

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 September 20, 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.

REVISED

MEETING LOCATION CHANGE

Due to recent water damage at City Hall, this meeting will take place at the **South Washington Office Complex located at 2500 S. Washington Ave, Lansing MI 48910** in the Drill Hall on the first floor.

The Complex is located on CATA Route 2, and north of Washington Park. Parking is free with parking spaces both in the front and back of the building.

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. August 23 and September 13, 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.)

SPECIAL CEREMONIES and PRESENTATIONS

2. Tribute; in recognition of National Hispanic American Heritage Month (PEND-2659)

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

3. In consideration of Orders to Make Safe or Demolish to the owners of property located at 4511 S. Martin Luther King, Jr. Blvd. (PEND-2631)

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

4. In consideration of an Ordinance to establish an Arts and Culture Commission (PEND-2614)

COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

ORDINANCES FOR PASSAGE

5. Reconsideration, Amendment, and Adoption of Payment in Lieu of Taxes (PILOT); The Apartments West, 519 W. Kalamazoo Street (PEND-2603)
6. Reconsideration, Amendment, and Adoption of Payment in Lieu of Taxes (PILOT); Walter French, 1900 S. Cedar St. (PEND-2609)
7. Reconsideration, Amendment, and Adoption of Payment in Lieu of Taxes (PILOT); Cedar Place, 201 W. Jolly Rd. (PEND-2610)
8. Payment in Lieu of Taxes (PILOT); The Porter Apartments, 505 Townsend Street (PEND-2601)

CONSENT AGENDA

9. 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)
10. Grant Acceptance; U.S. Geological Survey Grant for installing a streamgage on Sycamore Creek (PEND-2639)

RESOLUTIONS FOR ACTION

11. Grant Acceptance; Project Safe Neighborhood Grant for the Lansing Police Department to distribute backpacks to the Lansing Youth Football League (PEND-2644)

12. Donation Acceptance; Lansing Police Department Special Tactics and Rescue Team in honor of Retired Detective Ronald Seyka to upgrade Unit's ballistic shields (PEND-2641)
13. Budget Priorities for Fiscal Year 2022/2023
14. Grant Acceptance; Financially Distressed Cities, Villages, and Townships (FDCVT) Grant (PEND-2618)
15. Tribute; in recognition of National Hispanic American Heritage Month (PEND-2659)

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

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:

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

Item(s) from the Mayor re:

Communications and Petitions

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: 9/20/21-7:00 PM

Starting Time 7:00

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

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

MEDITATION IN MEMORY OF: Schur - Jones

PLEDGE LED BY: _____

Adjournment Time 8:18

CHRIS SWOPE
LANSING CITY CLERK

S:\Clerk_Staff\City Council\Administrative\Council Attendance Sheet.doc

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The City of Lansing would like to recognize September 15 through October 15 as National Hispanic American Heritage Month; and

WHEREAS, President Lyndon Johnson created the observance in 1968 and was expanded in 1988 by President Ronald Regan to cover a 30 day period; and

WHEREAS, The Hispanic Heritage Month recognizes the achievements and contributions of Hispanic American champions who have inspired other to achieve success; and

WHEREAS, Each year Hispanic Heritage Month celebrates the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

WHEREAS, The City of Lansing is home to 118,000 citizens that each contribute to the growth, diversity and strength of our community, of the 118,000, 12.4% identify as Hispanic or Latinx. Along with enriching our community through culture, the Hispanic and Latinx community has enhanced the economy of Lansing through progress in business, law, healthcare, agriculture, and many others.

BE IT RESOLVED, Lansing City Council hereby proclaims September 15, 2021 through October 15, 2021 as National Hispanic Heritage Month.

CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. 2021-D006
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Matter of the building/structure at 4511 S MARTIN LUTHER KING BLVD which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: May 27, 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 \$30,700.00
8. The cost to repair the building or structure to make it safe is \$61,544.00
9. The real estate is described as follows:

Parcel Number: 33 01 01 32 427 031

LOT 25 & N 12 FT LOT 26 & W 3 FT OF N 100 FT LOT 28 SONNENBERGS HALF ACRE SUB, City of Lansing

IT IS ORDERED THAT:

10. ☐ The matter is closed.
- ☐ The building/structure shall be made safe or demolished on or before 7/27/2021.
- ☐ 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 _____.

5/27/21
Date

David Muylle
Hearing Officer

RESOLUTION #2021-###

**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 4511 S MLK JR BLVD, Parcel # 33-01-01-32-427-031 legally described as LOT 25 & N 12 FT LOT 26 & W 3 FT OF N 100 LOT 28 SONNENBERGS HALF ACRE SUB., 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 December 7, 2018; and

WHEREAS, a hearing was held by the Lansing Demolition Board on May 27, 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 July 27, 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 4511 S Martin Luther King Jr. Blvd, 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 BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	4511 S MARTIN LUTH KING BLVD
PARCEL NUMBER:	33-01-01-32-427-031

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2021-D001

LISTED TAXPAYER:	ALAN INVESTMENTS III LLC
INTERESTED PARTIES:	
SEV INFORMATION:	\$28,200.00
LAND VALUE:	\$12,017.00
BUILDING VALUE:	\$44,287.00
LOT SIZE:	43.750 X 100

HOUSING CODE VIOLATION LTR:	12/7/2018
ORIGINAL RED TAG DATE:	12/7/2018
ZONING:	"A" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$61,544.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOT 25 & N 12 FT LOT 26 & W 3FT OF N 100 FT LOT 28 SONNENBERGS HALF ACRE SUB
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	5/27/2021
ORDER:	MAKE SAFE OR DEMOLISH BY 7/27/2021
REASON/CONDITIONS:	
HEARING OFFICER:	DAVE MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	















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.*

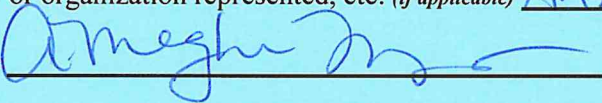
*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) 4 Item Description PEMD-2614

Name (print) Meghan Martin E-Mail (optional) _____

Address (street, city, zip) 411 Manchester Dr. DelWich MI 48820

Company or organization represented, etc. (if applicable) Arts Council of Greater Lansing

Signature 

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

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be on Monday, September 20, 2021 at 7:00 p.m. in the South Washington Office Complex Drill Hall (1st Floor), 2500 S. Washington Ave. 48910, Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, for the purpose of amending the Lansing Codified Ordinances by adding Chapter 266, Sections 266.01-266.03, to establish an Arts and Culture Commission in and for the City of Lansing including membership, duties and meetings.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the South Washington Election Unit, 2500 South Washington, Lansing MI 48910 or email city.clerk@lansingmi.gov.

