time by its title and referred to the Committee on

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for
_____ at 7 p.m. in Tony Benavides Lansing City Council
Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing,
Michigan, for the purpose of amending Part 2, Title 8 of the Lansing Codified
Ordinances by adding Chapter 286 to create the Arts and Culture Board; to provide for
its composition and function; and to define its duties.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 2, TITLE 8 OF THE LANSING CODIFIED ORDINANCES BY ADDING CHAPTER 286 TO CREATE THE ARTS AND CULTURE BOARD; TO PROVIDE FOR ITS COMPOSITION AND FUNCTION; AND TO DEFINE ITS DUTIES.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 2, Title 8 of the Lansing Codified Ordinances of the City of Lansing is hereby amended to add Chapter 286 to read as follows:

CHAPTER 286 – ARTS AND CULTURE BOARD.

286.01 – ESTABLISHMENT; POWERS AND DUTIES

THE ARTS AND CULTURE BOARD IS HEREBY ESTABLISHED IN AND FOR THE CITY. THE BOARD SHALL MAKE RECOMMENDATIONS REGARDING ALL ARTS AND CULTURAL ACTIVITIES WITHIN THE CITY OF LANSING, DEVELOP AND RECOMMEND ONGOING ARTS AND CULTURE PERFORMANCE MEASURES AND BEST PRACTICES.

286.02 – MEMBERSHIP; TERMS; VACANCIES

(A) THE ARTS AND CULTURE BOARD SHALL CONSIST OF TWELVE (12) MEMBERS WHO ARE REGISTERED ELECTORS OF THE CITY WHO ARE APPOINTED BY THE MAYOR, WITH THE ADVICE AND CONSENT OF CITY COUNCIL.

1 (B) MEMBERS SHALL BE APPOINTED BEFORE JULY 1 OF THE YEAR OF
2 APPOINTMENT AND SHALL SERVE UNTIL JUNE 30 OF THE YEAR IN WHICH THEIR
3 TERMS EXPIRE OR UNTIL THEIR SUCCESSORS QUALIFY FOR OFFICE.

4 (C) EIGHT MEMBERS SHALL BE FROM THE CITY-AT-LARGE AND ONE MEMBER
5 SHALL BE APPOINTED FROM EACH OF THE FOUR WARDS.

6 (D) THE TERMS OF OFFICE FOR THE MEMBERS SHALL BE FOUR YEARS,
7 EXCEPT FOR THE FOLLOWING MEMBERS FIRST-APPOINTED TERMS:

8 (1) THE FIRST WARD MEMBER SHALL BE APPOINTED FOR ONE YEAR.

9 (2) THE SECOND WARD MEMBER SHALL BE APPOINTED FOR TWO
10 YEARS.

11 (3) THE THIRD WARD MEMBER SHALL BE APPOINTED FOR THREE
12 YEARS.

13 (4) THE FOURTH WARD MEMBER SHALL BE APPOINTED FOR FOUR
14 YEARS.

15 (5) AT-LARGE MEMBERS SHALL BE APPOINTED FOR ONE, TWO, THREE,
16 AND FOUR YEARS RESPECTIVELY.

17 (E) THEREAFTER, ALL SUBSEQUENT ARTS AND CULTURE BOARD MEMBERS
18 SHALL BE APPOINTED FOR FOUR YEAR TERMS.

19 (F) VACANCIES SHALL BE FILLED FOR THE REMAINDER OF THE UNEXPIRED
20 TERM.

21
22 286.03 – RULES OF PROCEDURE; MEETINGS

(A) THE ARTS AND CULTURE BOARD SHALL ORGANIZE ITSELF PURSUANT TO SECTION 5-105 OF THE LANSING CITY CHARTER, INCLUDING THE PUBLIC NOTICE AND PARTICIPATION REQUIREMENTS THEREIN AND SUBJECT TO THE OPEN MEETINGS ACT.

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

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

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and pursuant to Section 3-307, of the City Charter, this Chapter shall expire December 31, 2029.

Approved as to form:

City Attorney

Dated: _____

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Transportation (MDOT) is in process of letting a design-build project for reconstruction of I-496 and bridge repairs between Lansing Road and the Grand River; and

WHEREAS, these improvements, are necessary to support both local residents and commuters that frequent the greater Lansing area; and

WHEREAS, this work will involve activities that is anticipated to create a noise disturbance during pile driving, sheet pile installation, vibratory hammers, pavement breaking activities and bridge demolition activities; and

WHEREAS, to be minimize the disruption to motorists, MDOT, the owner, is requesting a noise waiver to accommodate construction activities outside the allowable time frame as set forth in section 654.07 of the Code of Ordinances; and

WHEREAS, for the period January 24, 2022, through December 1, 2022 and for the period March 1, 2023 through November 15, 2023, MDOT has requested a waiver of the noise ordinance, for construction noise, on weekdays from 8:00 PM to 7:00 AM and any time on weekends or holidays; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on **Monday, _____, 2021, at 7:00 PM** in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for granting a waiver of the noise ordinance, for construction noise, on weekdays from 8:00 PM to 7:00 AM and any time on weekends or holidays for the period January 24, 2022, through December 1, 2022 and for the period March 1, 2023 through November 15, 2023.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a public hearing was held on **Monday, _____, 2021**, in consideration of the request by the Michigan Department of Transportation (MDOT), the owner of the 496 reconstruction project, for issuance of a waiver of the noise ordinance on weekdays from 8:00 PM to 7:00 AM and any time on weekends or holidays for the period January 24, 2022, through December 1, 2022 and for the period March 1, 2023 through November 15, 2023; and

WHEREAS, the associated road and bridge improvements, including sewer upgrades, are necessary to support and serve the greater Lansing area residents and commuters that frequent the Lansing area; and

WHEREAS, to minimize the disruption to motorists, MDOT, the owner, is requesting a noise waiver to accommodate construction activities outside the allowable time frame as set forth in section 654.07 of the Code of Ordinances; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule; and

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from anyone within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that the City Council grant a waiver of the noise ordinance, for construction noise along I-496 in the City of Lansing, on weekdays from 8:00 PM to 7:00 AM and any time on weekends or holidays for the period January 24, 2022, through December 1, 2022 and for the period March 1, 2023 through November 15, 2023.

BY THE COMMITTEE OF WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following grant acceptance is approved:

WHEREAS the State of Michigan Department of Treasury has given preliminary notice of its intent to award a Financially Distressed Cities, Villages, and Townships (FDCVT) grant in the amount of up to \$100,000 toward reimbursement of expenditures required to implement the Capital City Comeback – Large Capacity Commercial Tax Scanner Project.

