AGENDA

Committee of the Whole
AGENDA FOR DECEMBER 13, 2021 AT 5:00 PM

Lansing City Hall, Tony Benavides Lansing City Council Chambers
124 W. Michigan Avenue, 10th Floor
To provide input or ask questions on any item that is listed on the agenda,
members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting.
Based on the recommendations from the Centers for Disease Control (CDC)
City Council President Spadafore is requesting members of the public, City Staff and Council Members
wear face coverings at meetings of the City Council and their Committees.

Council Member Spadafore, Chairperson
Council Member Hussain, Vice Chairperson

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
   A. November 29, 2021
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Discussion/Action:**
   B. RESOLUTION - ACT-1-2020; Street Vacation; Jerome Street and W. Holmes Street
   C. RESOLUTION - Amending Social Districts to include Sidecar Lansing, LLC DBA Sidecar Slider Bar, 500 E. Michigan Ave. and The Potent Potables Project, LLC DBA The Creole Burger Bar & Southern Kitcher, 1218 Turner Rd.
   D. RESOLUTION - Setting a Public Hearing; Ordinance to amend Chapter 890, Poverty Exemption Guidelines Reform
   E. RESOLUTION - Exemption of City Charter Provision 6-401: Extend multi-year contracts for the open positions of Police Chief and Fire Chief
   F. RESOLUTION -Issuance Of Sewage Disposal System Revenue Bonds
   G. RESOLUTION - Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation
   H. RESOLUTION - State Local Government Intrastate Agreement concerning Allocation of Settlement Proceeds in the National Opioids Litigation
   I. RESOLUTION - Second Amendment to the Lansing-Delta Township Public Act 425 Agreement
   J. RESOLUTION - Renaissance Zone; Ultium Cells, LLC for property located at 8100 Davis Hwy.

K. RESOLUTION - Set a Hearing for Jurisdications on the Application for an Industrial Facilities Exemption Certificate; Ultium Cells, LLC at 8100 Davis Hwy.

6. Other

7. Adjourn

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

DRAFT

MINUTES
Committee of the Whole
Monday, November 29, 2021 @ 5:30 p.m.
Tony Benavides Lansing City Council Chambers

CALL TO ORDER
Council Vice President Hussain called the meeting to order at 5:30 p.m.

PRESENT
Councilmember Peter Spadafore
Councilmember Adam Hussain
Councilmember Carol Wood
Councilmember Patricia Spitzley - excused
Councilmember Kathie Dunbar - excused
Councilmember Brandon Betz
Councilmember Jeremy Garza
Councilmember Brian T. Jackson

OTHERS PRESENT
Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, OCA
Mark Lawrence, Mayor Representative
Thomas Hoisington
Steve Young
Brian McGrain, EDP
Andrew Fedewa, EDP
Jake Brower, Finance

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM NOVEMBER 8, 2021 AS PRESENTED. MOTION CARRIED 6-0.

Public Comment
No public comment on this time.

Discussion/Action
RESOLUTION –Appointment; Thomas Hoisington; At Large Elected Officers Compensation Commission; Term to Expire 10/1/2027
Meeting paused at 5:32 p.m. so Council President Spadafore could speak to City Attorney Smiertka.
Meeting called to reorder at 5:33 p.m.

Mr. Hoisington briefly spoke on his residency in Lansing for the last 50+ years, his time on this same Commission 25 years ago during the McCain administration. Lastly he noted he has been a business owner in the downtown 35 years and currently retired.

Council Member Wood noted the application stated this was not his first choice and asked him why he wanted to be on this Board now. Mr. Hoisington spoke on his interest to serve on any boards.

Council President Spadafore asked Mr. Hoisington if he has any immediate family members that are employed in any government entity. Mr. Hoisington confirmed his wife is Judge Alderson and will be retiring at the end of the year. Council President Spadafore then referenced Chapter 280 which states "no member or employee of the legislative, judicial or executive branch of any level of government or members of the immediate family of such member or employee shall be eligible to be a member of the Commission."

Council Member Wood asked for the ability to hold the appointment until after January 1, 2022 since the Commission is not scheduled to meet until February.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR APPOINTMENT OF THOMAS HOISINGTON TO THE ELECTED OFFICERS COMPENSATION COMMISSION WITH THE AMENDMENT TO STATE "WITH AN EFFECTIVE DATE OF JANUARY 16, 2022". MOTION CARRIED 6-0.

<u>RESOLUTION –Appointment; Steve Young At Large Elected Officers Compensation Commission; Term to Expire 10/1/2023</u>
Mr. Young noted the application did state a resume and that was sent to the Administration. He has been a resident since 1973 and retired in 2020. He reiterated his understanding of his role on the EOCC and the responsibility.

The meeting was paused at 5:42 p.m. due to no audio on the live stream of the meeting.
Meeting recalled to order at 5:44 pm.