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY ADDING CHAPTER 266, SECTIONS 266.01-
266.03, TO ESTABLISH AN ARTS AND CULTURE COMMISSION IN AND FOR THE
CITY OF LANSING INCLUDING MEMBERSHIP, DUTIES, AND MEETINGS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 266, Sections 266.01-266.03, of the Code of Ordinances of the
City of Lansing, Michigan be and is hereby amended to read as follows:

CHAPTER 266 – ~~Mal Advisory Board~~ ARTS AND CULTURE COMMISSION.

266.01 – ESTABLISHMENT; POWERS AND DUTIES.

THERE IS HEREBY ESTABLISHED AN ARTS AND CULTURE COMMISSION IN AND
FOR THE CITY. THE ARTS AND CULTURE COMMISSION SHALL:

(A) MAKE RECOMMENDATIONS REGARDING ALL ARTS AND CULTURAL
ACTIVITIES WITHIN THE CITY OF LANSING;

(B) DEVELOP AND RECOMMEND ONGOING ARTS AND CULTURE
PERFORMANCE MEASURES AND BEST PRACTICES;

(C) FULFILL ALL ADVISORY BOARD FUNCTIONS SET FORTH IN SECTION 5-106
OF THE CITY CHARTER.

266.02 – MEMBERSHIP; TERMS; VACANCIES.

(A) THE ARTS AND CULTURE COMMISSION 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 COMMISSION
18 MEMBERS SHALL BE APPOINTED FOR FOUR YEAR TERMS.

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

21 266.03 – RULES OF PROCEDURE; MEETINGS; SUPPLY OF FACILITIES AND
22 SERVICES.

THE ARTS AND CULTURE COMMISSION 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. THE OFFICE OF THE MAYOR SHALL PROVIDE MEETING SPACE AND SUCH STAFF ASSISTANCE AS IS REASONABLE AND NECESSARY TO ENABLE THE ARTS AND CULTURE BOARD TO CARRY OUT ITS DUTIES.

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

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

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

Approved as to form:

City Attorney

Dated: _____

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 A SERVICE CHARGE IN LIEU OF TAXES FOR SEVENTY-FIVE (75) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS ~~WEST SCHOOL~~ APARTMENTS WEST, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, (BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]) (THE "ACT").

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 _____ to read as follows:

(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

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

6 (B) *DEFINITIONS.*

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

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

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

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

HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR THE
PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS
APARTMENTS WEST ~~WEST SCHOOL APARTMENTS~~, AND CONSISTS OF
SEVENTY-FIVE (75) UNITS OF RENTAL HOUSING LOCATED WITHIN
LANSING AT:

THAT PART OF ASSESSOR'S BLOCK 140 ORIG PLAT

(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 THAT IS FEDERALLY-AIDED (AS
DEFINED IN SECTION 11 OF THE ACT) OR A LOAN OR GRANT MADE OR TO
BE MADE BY THE AUTHORITY TO THE SPONSOR FOR THE CONSTRUCTION,
REHABILITATION, ACQUISITION AND/OR PERMANENT FINANCING OF A
HOUSING PROJECT AND SECURED BY A MORTGAGE ON THE HOUSING
PROJECT.

(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

~~WEST SCHOOL APARTMENTS~~ IS GCDS WEST SCHOOL LIMITED DIVIDEND
HOUSING ASSOCIATION, 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) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY
HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF APARTMENTS WEST
~~WEST SCHOOL APARTMENTS~~ IN RELIANCE UPON THE ENACTMENT AND
CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF
THE SEVENTY-FIVE (75) 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-FIVE (75) UNITS IN THE HOUSING DEVELOPMENT
FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS
APARTMENTS WEST ~~WEST SCHOOL APARTMENTS~~ AND THE PROPERTY ON
WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL
PROPERTY TAXES FOR NOT MORE THAN FORTY (40) YEARS, COMMENCING
WITH THE ACQUISITION OF THE PROPERTY BY SPONSOR.

(3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE SEVENTY-FIVE (75) UNITS
IN THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY

1 WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN
2 THE SUM EQUAL TO FOUR PERCENT (4%) OF THE ANNUAL SHELTER RENTS.

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

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

21 A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN
22 LIEU OF TAXES; AND

1 B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO
2 PERSONS OF LOW OR MODERATE INCOME; AND

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

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

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

15 (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF
16 TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE
17 SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY,
18 EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY
19 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS
20 CALCULATED. COLLECTION PROCEDURES SHALL BE IN ACCORDANCE WITH
21 THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206 AS
22 AMENDED; MCL 211.1 ET.SEQ.)

1 (F) *CONTRACTUAL EFFECT*. NOTWITHSTANDING THE PROVISIONS OF SECTION
2 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY
3 AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY
4 UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT
5 IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE
6 ENACTMENT OF THIS SECTION.

7 (G) *DURATION*. THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT
8 TERMINATE FOR FORTY (40) YEARS, COMMENCING WITH THE ACQUISITION OF
9 THE PROPERTY BY THE SPONSOR, PROVIDED THAT THE SPONSOR COMPLIES
10 WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER
11 PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO
12 LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER THE
13 LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE
14 FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR
15 FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS
16 PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE
17 PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2062. IF (A) THE
18 REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT
19 COMMENCE OR THE SPONSORS FAIL TO OBTAIN A MORTGAGE LOAN WITHIN
20 TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (B) IF
21 TRANSFER OF TITLE IS NOT EFFECTUATED TO THE GCDS WEST SCHOOL
22 LIMITED DIVIDEND HOUSING ASSOCIATION, LLC WITHIN TWO (2) YEARS
23 FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (C) IF THE SPONSORS

1 CHANGE THE SCOPE OR PURPOSE OF THE SEVENTY-FIVE (75) UNITS OF
2 HOUSING WITHIN THE HOUSING DEVELOPMENT PROJECT WITHOUT THE
3 CONSENT OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN
4 ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER,
5 AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE
6 VIOLATION WITHIN NINETY (90) DAYS AFTER WRITTEN NOTICE IS GIVEN TO
7 THE SPONSOR, THEN THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE,
8 TERMINATE AND BE OF NO FURTHER EFFECT.