WHEREAS the State of Michigan requires each municipality's governing body to adopt a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's FDCVT grant program.

WHEREAS the City of Lansing acknowledges that it has filed its annual financial report (F65) or audit per the Uniform Budgeting and Account Act or the Uniform System of Accounting Act, has filed its financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act as applicable, is not delinquent in making payments that are due on loans issued pursuant to the Emergency Municipal Loan Act, and does not have a payment due and owing to the state and thus is eligible to participate in a FDCVT grant funded project.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby authorize participation in the Capital City Comeback – Large Capacity Commercial Tax Scanner Project and on behalf of the City of Lansing authorizes Jake Brower (Budget Director) to provide this resolution indicating approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the FDCVT requirements.

BE IT FINALLY RESOLVED, the administration is authorized to create appropriation accounts and to make the necessary operating transfers for the expenditure and control of the balance of the awarded grant funds.



LANSING CITY COUNCIL

GRANT INFORMATION FORM

(Required for all grant applications and acceptances)

REFERRAL DATE: 8/9/21

GRANT NAME: Capital City Comeback – Large Capacity Commercial Tax Scanner Project

DEPARTMENT: Finance

CONTACT PERSON (INCLUDE EMAIL AND PHONE): Jake Brower, jake.brower@lansingmi.gov, 517-483-4511

APPLICATION DATE: 5/17/21 AWARD DATE: Anticipated, advance funding requested

GRANT CYCLE: FY2021 Check One: ☐ Annual ☒ One-Time

FUND AMOUNT: \$100,000 (Breakdown below should total this amount)

GOODS & SERVICES \$100,000

PERSONNEL

CONSTRUCTION

LAND

OTHER (Training)

CITY MATCH (IF APPLICABLE): All costs above and beyond FDCVT funding will have to be appropriated before 2025.

GRANT PAYS FOR: Purchasing large capacity commercial tax scanner.

FUND ALLOCATIONS (Please describe the purpose of the grant and allowable uses):

The City of Lansing currently outsources the tax scanning process which is inefficient and time consuming. Purchasing large capacity commercial scanners will allow the City to bring this process in-house. This will allow the Treasurer's Office the benefits of being able to scan and store the City's data in a system that is secure and accessible in a format designed by the City's Income Tax Department, allowing the City to timely reconcile data, audit refunds, and store and retrieve data as needed.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RACHAEL EUBANKS
STATE TREASURER

July 26, 2021

Robert J.F. Widigan
Finance Director
City of Lansing
124 West Michigan Avenue, 8th Floor
Lansing, MI 48933

Dear Mr. Widigan:

Re: **Grant No. 210105-21**
Notification of Intent to Award – FDCVT Grant FY 2021

The Michigan Department of Treasury (Treasury) – Revenue Sharing and Grants Division received your grant application for the Financially Distressed Cities, Villages, and Townships (FDCVT) grant program. We are pleased to inform you that the proposal your governmental unit submitted entitled **Capital City Comeback - Large Capacity Commercial Tax Scanner** has been selected for a grant award in the maximum amount of **\$100,000.00**.

Enclosed are two original copies of the Financially Distressed Cities, Villages, and Townships Grant Agreement and a sample Board Resolution.

An electronic fillable version of the sample Board Resolution is located on Treasury's website:
http://www.michigan.gov/treasury/0,4679,7-121-1751_2197_58826_69378---,00.html

Next Step

To receive the Final Award, Treasury must receive two original signed copies of the Grant Agreement and a Board Resolution (as indicated in the Conditions of the grant application packet) by Friday, September 24, 2021.

Submission of the signed Grant Agreement and a Board Resolution will signify acceptance of the grant award and will be considered agreement to all provisions specified in the grant application packet, the Notification of Intent to Award letter, and the Grant Agreement.

Please send the required documents by mail to:

Michigan Department of Treasury
Revenue Sharing and Grants Division
PO Box 30722
Lansing, MI 48909

City of Lansing
July 26, 2021
Page 2

Upon Treasury's review and acceptance/approval of the signed Grant Agreement and Board Resolution, Treasury will sign the Grant Agreement. Treasury will return one executed copy of the Grant Agreement along with the Final Award letter, after which time the grantee will be responsible for the submission of grant compliance reporting and reimbursement requests.

Awarded funds will not be released until a completed grant agreement has been finalized. Reminder, grant funds are distributed on a reimbursement basis.

Congratulations on the grant award. We appreciate your interest in the FDCVT and look forward to working with you on this project. If you have any questions, please let us know. We can be reached at (517) 335-7484.

Sincerely,

A handwritten signature in black ink that reads "Evah Cole". The signature is written in a cursive, flowing style.

Evah Cole, Division Administrator
Revenue Sharing and Grants Division

Enclosures

**FINANCIALLY DISTRESSED CITIES, VILLAGES, AND TOWNSHIPS
GRANT AGREEMENT
BETWEEN THE
MICHIGAN DEPARTMENT OF TREASURY
AND CITY OF LANSING**

This Grant Agreement ("Agreement") is made between the Michigan Department of Treasury, Revenue Sharing and Grants Division ("Treasury") and City of Lansing ("Grantee").

The purpose of this Agreement is to provide funding to a financially distressed municipality with conditions that indicate probable financial distress. Legislative appropriation of funds for grant assistance is set forth in 2020 Public Act 166. This Agreement is subject to the terms and conditions specified herein.

Grant #: 210105-21
Project Name: Capital City Comeback - Large Capacity Commercial Tax Scanner
Amount of grant: \$100,000.00
Start Date: October 1, 2020
End Date: September 30, 2025

GRANTEE CONTACT:

Robert J.F. Widigan, Finance Director

Name/Title

City of Lansing

Municipality Name

124 West Michigan Avenue, 8th Floor

Address

Lansing, MI 48933

City, State, Zip Code

(517) 483-4594

Telephone Number

Fax Number

financedepartment@lansingmi.gov

E-mail Address

CV0047783

Vendor/Customer Number

TREASURY CONTACT:

Evah Cole, Division Administrator

Name/Title

Revenue Sharing and Grants Division

Division

P.O. Box 30722

Address

Lansing, MI 48909

City, State, Zip Code

(517) 335-7484

Telephone Number

(517) 335-3298

Fax Number

TreasRevenueSharing@michigan.gov

E-mail Address

I. AGREEMENT SCOPE

This Agreement and its appendices constitute the entire Agreement between Treasury and the Grantee and may be modified only by written agreement between Treasury and the Grantee.