Council Member Wood asked the Administration why they referred and vetted an application from December 14, 2018. Mr. Lawrence did not have any answer as to if he was vetted in 2018 or recently. He then added the 2018 application could have been submitted then, but there was not an opening back then, and is now. Council Member Wood assured them she did not have an issue with the appointment but all information should be current. Mr. Young apologize.
Council Member Garza stated his concern to the Administration that both appointees to the Commission are from the 4th Ward and not outside that ward. Council Member Hussain added to the conversation that he was encouraging the Administration to look all over the City not just in the 4th Ward. Council Member Jackson asked the Administration to consider appointments on diversity as well.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR APPOINTMENT OF STEVE YOUNG TO THE ELECTED OFFICERS COMPENSATION COMMISSION. MOTION CARRIED 6-0.

<u>Presentation</u>
<u>General Fund State Report; FY2021-2022 First Quarter</u>
Council President Spadafore passed the gavel to Council Vice President Hussain at 5:51 p.m.
Mr. Brower went through his reports in the packet.
Council Vice President Hussain passed the gavel at 5:52 p.m.

Mr. Brower continued with his presentation on the first quarter, the annual audit and final numbers.

Council Member Betz asked for details on expenditures in the Neighborhood and Citizen Engagement is the difference in operating costs and one factor is that there are several major contracts. (Lansing Save, Financial Empowerment, etc.) Mr. Brower continued to explain that there is also a difference in timing expenditures. Regarding the concerns with Public Service, he would look into that and report back.

Council Member Wood pointed out that there appears to be an issue with hiring and with the vacancy factor at $1.4 million, she asked what the Administration saw in the increase. Mr. Brower confirmed that $1.4 million is on target. There is an operational impact, and it is not the goal to keep vacancy on the budget, but HR is working full time to fill all the positions, and he will continue to provide more information. Council Member Wood then asked if the City was seeing additional tax tribunals or a reduction coming from the Assessor due to the number of State and commercial offices downtown vacant. Mr. Brower confirmed there is an increase in cases, but could not speak to the impact on the State buildings. He offered to reach out to the Assessor for details.

Council President Spadafore asked if the Administration was seeing a stabilization in the revenue issues. Mr. Brower confirmed that in the preliminary projections, in the deficit category, last year's income taxes are not paid as feared. It will be a challenge and a multi-year effort to work on eliminating the deficit.

<u>Vacancy Report; FY2021-2022 First Quarter</u>
Mr. Brower went through the report in the packet and highlighted items.

Council Member Wood reminded the Administration that in the past on multiple occasions she has asked for the contract column to have a breakdown on what the contract costing is or saving at the time. Council Member Wood asked if the Administration has thought about either a bonus or if required education is a factor, so people cannot apply, be hired on temporary basis and then given the ability to get the education and then be brought on full time into the qualified position. Mr. Brower stated the Administration should speak to that, but a bonus program would have to be part of the collective bargaining agreement. Council Member Wood redirected that question to Mr. Lawrence to provide the response at a future meeting.

Council Member Hussain spoke on experiences he has heard about the hiring process, and suggested Council consider looking at more staff in Human Resources in the budget for next year. He then asked the Administration what is taking so long to fill the vacancy from September 2020 of the Fire Chief. Mr. Brower stated the LFD Chief current contract ends the end of this calendar year, and it was a matter of timing when there are people already in place under contract. Mr. Lawrence added that the Administration believes there is a difficulty in finding the quality of candidates during an election year. Council Member Hussain asked if a job posting was out already, and Mr. Lawrence confirmed.

<u>Discussion/Action -</u>
<u>RESOLUTION – Setting a Public Hearing in consideration of an Ordinance Readopting the Codified Ordinances</u>
MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SETTING A PUBLIC HEARING FOR DECEMBER 13, 2021 FOR THE READOPTION OF CODIFIED ORDINANCES.

Council Member Wood asked for clarification on why this was not done during the budget as was requested by Council in the past, and was told it was missed. Council Member Wood asked in the future it be done when the budget is passed.

MOTION CARRIED 6-0.

RESOLUTION – Amend Council Rule 20; Manner of Introduction; Form

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO INTRODUCE AMENDING COUNCIL RULE 20; MANNER OF INTRODUCTION; FORM.

Council President Spadafore explained that this ordinance will make it that when there are proposed ordinance amendments, the changes will be in CAPS and the deletions will be stricken.

Rule 20. Manner of Introduction; Form. In each ordinance amending an existing ordinance, changes or new matter shall be ~~placed in capital~~ BOLDED, and matter which has been omitted shall be indicated by printing in stricken through type. ANY UNCHANGED ORDINANCE LANGUAGE SHALL BE IN REGULAR TYPE.

Read rule 20 with the changes.

Council Member Wood clarified for the Committee that this will be a motion to introduce, Council will vote to introduce, and then Council will take action on 12/13/2021.