9 SECTION 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
10 inconsistent with the provisions hereof are hereby repealed at the time this exemption commences.

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

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

16
17 CITY OF LANSING, a municipal corporation

18
19
20 By: _____
21 Andy Schor, Mayor

22
23
24 By: _____
25 Chris Swope, City Clerk

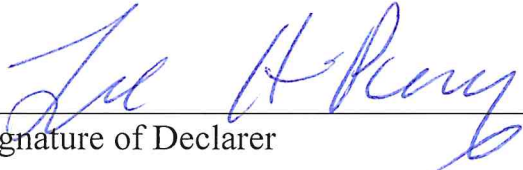
26
27 Approved as to form:

28
29
30 _____
31 James D. Smiertka, City Attorney
Dated: _____

AFFIDAVIT OF PUBLICATION

I, Lee Purdy am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-211 – Summary of Adopted Ordinance #1289 – Lansing City Clerk - appeared Wednesday, September 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of September 2021

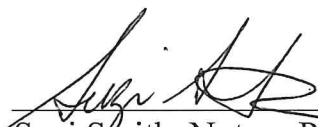


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 22, 2021

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

ORDINANCE #1289

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 A SERVICE CHARGE IN LIEU OF TAXES FOR SEVENTY-FIVE (75) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS APARTMENTS WEST, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, (BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]) (THE "ACT").

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 _____ to read as follows:

884.____ 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 ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE.

(B) *DEFINITIONS*.

- (1) "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.
- (2) "ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
- (3) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.
- (4) "HOUSING DEVELOPMENT" OR "DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS

OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO 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:

THAT PART OF ASSESSOR'S BLOCK 140 ORIG PLAT

- (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 THAT IS FEDERALLY-AIDED (AS DEFINED IN SECTION 11 OF THE ACT) OR A LOAN OR GRANT MADE OR TO BE MADE BY THE AUTHORITY TO THE SPONSOR FOR THE CONSTRUCTION, REHABILITATION, ACQUISITION AND/OR PERMANENT FINANCING OF A HOUSING PROJECT AND SECURED BY A MORTGAGE ON THE HOUSING PROJECT.
 - (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 GCDS WEST SCHOOL LIMITED DIVIDEND HOUSING ASSOCIATION, 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) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF APARTMENTS WEST IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE SEVENTY-FIVE (75) 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-FIVE (75) UNITS IN THE HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS APARTMENTS WEST AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN FORTY (40) YEARS, COMMENCING WITH THE ACQUISITION OF THE PROPERTY BY SPONSOR.
 - (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE SEVENTY-FIVE (75) UNITS IN THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE

CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN THE SUM EQUAL TO FOUR PERCENT (4%) OF THE ANNUAL SHELTER RENTS.

- (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415a(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE OR CAUSE TO BE FILED THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.
- (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:
 - A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND
 - B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO PERSONS OF LOW OR MODERATE INCOME; AND
 - C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION; AND
- (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.* NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR MODERATE INCOME PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.
- (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION PROCEDURES SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206 AS AMENDED; MCL 211.1 ET.SEQ.)

- (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.
- (G) *DURATION.* THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR FORTY (40) YEARS, COMMENCING WITH THE ACQUISITION OF THE PROPERTY BY THE SPONSOR, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2062. IF (A) THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE OR THE SPONSORS FAIL TO OBTAIN A MORTGAGE LOAN WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (B) IF TRANSFER OF TITLE IS NOT EFFECTUATED TO THE GCDS WEST SCHOOL LIMITED DIVIDEND HOUSING ASSOCIATION, LLC WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (C) IF THE SPONSORS CHANGE THE SCOPE OR PURPOSE OF THE SEVENTY-FIVE (75) UNITS OF HOUSING WITHIN THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION WITHIN NINETY (90) DAYS AFTER WRITTEN NOTICE IS GIVEN TO THE SPONSOR, THEN THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO FURTHER EFFECT.

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

PASSAGE OF ORDINANCE

An Ordinance Of The City Of Lansing, Michigan, to amend the Lansing Codified Ordinances (Code) by Adding a New Section 888.____ for the purposes of providing for an extension of 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.

Is read a second time by its title. The Ordinance was reported from the Committee of the Whole and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

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 888.32 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, (BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]) (THE “ACT”).

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 _____ to read as follows:

_____ 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

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

(B) *DEFINITIONS.*

- (1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.
- (2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
- (3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.
- (4) "*HOUSING DEVELOPMENT " OR " DEVELOPMENT*" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO 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 $\frac{1}{4}$ 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 $89^{\circ}11'30''$ 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 $39^{\circ}41'30''$ EAST 46.71 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CEDAR STREET; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING FIVE COURSES, SOUTH $11^{\circ}25'30''$ 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 $5^{\circ}14'25''$ WEST 197.53 FEET TO A POINT OF TANGENCY; THENCE SOUTH $0^{\circ}56'30''$ EAST 5.43 FEET; THENCE SOUTH $10^{\circ}34'39''$ WEST 22.18 FEET; THENCE SOUTH $0^{\circ}56'30''$ EAST 83.05 FEET; THENCE SOUTH $89^{\circ}08'$ WEST 403.42 FEET; THENCE SOUTH 350.30 FEET; THENCE WEST 268.84 FEET; THENCE NORTH 648.14 FEET; THENCE NORTH $89^{\circ}11'30''$ EAST 100.0 FEET; THENCE NORTH $0^{\circ}53'$ WEST 162.0 FEET TO THE POINT OF BEGINNING; ALSO LOT 65 OF CHITTENDEN'S SUBDIVISION OF A PART OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ 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 THAT IS FEDERALLY-AIDED (AS DEFINED IN SECTION 11 OF THE ACT) OR A LOAN OR GRANT MADE OR TO BE MADE BY THE AUTHORITY TO THE SPONSOR FOR THE CONSTRUCTION, REHABILITATION, ACQUISITION AND/OR PERMANENT FINANCING OF A HOUSING PROJECT AND SECURED BY A MORTGAGE ON THE HOUSING PROJECT.
- (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 FRENCH AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL

BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN TWENTY (20) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2023.