- (A) The scope of this agreement is limited to activities specified in Appendix A, and such activities as are authorized by Treasury under this Agreement. Any change in agreement scope requires written approval in accordance with Section III (Amendments) of this Agreement.
- (B) By entering into this Agreement, the Grantee commits to complete the project identified in Appendix A within the time period allowed for in this Agreement and in accordance with the terms and conditions of this Agreement.

II. CONTRACT PERIOD

The Agreement shall be effective from the Start Date until the End Date specified on page 1. Treasury shall have no responsibility to provide funding to the Grantee for project work performed except between the Start Date and the End Date specified on page 1. Expenditures incurred or paid by the Grantee prior to the Start Date or after the End Date of this Agreement will not be reimbursed under the Agreement.

III. AMENDMENTS

Any desired amendments to this Agreement shall be requested by the Grantee in writing and shall not be effective unless approved in writing by Treasury. Treasury reserves the right to deny requests for amendments to the Agreement or to the appendices. No amendments can be implemented without written approval by Treasury.

IV. GRANTEE DELIVERABLES AND REPORTING REQUIREMENTS

The Grantee shall submit deliverables and follow reporting requirements specified below and in Appendix A of this Agreement, if applicable.

- (A) The Grantee must complete and submit semiannually the *Financially Distressed Cities, Villages, and Townships Narrative Report* (Form 5196) and the *Financially Distressed Cities, Villages, and Townships Financial Status Report* (Form 5198). These forms shall be due according to the following schedule:

Reporting Period	Due Date
October 1 – March 31	April 30
April 1 – September 30	October 30

The forms shall be submitted to Treasury's contact at the e-mail address on page 1.

- (B) For a payment reimbursement, the Grantee must complete and submit a *Financially Distressed Cities, Villages, and Townships Reimbursement Request* (Form 5199). The reimbursement request

must include supporting documentation (copies of original invoices, cancelled checks, and any other report that would support the request) of eligible project expenditures.

The form shall be submitted to Treasury's contact at the address on page 1.

Treasury shall make reimbursements upon receipt of a reimbursement request form, not more than once a month, provided that the Grantee is in compliance with all terms and conditions of this Agreement, and dependent upon state appropriations.

Funds may not be released to the Grantee, if the Grantee:

1. Has not filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act, 1968 Public Act 2, as amended (MCL 141.421 to 141.440a) or the Uniform System of Accounting Act, 1919 Public Act 71, as amended (MCL 21.41 to 21.55), or
2. Has not filed its financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act, 1971 Public Act 140, as amended (MCL 141.921), or
3. Is delinquent in making payments that are due on loans issued pursuant to the Emergency Municipal Loan Act, 1980 Public Act 243, as amended (MCL 141.931 to 141.942), or
4. Has a payment due and owing to the state.

(C) The Grantee must complete and submit a final *Financially Distressed Cities, Villages, and Townships Narrative Report* (Form 5196) and *Financially Distressed Cities, Villages, and Townships Financial Status Report* (Form 5198). The Grantee shall submit the final reports, including any outstanding deliverables, within 30 days from the End Date of the Grant, specified on page 1.

The forms shall be submitted to Treasury's contact at the e-mail address on page 1.

(D) One year after the date of the Final Closeout letter from Treasury, the Grantee must complete and submit a *Financially Distressed Cities, Villages, and Townships Final Follow-up Report* (Form 5197).

The form shall be submitted to Treasury's contact at the e-mail address on page 1.

V. GRANTEE RESPONSIBILITIES

- (A) The Grantee agrees to abide by all local, state, and federal laws, rules, ordinances, and regulations in the performance of the activities funded by this grant.
- (B) All local, state, and federal permits, if required, are the responsibility of the Grantee. Award of this grant is not a guarantee of permit approval by the State of Michigan or any other entity.
- (C) The Grantee shall be solely responsible to pay all taxes, if any, that arise from the Grantee's receipt of this grant or from any expenditure of grant funds.

- (D) The Grantee is responsible for the professional quality, technical accuracy, timely completion, and coordination of all designs, drawings, specifications, reports, and other services furnished by the Grantee or its contractor(s) under this Agreement. The Grantee or its contractor(s) shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in designs, drawings, specifications, reports, or other services.
- (E) Treasury's approval of drawings, designs, specifications, reports, and incidental work or materials furnished hereunder shall not in any way relieve the Grantee of responsibility for the technical adequacy of the work. Treasury's review, approval, acceptance, or payment for any of the services shall not be construed as a waiver of any rights under this Agreement or of any cause of action arising out of the performance (or failure of performance) of this Agreement.
- (F) The Grantee acknowledges that it is a crime to knowingly and willingly file false information with Treasury for the purpose of obtaining this Agreement or any payment under the Agreement, and that any such filing may subject the Grantee, its agents, and/or employees to criminal prosecution, civil suit, and/or termination of the grant.
- (G) The Grantee must comply with all Conditions contained in its application for the grant, a copy of which is attached as Appendix B.

VI. USE OF MATERIAL

Unless otherwise specified in this Agreement, the Grantee may release information or material developed under this Agreement, provided it is acknowledged that Treasury funded all or a portion of its development.

Treasury retains an irrevocable license to reproduce, publish and use in whole or in part, and authorize others to do so, any copyrightable material submitted under this grant whether or not the material is copyrighted by the Grantee or another person. The Grantee will only submit materials that Treasury can use in accordance with this paragraph.

Unless otherwise specified in this Agreement, the Grantee may not patent products or processes developed under this Agreement.

VII. ASSIGNABILITY

The Grantee shall not assign this Agreement or assign or delegate any of its duties or obligations under this Agreement to any other party without the prior written consent of Treasury. Treasury does not assume responsibility regarding the contractual relationships between the Grantee and any contractor.

VIII. CONTRACTS

Treasury reserves the right to deny the use of any consultant, contractor, associate, or other personnel to perform any portion of the project. The Grantee is solely responsible for all contractual activities performed under this Agreement. Further, Treasury will consider the Grantee to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the anticipated Grant. All contractors used by the Grantee in completing the project shall be subject to the provisions of this Agreement and shall be qualified to perform the duties required.