- (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE SEVENTY-SIX (76) UNITS IN THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN THE SUM EQUAL TO SIX PERCENT (6%) OF THE ANNUAL SHELTER RENTS.
- (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415a(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE OR CAUSE TO BE FILED THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.
- (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE

PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:

- A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND
- B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO PERSONS OF LOW OR MODERATE INCOME; AND
- C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

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

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

CALCULATED. COLLECTION PROCEDURES SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206 AS AMENDED; MCL 211.1 ET.SEQ.)

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

(G) *DURATION.* THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR TWENTY (20) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2023, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2042. ~~IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE SEVENTY-SIX (76) UNITS OF HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, AND THE~~

~~SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION AFTER NOTICE IS GIVEN AS PROVIDED IN THE MANNER CONSISTENT WITH THE METHOD CONTAINED IN SECTION 206.18(b) OF THESE CODIFIED ORDINANCES, THEN THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.~~ IF (A) THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE OR THE SPONSORS FAIL TO OBTAIN A MORTGAGE LOAN WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS AGREEMENT ORDINANCE, OR (B) IF TRANSFER OF TITLE IS NOT EFFECTUATED TO WALTER FRENCH LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS AGREEMENT ORDINANCE OR (C) IF THE SPONSORS CHANGE THE SCOPE OR PURPOSE OF THE SEVENTY-SIX (76) UNITS OF HOUSING WITHIN THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, LANSING CITY CHARTER, AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION WITHIN NINETY (90) DAYS AFTER WRITTEN NOTICE IS GIVEN TO THE SPONSOR, THEN THIS AGREEMENT ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO FURTHER EFFECT.

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

CITY OF LANSING, a municipal corporation

By: _____
Andy Schor, Mayor

By: _____
Chris Swope, City Clerk

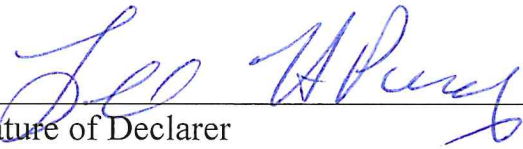
Approved as to form:

James D. Smiertka, City Attorney
Dated: _____

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-210 – Summary of Adopted Ordinance #1290 – Lansing City Clerk - appeared Wednesday, September 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of September 2021



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 22, 2021

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

ORDINANCE #1290

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 888.32 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, (BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]) (THE "ACT").

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

(B) *DEFINITIONS*.

- (1) "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.
- (2) "ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
- (3) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.
- (4) "HOUSING DEVELOPMENT" OR "DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS

OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO 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 FEET 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 CURVE 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 THAT IS FEDERALLY-AIDED (AS DEFINED IN SECTION 11 OF THE ACT) OR A LOAN OR GRANT MADE OR

TO BE MADE BY THE AUTHORITY TO THE SPONSOR FOR THE CONSTRUCTION, REHABILITATION, ACQUISITION AND/OR PERMANENT FINANCING OF A HOUSING PROJECT AND SECURED BY A MORTGAGE ON THE HOUSING PROJECT.

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

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

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

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

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

- A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND
 - B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO PERSONS OF LOW OR MODERATE INCOME; AND
 - C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.
- (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.* NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR MODERATE INCOME PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.
- (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION PROCEDURES SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206 AS AMENDED; MCL 211.1 ET.SEQ.)
- (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.
- (G) *DURATION.* THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR TWENTY (20) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2023, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2042. IF (A) THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE OR THE SPONSORS FAIL TO OBTAIN A MORTGAGE LOAN WITHIN

TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (B) IF TRANSFER OF TITLE IS NOT EFFECTUATED TO WALTER FRENCH LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE OR (C) IF THE SPONSORS CHANGE THE SCOPE OR PURPOSE OF THE SEVENTY-SIX (76) UNITS OF HOUSING WITHIN THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION WITHIN NINETY (90) DAYS AFTER WRITTEN NOTICE IS GIVEN TO THE SPONSOR, THEN THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO FURTHER EFFECT.

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

PASSAGE OF ORDINANCE

An Ordinance Of The City Of Lansing, Michigan, to amend the Lansing Codified Ordinances (Code) by Adding a New Section 888.____ for the purposes of providing for an extension of 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.

Is read a second time by its title. The Ordinance was reported from the Committee of the Whole and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-213 – Summary of Adopted Ordinance #1291 – Lansing City Clerk - appeared Wednesday, September 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of September 2021

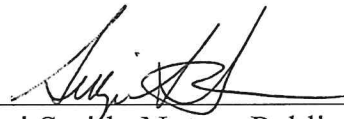


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 22, 2021

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

ORDINANCE #1291

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

(B) *DEFINITIONS*.

- (1) "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.
- (2) "ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
- (3) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.
- (4) "HOUSING DEVELOPMENT" OR "DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS

OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO 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.

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

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

- (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 CEDAR PLACE IS CEDAR PLACE ASSOCIATES LIMITED 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 CEDAR PLACE IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE TWO HUNDRED AND TWENTY (220) 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 TWO HUNDRED AND TWENTY (220) UNITS IN THE HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS CEDAR PLACE AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN FORTY (40) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021.
 - (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE TWO HUNDRED AND TWENTY (220) UNITS IN THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.
 - (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415A(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT

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

- (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:
 - A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND
 - B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO PERSONS OF LOW OR MODERATE INCOME; AND
 - C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION; AND
- (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.* NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR MODERATE INCOME PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.
- (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.
- (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.
- (G) *COMMENCEMENT AND DURATION.* THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR FORTY (40) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER

THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2061. IF (A) THE CONSTRUCTION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE OR THE SPONSORS FAIL TO OBTAIN A MORTGAGE LOAN WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (B) IF TRANSFER OF TITLE IS NOT EFFECTUATED TO CEDAR PLACE PRESERVATION LIMITED DIVIDEND HOUSING ASSOCIATION, LIMITED PARTNERSHIP WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE OR (C) IF THE SPONSORS CHANGE THE SCOPE OR PURPOSE OF THE TWO HUNDRED AND TWENTY (220) UNITS OF HOUSING WITHIN THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION WITHIN NINETY (90) DAYS AFTER WRITTEN NOTICE IS GIVEN TO THE SPONSOR, THEN THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO FURTHER EFFECT.

SECTION 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed as they pertain to Cedar Place at the 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.

PASSAGE OF ORDINANCE

An Ordinance Of The City Of Lansing, Michigan, to amend the Lansing Codified Ordinances (Code) 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, pursuant to the provisions of the State Housing Development Authority Act Of 1966, as amended.

Is read a second time by its title. The Ordinance was reported from the Committee of the Whole and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-219 – Summary of Adopted Ordinance # 1293 – Lansing City Clerk - appeared Wednesday, September 29, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 29th day of September 2021

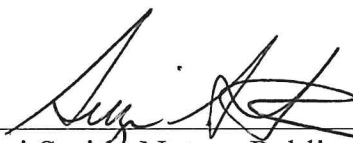


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 29, 2021

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

ORDINANCE #1293

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, 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

(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 THE ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE.

(B) *DEFINITIONS.*

- (1) "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.
- (2) "ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, STEAM OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
- (3) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.
- (4) "ELDERLY PERSON(S)" MEANS (i) A SINGLE PERSON WHO IS 55 YEARS OF AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER

IS 55 YEARS OF AGE OR OLDER OR (ii) A PERSON WITH DISABILITIES, A DISABLED FAMILY, OR DISPLACED FAMILY ALL AS DEFINED IN 24 CFR 5.403.

- (5) "*HOUSING DEVELOPMENT* " OR " *DEVELOPMENT*" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS THE PORTER, AND IS LEGALLY DESCRIBED AS FOLLOWS:

Land Situated in the State of Michigan, County of Ingham, City of Lansing.

That part of Lots 7, 8, 9, 10, 11 and 12, Block 148, ORIGINAL PLAT Of THE CITY OF LANSING, Ingham County, Michigan, as recorded in Liber 2, Page 36 of Plats, Ingham County Records, described as: Beginning at the Northwest corner of Lot 12, Block 148; thence North 89 degrees 56 minutes 49 seconds East 122.52 feet on the North line of Block 148; thence South 00 degrees 04 minutes 36 seconds West 90.00 feet on a line 17.0 feet East of the East wall of the existing apartment building; thence South 47 degrees 31 minutes 21 seconds West 6.64 feet; thence South 00 degrees 04 minutes 36 seconds West 72.0 feet; thence South 89 degrees 49 minutes 35 seconds East 4.09 feet; thence South 00 degrees 04 minutes 37 seconds West 163.16 feet to the South line of Lot 8; thence North 89 degrees 59 minutes 02 seconds West 22.00 feet; thence South 00 degrees 16 minutes 09 seconds West 65.88 feet to the South line of Lot 7; thence South 89 degrees 56 minutes 24 seconds West 36.00 feet; thence North 00 degrees 09 minutes 48 seconds East 66.27 feet to the South line of Lot 8; thence South 89 degrees 42 minutes 06 seconds West 63.15 feet to the West line of Block 148; thence North 00 degrees 00 minutes 00 seconds East 329.51 feet on the West line of Block 148 to the point of beginning.

Tax Parcel: 33-01-01-16-380-073

- (6) "*HUD*" MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.
- (7) "*LOW INCOME HOUSING TAX CREDIT PROGRAM*" MEANS THE PROGRAM ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE CODE.
- (8) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.
- (9) "*MORTGAGE LOAN*" MEANS A FEDERALLY-AIDED LOAN TO BE MADE BY A PRIVATE ENTITY OR A FEDERALLY-AIDED LOAN INSURED BY HUD, OR

A LOAN FROM THE AUTHORITY FOR THE FINANCING OF THE PURCHASE OR REHABILITATION OF THE HOUSING DEVELOPMENT.

- (10) "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 THE PORTER IS THE PORTER LIMITED HOUSING ASSOCIATION LIMITED PARTNERSHIP, OR ITS SUCCESSORS OR ASSIGNS.
 - (11) "UTILITIES" MEANS FUEL, WATER, HEAT, STEAM, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT, AS DEFINED IN THE ACT.
 - (12) OTHER TERMS. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE SAME MEANING GIVEN IN THE ACT.
- (C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*
- (1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE PORTER IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE NINETY-EIGHT (98) UNITS OF ELDERLY 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 NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS THE PORTER SENIOR APARTMENTS AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR FORTY (40) YEARS, COMMENCING WITH THE FIRST YEAR OF EXEMPTION AS SET FORTH IN PARAGRAPH (C)(4) HEREOF.
 - (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN THE SUM EQUAL TO FOUR PERCENT (4%) OF THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED, LESS THE ANNUAL AMOUNT OF UTILITIES PAID DURING THE SAME PERIOD.
 - (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL RESCIND AND REPLACE ANY PRIOR EXEMPTIONS AND SHALL COMMENCE EFFECTIVE ON JANUARY 1 OF THE CALENDAR YEAR FOLLOWING THE YEAR IN WHICH THE SPONSOR ENTERS INTO A NEW MORTGAGE LOAN WITH THE AUTHORITY AND COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415(a)(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE

FOR THE EXEMPTION. THE OWNER THEN SHALL FILE, OR CAUSE TO BE FILED, THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

- (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:
 - A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND
 - B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO ELDERLY PERSONS OF LOW OR MODERATE INCOME; AND
 - C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY MATERIAL FORM, WITH THE EXCEPTION OF UPGRADES, LIKE KIND REPLACEMENTS OR REPAIRS NEEDED IN THE ORDINARY COURSE OF BUSINESS, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.
- (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.* NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE RENTAL HOUSING UNITS OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY RESIDENTS OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.
- (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE GENERAL PROPERTY TAX IN THE PREVIOUS YEAR, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION PROCEDURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206, AS AMENDED; MCL 211.1, ET SEQ.).
- (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.
- (G) *COMMENCEMENT AND DURATION.* THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT ACKNOWLEDGED BY THIS

AGREEMENT SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, BUT NOT TO EXCEED FORTY (40) YEARS FOLLOWING THE YEAR IN WHICH THE EXEMPTION COMMENCES HEREUNDER, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME ELDERLY PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM OR AS DETERMINED BY THE HAP CONTRACT, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY. IF (A) THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE OR THE SPONSORS FAIL TO OBTAIN A MORTGAGE LOAN WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (B) IF TRANSFER OF TITLE IS NOT EFFECTUATED TO THE PORTER LIMITED HOUSING ASSOCIATION LIMITED PARTNERSHIP WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, OR (C) IF THE SPONSORS CHANGE THE SCOPE OR PURPOSE OF THE NINETY-EIGHT (98) UNITS OF HOUSING WITHIN THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION WITHIN NINETY (90) DAYS AFTER WRITTEN NOTICE IS GIVEN TO THE SPONSOR, THEN THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO FURTHER EFFECT.