IX. NON-DISCRIMINATION

The Grantee shall comply with the Elliott-Larsen Civil Rights Act, 1976 Public Act 453, as amended (MCL 37.2101 et seq), the Persons with Disabilities Civil Rights Act, 1976 Public Act 220, as amended (MCL 37.1101 et seq), and all other federal, state, and local fair employment practices and equal opportunity laws. The Grantee agrees to include in every contract entered into for the performance of this Agreement this covenant not to discriminate in employment. A breach of this covenant is a material breach of this Agreement.

X. LIABILITY

- (A) The Grantee, not Treasury, is responsible for all liabilities as a result of claims, judgments, or costs arising out of activities carried out or to be carried out by the Grantee under this Agreement, if the liability is caused by the Grantee, any contractor, or anyone employed by the Grantee.
- (B) All liability as a result of claims, demands, costs, or judgments arising out of activities carried out or to be carried out by Treasury in the performance of this Agreement is the responsibility of Treasury and not the responsibility of the Grantee, if the liability is caused by any Treasury employee or agent.
- (C) In the event that liability arises as a result of activities conducted jointly by the Grantee and Treasury in fulfillment of their responsibilities under this Agreement, such liability is held by the Grantee and Treasury in relation to each party's responsibilities under these joint activities.
- (D) Nothing in this Agreement may be construed as a waiver of any governmental immunity by the Grantee, Treasury, their agents, or their employees as provided by statute or court decisions.

XI. ANTI-LOBBYING

The Grantee shall not use any of the grant funds awarded in this Agreement for the purpose of lobbying as defined in the State of Michigan's lobbying statute (MCL 4.415(2)). "Lobbying" means communicating directly with an official of the executive branch of state government or an official in the legislative branch of state government for the purpose of influencing legislative or administrative action. The Grantee shall not use any of the grant funds awarded in this Agreement for the purpose of litigation against the State of Michigan.

XII. DEBARMENT AND SUSPENSION

By signing this Agreement, the Grantee certifies to the best of its knowledge and belief that it, its agents, and its contractors:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from transactions by any federal department or the state.
- (2) Have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or agreement under a public transaction; violation of federal or state

antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

- (3) Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in subsection (2).
- (4) Have not within a three-year period preceding this Agreement had one or more public transactions (federal, state, or local) terminated for cause or default.
- (5) Will comply with all applicable requirements of all other state or federal laws, executive orders, regulations, and policies governing this program.

XIII. AUDIT AND ACCESS TO RECORDS

Treasury reserves the right to conduct a programmatic and financial audit of the project, and Treasury may withhold payment until the audit is satisfactorily completed. The Grantee is required to maintain all pertinent records and evidence pertaining to the Grant Agreement, including grant funds, in accordance with generally accepted accounting principles and other procedures specified by Treasury. Treasury or any of its duly authorized representatives must have access, upon reasonable notice, to such books, records, documents, and other evidence for the purpose of inspection, audit, and copying. The Grantee will provide proper facilities for such access and inspection. All records must be maintained for a minimum of seven years after the Final Closeout letter has been issued to the Grantee by Treasury.

XIV. INSURANCE

- (A) The Grantee must maintain insurance or self-insurance, satisfactory to Treasury, that will protect Treasury from claims that may arise from the Grantee's actions under this Agreement or from the actions of others for whom the Grantee may be held liable.
- (B) The Grantee must comply with applicable workers' compensation laws while engaging in activities authorized under this Agreement.

XV. OTHER SOURCES OF FUNDING

The Grantee guarantees that any payments for which claims for reimbursement are made to Treasury under this Agreement will not be financed by any source other than Treasury under the terms of this Agreement. If funding is received through any other source, the Grantee agrees to delete from the Grantee's reimbursement request(s), or to immediately refund to Treasury, the total amount representing such duplication of funding.

XVI. COMPENSATION

- (A) A breakdown of costs allowed under this Agreement is identified in Appendix A. Treasury will reimburse the Grantee a total amount not to exceed the amount on page 1 of this Agreement, in accordance with Appendix A, and only for expenditures incurred and paid. All other costs necessary to complete the project are the sole responsibility of the Grantee.

- (B) Expenditures incurred or paid by the Grantee prior to the Start Date or after the End Date of this Agreement will not be reimbursed under the Agreement.
- (C) Treasury will approve reimbursement requests after approval of reports and related documentation as required under this Agreement.
- (D) Treasury reserves the right to request additional information necessary to substantiate reimbursement requests.
- (E) Reimbursements under this Agreement may be processed by Electronic Funds Transfer (EFT) at Treasury's discretion. In order to be eligible to receive reimbursements by EFT, the Grantee must register at the SIGMA Vendor Self Service website (www.michigan.gov/SigmaVSS).

XVII. CLOSEOUT

- (A) A determination of project completion, which may include a site inspection and an audit, shall be made by Treasury after the Grantee has satisfactorily completed the activities, and provided products and deliverables described in Appendix A.
- (B) Upon issuance of the Final Closeout letter from Treasury, the Grantee releases Treasury from all claims against Treasury arising under this Agreement. Unless otherwise provided in this Agreement or by State law, the Final Closeout letter shall not constitute a waiver of Treasury's claims against the Grantee.
- (C) The Grantee shall immediately refund to Treasury any reimbursements in excess of the costs allowed by this Agreement.

XVIII. CANCELLATION

This Agreement may be cancelled by Treasury, upon thirty (30) days written notice, due to Executive Order, budgetary reduction, other lack of funding, upon request by the Grantee, or upon mutual agreement by Treasury and the Grantee.

XIX. TERMINATION

- (A) This Agreement may be terminated by Treasury as follows.
 - (1) Upon thirty (30) days written notice to the Grantee:
 - a. If the Grantee fails to comply with the terms and conditions of the Agreement, or with the requirements of the authorizing legislation cited on page 1, or other applicable laws or rules.
 - b. If the Grantee knowingly and willingly presents false information to Treasury for the purpose of obtaining this Agreement or any reimbursement under this Agreement.
 - c. If Treasury finds that the Grantee, or any of the Grantee's agents or representatives, offered or gave gratuities, favors, or gifts of monetary value to any official, employee, or agent of

Treasury in an attempt to secure a contract or favorable treatment in awarding, amending, or making any determinations related to the performance of this Agreement.