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

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.

BY THE COMMITTEE ON CITY OPERATIONS
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, October 11, 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.

RESOLUTION #2021-189

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

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

WHEREAS, the last flood data for the Sycamore Creek was completed in 1978 and the Federal Emergency Management Agency (FEMA) has determined that this data no longer reflects the current potential flood risk for this stream;

WHEREAS, it has been determined that the installation of a new streamgage in Sycamore Creek, located at Holt Road near Holt, Michigan, is necessary to take measurements through the US Geological Survey (USGS) National Water Information System;

WHEREAS, the City of Lansing has entered into a Joint Funding Agreement with USGS for the purposes of installing a streamgage on Sycamore Creek, performing field and analytical work, and updating maps and reports based upon data collected between 2020 and 2025 (the "Project");

WHEREAS, this Project benefits the City of Lansing, the Board of Water and Light, Delhi Charter Township, and Ingham County (the "Parties");

WHEREAS, the Parties have entered into a subagreement to address cost-sharing of the Project;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the subagreement;

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the subagreement.

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

WHEREAS, the Battle Creek Community Foundation and the U.S. Attorney's Office of the Western District of Michigan through Project Safe Neighborhoods (PSN) Task Force Community Project Fund has available funding for reducing gun violence, improving neighborhoods, reducing crime and promoting neighborhood safety; and

WHEREAS, the Lansing Police Department applied for a Project Safe Neighborhood grant on October 28, 2020; and

WHEREAS, the Lansing Police Department was informed on August 30, 2021, that it has been selected to receive PSN funding in the amount of \$6,420; and

WHEREAS, the grant period is 8/30/2021 through 8/30/2022; and

WHEREAS, local match funds are not required; and

WHEREAS, the grant funds will be used to support a marketing campaign that distributes 225 backpacks to the Lansing Youth Football League; and

WHEREAS, each backpack would contain the team name and the police logo on it; and

WHEREAS, the Lansing Police Department would present the bags to each team member; and

WHEREAS, the backpack, branded with the police logo, would serve as a visible indication that the Lansing Police Department supports its community youths.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the PSN Grant from the Battle Creek Community Foundation in the amount of \$6,420 for the grant period August 30, 2021 through August 30, 2022; and

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

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

WHEREAS, deceased Retired Detective Ronald Seyka serviced on the Lansing Police Department's Special Tactics and Rescue Team (START) from 1996 through 2010; and

WHEREAS, Detective Seyka's position in the department included a volunteer assignment that required hours of additional training per month as well as call backs in the middle of the night; and

WHEREAS, Detective Seyka participated in the safe resolution of 107 high risk incidents; and

WHEREAS, on March 5, 2020, Detective Seyka lost his battle with cancer; and

WHEREAS, this year, for the second consecutive year, the family of deceased Detective Ronald Seyka, along with Mr. Chaz King, a family friend, hosted the Annual Ron Seyka Memorial Golf Outing in Mason, Michigan in honor of Detective Seyka; and

WHEREAS, last year, \$6,367.26 of the funds from the golf outing were donated to LPD's START Unit; and

WHEREAS, this year, Mr. King is donating \$10,614 to LPD's START Unit as a result of the June 18, 2021, Second Annual Ron Seyka Memorial Golf Outing ;and

WHEREAS, the START Unit also received a donation of \$2,500 on July 16, 2021, from Modern Woodmen of America; and

WHEREAS, START intends to use the combined \$13,114 donation amounts to upgrade the Unit's movable ballistic shields from Level IIIA to Level III because Level III provides better protection for officers.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the two donations to the START Unit totaling \$13,114; and

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

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

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year 2022/2023 Budget; and

WHEREAS, the City Council established the following Mission;

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

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

WHEREAS, the standing committees of the City Council have met to evaluate the budget and recommend an annual statement of budget policies and priorities to guide the Administration in developing and presenting the Fiscal Year 2022/2023 budget.

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council has established the following as its Fiscal Year 2022/2023 Budget Policies and Priorities and requests that the Administration review them and encourages that they, to the extent practical, be included in the Administration's budget presented due to the City Council by the fourth Monday in March 2022.

BE IT FURTHER RESOLVED, the Committee of the Whole has established the following priorities:

1. \$100,000: (1) FTE focus specifically on housing legal assistance for tenants and homeowners in the City.
2. Fund sidewalk repair by \$200,000 for a total of \$500,000, with a priority placed on underserved areas.
3. Fund local street repair funding by \$1.7 million for a total of \$5 million, with a priority placed on underserved areas.
4. Funding for GED prep and passage program.
5. Funding to disseminate information on how to file a Complaint against the police.
 - a. Printing costs to add text to reverse side of of LDP business cards.

6. \$250,000 for the creation of a cold case unit in the Lansing Police Department. This unit would consist of 2 detectives, 1 administrative assistant, 1 data technician, 1 investigator, and 1 attorney.
7. The creation of a Business Analyst position in the Office of Financial Empowerment to assist small business in the City of Lansing.

BE IT FURTHER RESOLVED, the Committee on Development and Planning has established the following priorities:

1. \$80,000: (1) FTE Financial Empowerment Employee; RE: Focus on Small Business, Minority Businesses; Female Owned Businesses
2. \$215,000: Reactivation of the Façade Improvement Grant Program
3. \$50,000: Analysis of Facade Improvement Grant Program to include Return on Equity Report on Previous Façade Grants provided to small businesses
4. \$40,000: Initiate an RFP for Engagement of Stakeholders and Completion of Community Facilities Plan, including school and county buildings, complete with inventory of assets and goals/objectives for facilities, that will serve as the basis for community facility decisions into the future.
5. End the LEAP subsidy of \$500,000 taking those funds to:
 - \$400,000: (5) FTE Economic Development for Economic Role previously done by LEDC/LEAP
 - \$50,000: Façade Improvement Grant Program
 - \$50,000: Analysis of Façade Improvement Grant Program

BE IT FURTHER RESOLVED, the Committee on Equity, Diversity, and Inclusion has established the following priorities:

1. \$500,000: (4) FTE Social Workers-(1) FTE Administrative Assistant (LFD)
2. \$125,000: (1) FTE Grant Writer (Neighborhood Citizen Engagement OR HRCS); RE: Assist Local Groups and organizations in grant research, grant writing and monitoring.
3. The City of Lansing will include in their FY2022/2023 Budget public safety planning, a commitment, support and a partnership with Advance Peace which will help lives and reduce the life altering trauma experienced by people living in the impacted communities and by the service providers who support them, including law enforcement. Council asks the Administration to focus the budget allocations to fully fund the City portion for FY2022/2023.
4. Need Based Vouchers for Quality Child Care
 The Administration should include money in its budget to offset the high, prohibitive costs of quality childcare, including before and after care. Studies are clear that the benefits of quality childcare include better brain development, school readiness and is a determining factor of future success. The pandemic has strained many families' abilities to work and provide quality care for their children. These challenges are exacerbated especially in low income and single parent households. The Administration should use partnerships and/or Federal stimulus money to achieve this priority.

“Childcare” is explicitly mentioned as a permissible use under the Act (see question/answer 2.16 of official U.S. Treasury Q&A). The Administration should establish a needs based voucher program that will allow parents to use the voucher at a childcare provider of their choice.

BE IT FURTHER RESOLVED, the Committee on City Operations has established the following priorities:

1. \$5,000: Training Modules on Ethics Ordinance and Related Policies, Conflicts of Interest Policies, and the Open Meetings Act, among others, for Boards and Commissions (Dept. OCA)
2. \$10,000: Printing Costs to Provide Written Materials to Residents who do not have access to computers, internet or cell phones with document capability

BE IT FURTHER RESOLVED, the Committee on Public Safety has established the following priorities:

1. \$11,000: Traffic Speed Wagons (Public Service Department)
2. \$10,000: Portable Speed Bumps (Public Service Department)
3. \$140,000: Reinstate the LFD apprenticeship/cadet program (Lansing Fire Department)

BE IT FURTHER RESOLVED, the Committee on Ways and Means has established the following priorities:

1. Encourage the Administration to focus in on budget allocations and centralize the fees and costs associated with items such as Information Technology, utilities, etc.
2. Encourage the Chief Strategy Officer to perform an audit report on short and long term resolutions for the current forecast of the City's revenues and expenditures within all departments.

BE IT FURTHER RESOLVED, the City Council would like to continue its commitment, if funding is available, to:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Explore alternatives for improved efficiency in service and delivery.

BE IT FURTHER RESOLVED, the City Council has accepted the following recommendations from the Board of Public Service:

1. Increase general fund support for implementation of the City's Street System Asset Management Plan, with a priority placed on reconstructing and preserving neighborhood streets, especially in those areas of the city which have been

historically underserved. We encourage the Department to continue utilizing new and innovative ways to extend the life of our existing streets;

2. Maintain and expand funding for sidewalk repairs and right-of-way maintenance and improvement, with a priority placed on underserved areas; this should all be done while keeping safety a priority for Lansing residents and visitors, and meeting or exceeding the compliance with the Americans with Disabilities Act;
3. Maintain and expand funding to update and improve the fleet of city vehicles, with specific priority for the Department;
4. Establish Lansing as a leader in PFAS regulation, testing, monitoring and enforcement through maintaining and increasing funding for educational and training purposes, and working with relevant federal, state, county and local governments, and non government organizations;
5. Expand opportunities for multi-family residential and business recycling;
6. Follow recommendations (to the greatest extent feasible) of the energy audit of all facilities and properties to save on energy and cut costs by replacing wasteful devices with ones that are energy efficient and reduce the carbon footprint of the City of Lansing.

RESOLUTION #2021-190

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

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year 2022/2023 Budget; and

WHEREAS, the City Council established the following Mission;

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

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

WHEREAS, the standing committees of the City Council have met to evaluate the budget and recommend an annual statement of budget policies and priorities to guide the Administration in developing and presenting the Fiscal Year 2022/2023 budget.

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council has established the following as its Fiscal Year 2022/2023 Budget Policies and Priorities and requests that the Administration review them and encourages that they, to the extent practical, be included in the Administration's budget presented due to the City Council by the fourth Monday in March 2022.

BE IT FURTHER RESOLVED, the Committee of the Whole has established the following priorities:

1. \$100,000: (1) FTE focus specifically on housing legal assistance for tenants and homeowners in the City.
2. Fund sidewalk repair by \$200,000 for a total of \$500,000, with a priority placed on underserved areas.
3. Fund local street repair funding by \$1.7 million for a total of \$5 million, with a priority placed on underserved areas.
4. Funding for GED prep and passage program.
5. Funding to disseminate information on how to file a Complaint against the police.
 - a. Printing costs to add text to reverse side of of LDP business cards.

6. \$250,000 for the creation of a cold case unit in the Lansing Police Department. This unit would consist of 2 detectives, 1 administrative assistant, 1 data technician, 1 investigator, and 1 attorney.
7. The creation of a Business Analyst position in the Office of Financial Empowerment to assist small business in the City of Lansing.

BE IT FURTHER RESOLVED, the Committee on Development and Planning has established the following priorities:

1. \$80,000: (1) FTE Financial Empowerment Employee; RE: Focus on Small Business, Minority Businesses; Female Owned Businesses
2. \$215,000: Reactivation of the Façade Improvement Grant Program
3. \$50,000: Analysis of Facade Improvement Grant Program to include Return on Equity Report on Previous Façade Grants provided to small businesses
4. \$40,000: Initiate an RFP for Engagement of Stakeholders and Completion of Community Facilities Plan, including school and county buildings, complete with inventory of assets and goals/objectives for facilities, that will serve as the basis for community facility decisions into the future.