- d. During the thirty (30) day written notice period, Treasury will withhold reimbursement for any terminations under subparagraphs a through c, above.
 - e. If the Grantee or any contractor of the Grantee appears in the register of persons engaging in unfair labor practices that is compiled by the Department of Licensing and Regulatory Affairs or its successor.
- (2) Immediately, upon written notice, and without further liability to Treasury, if the Grantee, or any agent of the Grantee, or any agent of any contractor is:
- a. Convicted of a criminal offense incident to the application for or performance of a State, public, or private contract or subcontract;
 - b. Convicted of a criminal offense, including but not limited to any of the following: embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or attempting to influence a public employee to breach the ethical conduct standards for State of Michigan employees;
 - c. Convicted under State or federal antitrust statutes;
 - d. Convicted of any other criminal offense which, in the sole discretion of Treasury, reflects on the Grantee's business integrity; or
 - e. Added to the federal or state Suspension and Debarment list.

(B) If a grant is terminated, Treasury reserves the right to require the Grantee to repay all or a portion of funds received under this Agreement.

XX. DISCLOSURE OF INFORMATION

All reports or other printed or electronic material are public information under the Freedom of Information Act, 1976 Public Act 442, as amended (MCL 15.231 to 15.246).

XXI. CERTIFICATION

The individuals signing below certify by their signatures that they are authorized to sign this Grant Agreement on behalf of their agencies, that the parties will fulfill the terms of this Agreement, including the attached appendices, as set forth herein, and that no part of the agreement has been altered or changed.

FOR THE GRANTEE:

Signature

Date

Name/Title

FOR TREASURY:

Signature

Date

Name/Title

**APPENDIX A –
APPROVED BUDGET AMOUNTS**

Capital City Comeback - Large Capacity Commercial Tax Scanner

Below is the approved budget for your grant project. Please note, we have assigned budget categories to each of your original budget line items. Use these categories when submitting your reimbursement requests*.

Budget Category	Budget Description	Application Budget Amount	Award Budget Amount	Comments
Equipment - Replacement	Falcon+ Scanner	\$112,194.00	\$100,000.00	
	Model 72 Opener	\$32,200.00	\$.00	
	Freight	\$2,500.00	\$.00	
	First Year Maintenance - Falcon+ Scanner	\$19,530.00	\$.00	
	First Year Maintenance - M72 Opener	\$2,875.00	\$.00	
	Miscellaneous Costs	\$ 701.00	\$.00	
	Budget Total	\$170,000.00	\$100,000.00	

*Reimbursement requests must include copies of invoices and cancelled checks (or equivalent) supporting the costs.

Work plan/timeline: Prior to the release of funds, the grantee will provide to Treasury an updated work plan / timeline, related to the line items for which grant funding was received. The work plan / timeline should include estimated completion dates and a description of the deliverable for each step.

APPENDIX B
APPLICATION CONDITIONS

Financially Distressed Cities, Villages, and Townships Application
(FY 2021)

Issued under authority of 2020 Public Act 166

CONDITIONS

Implementation of Proposal:

Within sixty (60) days following the Michigan Department of Treasury's Notification of Intent to Award letter, the grantee agrees to submit the signed Grant Agreement and Board Resolution, indicating approval of the proposal and Financially Distressed Cities, Villages, and Townships grant funding, or be subject to automatic cancellation of the grant. No grant funding will be released until the required signed Grant Agreement, Board Resolution, and a final work plan pertaining to the funds awarded have been received by Treasury.

Proposal Clarification:

The Michigan Department of Treasury reserves the right to award funds for an amount other than requested and/or request changes to, or clarification of, any and all applications received.

Prior to executing any changes to the scope of the proposal, the selected grantee must inform (in writing) the Michigan Department of Treasury of the proposed changes. The department will notify the grantee within thirty (30) days whether the proposed changes fall under the original grant award.

Eligible Expenditures:

Grant award funds must be used to make payments to reduce unfunded accrued liability; to repair or replace critical infrastructure or equipment owned or maintained by the city, village, or township; to reduce debt obligations; for costs associated with a transition to shared services with another jurisdiction; or to administer other projects that move the city, village, or township toward financial stability. The focus will be on the repair or replacement of obsolete critical infrastructure or equipment, and service consolidation(s).

Expenditures:

1. The grantee understands and agrees that all expenditures from the grant will:
 - Be used to ensure efficient administration of the proposal.
 - Be permissible under state and federal law and consistent with statewide policies, regulations, and practices.
 - Be adequately supported by source documentation, including invoices, cancelled checks and electronic payment confirmations.
 - Only be for items approved in the Grant Agreement.
2. The grantee agrees to use the approved purchasing practices and bid procedures required by the "Grantee" for expenditures involving proposal activity.
3. The grantee agrees to maintain accounting records following generally accepted accounting principles for the expenditure of grant funds. The grantee agrees to record all revenues and expenditures in a fund or account separate from the grantee's other funds or accounts.
4. The grantee agrees to maintain all documentation for costs incurred for a seven-year period following the Michigan Department of Treasury Final Closeout letter.

Release of Funds:

Payments to the "Grantee" may be made on a monthly reimbursement basis, providing the grantee is in compliance with all terms and conditions of the grant, and dependent upon state appropriations.

For a payment reimbursement, a completed *Financially Distressed Cities, Villages, and Townships Reimbursement Request* (Form 5199) must be submitted to the Michigan Department of Treasury. Source documentation supporting the requested reimbursement amount must be attached to the reimbursement request form. At a minimum, the source documentation should include copies of the original invoices, cancelled checks, and any other report that would support the request.

Financially Distressed Cities, Villages, and Townships Application (FY 2021)

Issued under authority of 2020 Public Act 166

CONDITIONS CONTINUED

The "Grantee's" Chief Financial Officer or Chief Administrative Officer must sign and date the *Financially Distressed Cities, Villages, and Townships Reimbursement Request* (Form 5199).

Funds may not be released to the "Grantee" if the grantee:

1. Has not filed their annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act, 1968 Public Act 2, as amended (MCL 141.421 to 141.440a) or the Uniform System of Accounting Act, 1919 Public Act 71, as amended (MCL 21.41 to 21.55), or
2. Has not filed their financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act, 1971 Public Act 140, as amended (MCL 141.921), or
3. Are delinquent in making payments that are due on loans issued pursuant to the Emergency Municipal Loan Act, 1980 Public Act 243, as amended (MCL 141.931 to 141.942), or
4. Has a payment due and owing to the state.

Forfeiture and Repayment of Grant Funds:

If any conditions and provisions in the Grant Agreement are not met by the grantee, the grantee agrees to forfeit any future grant funds for this proposal and agrees that any grant funds previously reimbursed to the grantee may be required to be repaid to the State. At the discretion of the State Treasurer, repayments may be fulfilled by the Michigan Department of Treasury through the diversion of revenue sharing payments issued to the grantee under the Glenn Steil State Revenue Sharing Act of 1971 (1971 PA 140) or the Michigan Department of Treasury's FY 2021 appropriation act (2020 PA 166), until all grant funds previously reimbursed for this project have been repaid to the State.