BE IT FURTHER RESOLVED, the Committee on Equity, Diversity, and Inclusion has established the following priorities:

1. \$500,000: (4) FTE Social Workers-(1) FTE Administrative Assistant (LFD)
2. \$125,000: (1) FTE Grant Writer (Neighborhood Citizen Engagement OR HRCS); RE: Assist Local Groups and organizations in grant research, grant writing and monitoring.
3. The City of Lansing will include in their FY2022/2023 Budget public safety planning, a commitment, support and a partnership with Advance Peace which will help lives and reduce the life altering trauma experienced by people living in the impacted communities and by the service providers who support them, including law enforcement. Council asks the Administration to focus the budget allocations to fully fund the City portion for FY2022/2023.
4. Need Based Vouchers for Quality Child Care
The Administration should include money in its budget to offset the high, prohibitive costs of quality childcare, including before and after care. Studies are clear that the benefits of quality childcare include better brain development, school readiness and is a determining factor of future success. The pandemic has strained many families' abilities to work and provide quality care for their children. These challenges are exacerbated especially in low income and single parent households. The Administration should use partnerships and/or Federal stimulus money to achieve this priority. "Childcare" is explicitly mentioned as a permissible use under the Act (see question/answer 2.16 of official U.S. Treasury Q&A). The Administration should establish a needs based voucher program that will allow parents to use the voucher at a childcare provider of their choice.

5. \$125,000 – MRJEA – Acquire an outside auditor to evaluate the metrics of the MRJEA Program and performance measures on the policies.

BE IT FURTHER RESOLVED, the Committee on City Operations has established the following priorities:

1. \$5,000: Training Modules on Ethics Ordinance and Related Policies, Conflicts of Interest Policies, and the Open Meetings Act, among others, for Boards and Commissions (Dept. OCA)
2. \$10,000: Printing Costs to Provide Written Materials to Residents who do not have access to computers, internet or cell phones with document capability

BE IT FURTHER RESOLVED, the Committee on Public Safety has established the following priorities:

1. Traffic Speed Wagons (Public Service Department)
2. Portable Speed Bumps (Public Service Department)
3. Reinstate the LFD apprenticeship/intern program (Lansing Fire Department)

BE IT FURTHER RESOLVED, the Committee on Ways and Means has established the following priorities:

1. Encourage the Administration to focus in on budget allocations and centralize the fees and costs associated with items such as Information Technology, utilities, etc.
2. Encourage the Chief Strategy Officer to perform an audit report on short and long term resolutions for the current forecast of the City's revenues and expenditures within all departments.

BE IT FURTHER RESOLVED, the City Council would like to continue its commitment, if funding is available, to:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Explore alternatives for improved efficiency in service and delivery.

BE IT FURTHER RESOLVED, the City Council has accepted the following recommendations from the Board of Public Service:

1. Increase general fund support for implementation of the City's Street System Asset Management Plan, with a priority placed on reconstructing and preserving neighborhood streets, especially in those areas of the city which have been historically underserved. We encourage the Department to continue utilizing new and innovative ways to extend the life of our existing streets;

2. Maintain and expand funding for sidewalk repairs and right-of-way maintenance and improvement, with a priority placed on underserved areas; this should all be done while keeping safety a priority for Lansing residents and visitors, and meeting or exceeding the compliance with the Americans with Disabilities Act;
3. Maintain and expand funding to update and improve the fleet of city vehicles, with specific priority for the Department;
4. Establish Lansing as a leader in PFAS regulation, testing, monitoring and enforcement through maintaining and increasing funding for educational and training purposes, and working with relevant federal, state, county and local governments, and non government organizations;
5. Expand opportunities for multi-family residential and business recycling;
6. Follow recommendations (to the greatest extent feasible) of the energy audit of all facilities and properties to save on energy and cut costs by replacing wasteful devices with ones that are energy efficient and reduce the carbon footprint of the City of Lansing.

RESOLUTION #2021-191

**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 \$30,000 toward reimbursement of expenditures required to implement the Capital City Comeback – Core Switches 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 – Core Switches Project and on behalf of the City of Lansing authorizes Jake Brower (Interim Finance 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.

RESOLUTION #2021-###

BY COUNCILMEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON,
SPADAFORÉ, SPITZLEY AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing would like to recognize September 15 through October 15 as National Hispanic American Heritage Month; and

WHEREAS, President Lyndon Johnson created the observance in 1968 and was expanded in 1988 by President Ronald Reagan to cover a 30 day period; and

WHEREAS, the Hispanic Heritage Month recognizes the achievements and contributions of Hispanic American champions who have inspired other to achieve success; and

WHEREAS, each year Hispanic Heritage Month celebrates the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

WHEREAS, the City of Lansing is home to 118,000 citizens that each contribute to the growth, diversity and strength of our community, of the 118,000, 12.4% identify as Hispanic or Latinx. Along with enriching our community through culture, the Hispanic and Latinx community has enhanced the economy of Lansing through progress in business, law, healthcare, agriculture, and many others.

BE IT RESOLVED, Lansing City Council hereby proclaims September 15, 2021 through October 15, 2021 as National Hispanic Heritage Month.



Chris Swope

Lansing City Clerk

September 17, 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

Downtown Lansing Inc	July 8, 2021
Employees' Retirement System	August 17, 2021
Lansing Economic Development Corporation	August 6, 2021
Tax Increment Finance Authority	August 6, 2021
S. MLK Corridor Improvement Authority Board of Director	June 17, 2021
Historic District Commission	July 12, 2021
Police And Fire Retirement System	August 17, 2021
Brownfield Redevelopment Authority	August 6, 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

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 □ 517-377-0068 FAX
www.lansingmi.gov/clerk □ city.clerk@lansingmi.gov

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 VOTER SUPPRESSION

Name (print) LARRY HUTCHINSON E-Mail (optional) HUTCH FOR COUNCIL @ MAIL. LANSING.MI

Address (street, city, zip) 1310 N. CHESTNUT ST LANSING, MICHIGAN 48906

Company or organization represented, etc. (if applicable) Comm. TO ELECT. LARRY 600 2022

Signature [Signature]

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