Reporting Requirements:

1. *Semiannual Narrative and Financial Status Reports* – The awarded grantee shall submit to the Michigan Department of Treasury semiannually, signed and dated, narrative and financial status reports. The reports are due April 30 and October 30.
 - a. *Narrative Report (NR)* (Form 5196) – should present the following information:
 - i. Name of Grantee and Grant Number
 - ii. Reporting Period (i.e. October 2021-March 2022, April 2022-September 2022, etc. ...). The initial filing will be due on October 30, 2021, and cover the period of October 1, 2020, to September 30, 2021.
 - iii. The percentage (%) completed of the proposal's work plan
 - iv. The estimated proposal completion date. For the final report, indicate the actual proposal completion date
 - v. A brief outline of the work accomplished during the reporting period (or grant period, if this is the final report) relative to the proposal's work plan and timeline
 - vi. A brief outline of the work to be completed during the subsequent reporting period
 - vii. A brief description of any problems or delays, real or anticipated, experienced
 - b. *Financial Status Report (FSR)* (Form 5198) – should present the following information:
 - i. Name of Grantee and Grant Number
 - ii. Reporting Period (i.e. October 2021-March 2022, April 2022-September 2022, etc. ...). The initial filing will be due on October 30, 2021, and cover the period of October 1, 2020, to September 30, 2021.
 - iii. The percentage (%) completed of the proposal's work plan
 - iv. The estimated proposal completion date. For the final report, indicate the actual proposal completion date
 - v. The amount of funds expended through the reporting period (i.e. from the beginning of the grant proposal to the end of the reporting period)
 - vi. The projected future expenditures for the proposal
 - vii. Total projected expenditures for the proposal
 - viii. Original or amended (per grant award) budget per Appendix A of the Grant Agreement
 - ix. The difference between current projected proposal expenditures and original or amended budget

Financially Distressed Cities, Villages, and Townships Application (FY 2021)

Issued under authority of 2020 Public Act 166

CONDITIONS CONTINUED

2. *Final Narrative Report* (Form 5196) and *Final Financial Status Report* (Form 5198) – The awarded grantee shall submit to the Michigan Department of Treasury final, signed and dated, narrative and financial status reports. The reports are due within thirty (30) days after the completion of the proposal.
 - a. The reports shall include the information as indicated under *Semiannual Narrative and Financial Status Reports* (above).
 - b. Indicate "Final Report" on the top of the Final Narrative and Financial Status Reports.
 - c. In addition to the items listed above, the final narrative report must include a description of the proposal's accomplishments and any unanticipated benefits/difficulties experienced while completing the proposal. Additionally, attach a copy of the proposal deliverables, if applicable (i.e. pictures of completed construction or equipment, etc. ...).
3. *Final Follow-up Report* (Form 5197) – One year after the date of the Final Closeout Letter from the Michigan Department of Treasury, the grantee agrees to provide a Final Follow-up Report to the Michigan Department of Treasury on the status of the proposal. The report will include:
 - a. A detailed description of service changes and improvements.
 - b. A detailed status update on the goals and measures used to determine the success of the proposal and outcomes presented in the application (i.e. have they been met, what has changed, etc. ...).
 - c. A detailed description of set-backs or difficulties experienced in implementing the proposal.
 - d. An analysis of cost savings realized related to the implementation of the proposal.
 - e. A detailed description of how the funding was utilized and assisted the grantee toward financial stability.

Audit and Review:

The grantee agrees to allow the Michigan Department of Treasury and the State Auditor General's Office (and/or any of their duly authorized representatives) access, for the purposes of inspection, audit, and examination, to any books, documents, papers, and records of the grantee which are related to this proposal.

The Michigan Department of Treasury may conduct periodic program reviews of the proposal. The purpose of these reviews will be to determine adherence to stated proposal goals and to review progress of the proposal in meeting its objectives.

The grantee agrees to submit semiannual and final progress reports, along with a final follow-up report to the Michigan Department of Treasury. The grantee understands that failure to submit any required reports may result in the termination of the grant.

Grant Termination:

The grantee understands that this grant may be terminated if the Michigan Department of Treasury concludes that the grantee is not in compliance with the conditions and provisions of this grant, or has falsified any information. The Michigan Department of Treasury will extend an opportunity for the grantee to demonstrate compliance. Notification of termination will be in writing.

The grantee acknowledges that continuation of this grant is subject to appropriation or availability of funds for this grant. If appropriations to enable the Michigan Department of Treasury to effect continued payment under this grant are reduced, the Michigan Department of Treasury shall have the right to terminate this grant. The Michigan Department of Treasury shall give the grantee at least thirty (30) days advance written notice of termination for non-appropriation.

City of Example

County of Example

RESOLUTION ACCEPTING THE FDCVT GRANT

Minutes of the regular meeting of the City Council of the City of Example County of Example, State of Michigan, (the "Municipality") held on July 26, 2021.

PRESENT: Members: Allen, Jones, Nelson, and Smith

ABSENT: Members: None

Member Allen offered and moved the adoption of the following resolution, seconded by Member Nelson.

WHEREAS, the State of Michigan Department of Treasury has given preliminary notice of its intent to award a Financially Distressed Cities, Villages, and Townships (FDCVT) grant in the amount of up to \$245,000 toward reimbursement of expenditures required to implement the FDCVT Application Proposal Title (project title), and

WHEREAS, the State of Michigan requires each municipality's governing body to adopt a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's FDCVT grant program, and

WHEREAS, City of Example (local unit name) acknowledges that it:

1. Has filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act or the Uniform System of Accounting Act,
2. Has filed its financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act, as applicable,
3. Is not delinquent in making payments that are due on loans issued pursuant to the Emergency Municipal Loan Act, and
4. Does not have a payment due and owing to the state

And thus is eligible to participate in a FDCVT grant funded project;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council (governing body) hereby authorize participation in the FDCVT Application Proposal Title (project title) and on behalf of the City of Example (local unit name) authorizes John Doe, City Manager, (designee) to provide this resolution indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the FDCVT requirements.

YEAS: Members: Allen, Jones, Nelson, and Smith

NAYS: Members: None

RESOLUTION DECLARED ADOPTED.

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

Jane Doe (name)

City of Example, Clerk

City of Example County of Example

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, to provide departments additional time to prepare customers for the increased Non-sufficient funds NSF check fee, the City of Lansing intends to reverse the adopted fee increase to be revisited at a later date;

NOW, THEREFORE, BE IT RESOLVED, that the following changes to the City's fees and charges be adopted:

Fee Proposed	Effective Date	From	To
Finance/Treasury			
NSF Checks (FY 2021)	7/1/2021	50.00	25.00

BY THE COMMITTEE _____
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 _____ 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.

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made the reappointment of Nancy Mahlow as a 1st Ward member of the Board of Public Service 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 _____ took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Nancy Mahlow as a 1st Ward member of the Board of Public Service for a term to expire June 30, 2025.

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 1113 W. SAGINAW ST., Parcel # 33-01-01-17-205-331, legally described as: LOT 19 STANDARD REAL ESTATE CO'S WESTMORELAND ADD 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 September 16, 2019 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on April 22, 2021, 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 June 20, 2021; 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, _____, 2021 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 1113 W. Saginaw St, 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 of said property of the opportunity to appear and present testimony at the hearing, as required by law.

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 1113 W. Saginaw Street, Parcel # 33-01-01-17-205-331 legally described as LOT 19 STANDARD REAL ESTATE CO'S WESTMORELAND 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 September 16, 2019; and

WHEREAS, a hearing was held by the Lansing Demolition Board on April 22, 2021, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by June 20, 2021; and

WHEREAS, said Hearing Officers 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 _____ 2021, 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 1113 W. Saginaw 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, _____ 2021.

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.

CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. D2021-005
---	---	-----------------------

Matter of the building/structure at 1113 W. Saginaw, which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: April 22, 2021 Hearing Officers: DAVE MUYLLE , JOSEPH VITALE
2. Scott Sanford, Code Compliance MANAGER of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ Owner's or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☐ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure is \$40,700.00
8. The cost to repair the building or structure to make it safe is \$93,000.00
9. The real estate is described as follows:

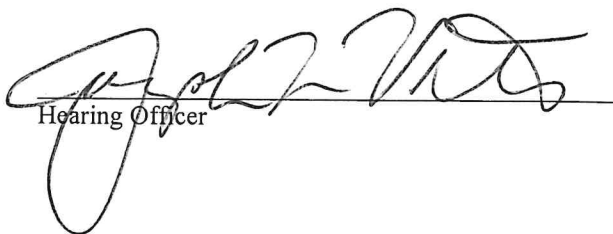
Parcel Number: 33 01 01 17 205 331

LOT 19 REAL ESTATE CO'S WESTMORELAND ADD, City of Lansing

IT IS ORDERED THAT:

10. ☐ The matter is closed.
☒ The building/structure shall be made safe or demolished on or before June 20, 2021
☐ The case be tabled until _____.
☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.
☐ (If finding #5 is made) The exterior of the building shall be maintained, including
☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

4/22/2021
Date


Hearing Officer





















































CITY OF LANSING AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 07/27/21 JUL 28 '21 9AMCLERK

I MANDI BEASINGER make the following disclosure under oath:
(Name)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

☐ Yes ☐ No

- 1 ☒ I am an ☐ elected or ☐ appointed ☒ officer or ☐ employee of the City of Lansing holding the position of Sergeant in the Police Department
- ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department
- ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.
- 2 ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1)
- ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(I) of the Code of Ordinances]
- ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]
- ☒ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.
- 3 My City of Lansing position is:
☒ Full-time ☐ Part-time (less than 25 hours/wk.) ☐ Unpaid

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? ____;
Contract Employee - Keene Training and Consulting - 0%
- Are you self-employed? NO
- Who is your employer, if applicable? ____
KEENE Training and Consulting L.L.C.
- What are the things you actually do in the business? ____
Personal Safety Consulting

- Who are your clients and who receives your goods or services? ____
Private citizens and clients of Keene Training.

- How and where are your services performed? ____
Classroom presentations in the Mid-Michigan area.

- How often do you do outside work? 4-8 hours per month.

Does your business or employer contract with the City? NO

- In performing your business or outside employment, do you use any City facilities or equipment?

NO If so, describe: _____

- Is any of your business or employment conducted in the City? _____ If so, describe:

Services may be provided at private businesses and/or properties within the Lansing City limits.

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? NO
-
-

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe: NO
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In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.

I am submitting this disclosure based on departmental guidelines. There are no perceived conflicts of interest. I will be providing general personal safety consulting.

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information, and belief.

JUL 29 2021

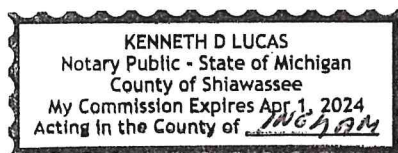
The foregoing Affidavit of Disclosure was executed on this _____ day of _____, 20____.

[Signature]

State of Michigan, County of _____

Subscribed and sworn to before me this _____ gned day of _____, 20____

JUL 29 2021



Notary Public/or Deputy Clerk

County, Michigan
My Commission Expires: _____

Kenneth D. Lucas

From: [Dot Johnson](#)
To: [City Council](#); [Clerk, City](#)
Subject: [EXTERNAL] Noisy Lansing
Date: Saturday, July 24, 2021 1:09:33 AM

City Clerk: please enter in the city record.

Dear City Council,

I am a Lansing home owner. I also own a vacant lot off Cavanaugh between Dunckel and Aurelius where I am gardening - some vegetables and perennial flowers.

They put a new street light in at the corner of my lot. It is too bright and it is too blue. Do some research if you do not understand why that is a problem. I can sit in the driveway in the middle of a dark night and read a book.

But, with all this hot weather I am using the light... The light is so bright I can plant flowers in the front of my lot after dark, when it is cooler. I am a night owl and I do not do well in the heat.

I am getting damn tired of all the loud exhaust systems that go tearing by. I think they come off the highway, come around the curve on Dunckel, head down Jolly towards S Pennsylvania and I can hear them all that way. I can hear them in the distance as well, tearing down Aurelius or S Penn. It is several every single night.

Noisy vehicles and noisy fireworks are some of the major complaints on our neighborhood facebook page.

One night I had THREE cars go tearing by me on S Cedar St. There were cars in both lanes, so they passed everyone in the center turn lane.

There is no traffic control in this city. I am not sure who really runs this city, but they certainly are not very effective.

Sincerely,

Dot Johnson

Patrick E. Lindemann

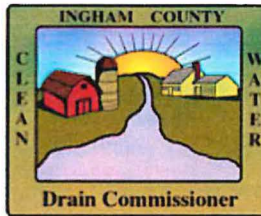
Ingham County Drain Commissioner

PO Box 220
707 Buhl Avenue
Mason, MI 48854-0220

Phone: (517) 676-8395

Fax: (517) 676-8364

<http://dr.ingham.org>



Carla Florence Clos
Deputy Drain Commissioner

Paul C. Pratt
Deputy Drain Commissioner

Angie Cosman
Chief of Engineering and Inspection

Sheldon Lewis
Administrative Assistant

July 30, 2021

VIA FIRST CLASS MAIL

AUG 4'21 3PMCLERK

Chris Swope, City Clerk
City of Lansing
124 W Michigan Ave, 9th Floor
Lansing, MI 48933

RE: Resolution to Approve Agreement to Transfer Jurisdiction, Operation, Maintenance, and Control from the Delta Grande Drain Drainage District to the City of Lansing

Dear Clerk Swope:

Ingham County Deputy Drain Commissioner Paul Pratt asked me to forward to you the enclosed copy of the Resolution to Approve Agreement to Transfer Jurisdiction, Operation, Maintenance, and Control from the Delta Grande Drain Drainage District to the City of Lansing.

Thank you,

Christine Barden
Specialist Clerk
Ingham County Drain Commissioner's Office

Enclosure

cc: Paul C. Pratt, Ingham County Deputy Drain Commissioner

Introduced by the County Services Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO APPROVE AGREEMENT TO TRANSFER
JURISDICTION, OPERATION, MAINTENANCE, AND CONTROL
FROM THE DELTA GRANDE DRAIN DRAINAGE DISTRICT
TO THE CITY OF LANSING**

RESOLUTION #21 – 339

At a regular meeting of the Board of Commissioners for Ingham County, Michigan, held in the City of Mason, on July 27, 2021, at 6:30 o'clock, p.m.

PRESENT: Commissioners Celentino, Crenshaw, Graham, Grebner, Naeyaert, Peña, Polsdofer, Sebolt, Schafer, Slaughter, Stivers, Tennis, and Trubac.

ABSENT: Commissioner Maiville.

The following resolution was offered by Commissioner Schafer and seconded by Commissioner Celentino:

WHEREAS, lands within the City of Lansing, Ingham County, Michigan are served by the Delta Grande Drain, a county drain located and established in Ingham County under the jurisdiction of the Ingham County Drain Commissioner; and

WHEREAS, the Delta Grande Drain lies wholly within the corporate boundary of the City of Lansing; and

WHEREAS, although the City of Lansing has been operating and maintaining the Delta Grande Drain since the 1960s, the Ingham County Drain Commissioner determined that the jurisdiction and control of said drain was never transferred to the City of Lansing in accordance with the requirements of Section 395 of the Michigan Drain Code of 1956, as amended; and

WHEREAS, Section 395 of the Michigan Drain Code, as amended (MCL 280.395), provides, in part, that a drain commissioner may relinquish and transfer the jurisdiction and control over a drain or portions of a drain wholly located within the boundaries of a township, city, or village, subject to prior approval by the county board of commissioners and the governing body of the township, city, or village; and

WHEREAS, the City of Lansing passed Resolution #2021-068 expressing its desire to have the Delta Grande Drain relinquished by the Ingham County Drain Commissioner and transferred for the City's jurisdiction, operation, maintenance, and control; and

WHEREAS, the Ingham County Drain Commissioner has agreed to such relinquishment and transfer of jurisdiction, operation, maintenance, and control of the Delta Grande Drain, and has recommended approval to the Ingham County Board of Commissioners; and

WHEREAS, the Ingham County Drain Commissioner has confirmed that the Delta Grande Drain has no outstanding indebtedness or contract liability; and

WHEREAS, the Ingham County Drain Commissioner desires to complete the transfer process to resolve control and jurisdictional matters for the Delta Grande Drain.

NOW, THEREFORE, BE IT RESOLVED that the Ingham County Board of Commissioners does hereby approve the relinquishment and transfer of the jurisdiction, operation, maintenance, and control of the Delta Grande Drain to the City of Lansing.

All previous resolutions insofar as they conflict with this resolution are hereby rescinded.

Bryan Crenshaw, Chairperson

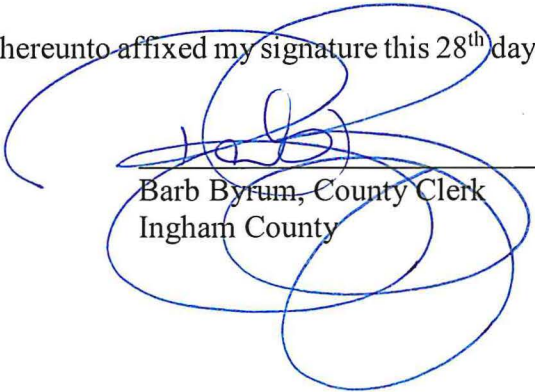
Barb Byrum, Clerk

COUNTY SERVICES: Yeas: Stivers, Celentino, Grebner, Sebolt, Slaughter, Peña, Naeyaert
Nays: None **Absent:** None **Approved 07/20/2021**

STATE OF MICHIGAN)
) SS
COUNTY OF INGHAM)

I, Barb Byrum, the duly qualified and acting Clerk of Ingham County, Michigan (the "County") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners at a meeting held on July 27, 2021, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 28th day of July, 2021.



Barb Byrum, County Clerk
Ingham County

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



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related 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.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter is an issue or topic relevant to the operation or governance of the City.***

Topic(s) to be addressed REV Public Comment Hybrid VARIOUS

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

Address (street, city, zip) 546 Armstrong Rd

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

Signature L Stanaway

- 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.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
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.

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Topic(s) to be addressed My concerns as a homeowner & land owner

Name (print) Dorothy Johnson E-Mail (optional) _____

Address (street, city, zip) 3224 Alden Drive

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

Signature [Handwritten Signature]

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Topic(s) to be addressed Accessibility of Meetings

Name (print) Kyle Richard E-Mail (optional) 517kyle@gmail.com

Address (street, city, zip) 916 West St.

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

Signature [Handwritten Signature] (Ri-shard)

- 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.
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Topic(s) to be addressed Zoom Accessibility

Name (print) Kelsey Hudson E-Mail (optional) Kbrannan4@gmail.com

Address (street, city, zip) 14660 Francis Lansing, MI 48906

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

Signature Kelsey Hudson

- 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.
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