Council Member Jackson asked if the changes are from this point forward or the ordinances approved in the past will be amended. Council President Spadafore explained that once ordinances are codified the bold, CAPS and strike outs are eliminated.

MOTION CARRIED 6-0.

RESOLUTION – Amend City Council Meeting Recordings Policy

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR AMENDING CITY COUNCIL MEETING RECORDINGS POLICY.

Council President Spadafore detailed that there was storage in the Council offices of VHS tapes of historical Council Meetings, and the OCA was able to find a resolution that stated meeting tapes needed to be maintained forever. This resolution would allow the tapes to be stored in the best practices by City TV for electronic materials since VHS is no longer the option.

MOTION CARRIED 6-0.

RESOLUTION – Executive Management Group Benefits Plan; change to eliminate retirement healthcare benefits

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE EXECUTIVE MANAGEMENT GROUP BENEFITS PLAN; CHANGE TO ELIMINATE RETIREMENT HEALTHCARE BENEFITS WITH AMENDMENT UNDER HEALTHCARE SAVINGS ACCOUNT FROM HAS TO HSA.

Mr. Lawrence explained to the Committee this was a change to align the executive staff with the Mayor's office, Police and Fire.

Council Member Wood asked how this change would affect an employee who came up through the ranks in public service, LPD, etc. and was getting retiree healthcare, then takes and executive management position. Mr. Lawrence stated they will maintain it, and Council

Member Wood asked if it was clearly stated that way and Mr. Lawrence confirmed. Council President Spadafore referred to the resolution, under the "Exception"

An employee who directly transfers into this group without any break in City service from another City union or group in which the employee had met the eligibility requirements for retiree healthcare benefits prior to the transfer, shall retain retiree healthcare benefits to which the employee was entitled to receive in the prior union or group and will not receive the health savings account benefit described below.

MOTION CARRIED 6-0.

ORDINANCE – Amend Chapter 12, Title 6 Form Based Zoning Code
MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE TO AMEND CHAPTER 12, TITLE 6 OF THE FORM BASED ZONING CODE. MOTION CARRIED 6-0.

OTHER
Council President Spadafore recognized newly elected Council Member Brown who was present during the meeting in the audience.

Adjourn
The meeting adjourned at: 6:23 pm
Respectfully Submitted by,
Sherrie Boak, Recording Secretary,
Lansing City Council
Approved by the Committee

An Act 33 Review is a planning level review of the **location, character and extent** of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT AND PROPOSAL: Sparrow Health Systems, 1215 E Michigan Ave. Lansing, MI is requesting the vacation of Jerome Street between N Holmes and N Pennsylvania and the vacation of N Holmes Street between Jerome and E Michigan. Sparrow owns the properties on both sides of both streets.

LOCATION:	Jerome Street (PID # 33-01-01-15-177-903), N Holmes Street (PID # 33-01-01-15-177-901)
CURRENT OWNER(S):	City of Lansing
EXISTING LAND USE & ZONING:	Use: Street right-of-way. Zoning: Unzoned street right-of-way
PROPERTY SIZE AND SHAPE:	Rectangular
SURROUNDING LAND USE & ZONING:	North: INST-2, Institutional South: INST-2, Institutional West: INST-2, R-MX, Inst., Residential East: R-6B, Residential

ANALYSIS

A review of this proposal was previously conducted by the Planning Board during its regular meeting of July 2020. The Planning Board concurred with staff's proposed conditions and unanimously recommended City Council approval of the request. The approved resolution expired before the street vacations were formally completed and filed therefore City Council is requesting that the Planning Board review the request for their consideration.

LOCATION:

Sparrow Hospital sits at a major intersection in Lansing's East Side, E Michigan Ave. and N Pennsylvania Ave. Sparrow Health System also owns the properties east of N Holmes St. and now owns the former Eastern High School property, north of Jerome St.

Both these sections of Jerome Street and N Holmes Street are platted and deeded rights of way.

In the *Walk-Bike Lansing* Plan (2012), Jerome Street was designated as an east-west non-motorized transportation route in lieu of directing bicycle traffic onto Michigan Ave. This designation was affirmed in the *Design Lansing* Comprehensive Plan (2012)

CHARACTER:

Since the late 1990s, traffic diverters were installed on Holmes Street at Jerome (north of Michigan Ave.) and Eureka Streets (south of Michigan Ave.) to isolate Sparrow related vehicular traffic from the adjacent neighborhoods.

In 2005, the City entered into a license agreement for three utility tunnels under and across Jerome Street between the main building and Central Utility Plant on Jerome.

The character of the street would change with any expansion of Sparrow's footprint. The non-motorized route function would remain, although the alignment may change.

The sanitary and storm sewers within the vacated rights of way only serve the Sparrow-owned parcels on either side. The water mains, gas mains and electric lines appear to serve other properties therefore easements are proposed for these. The sidewalks are part of the City's non-motorized transportation system, therefore an easement or other arrangement for their continuation is needed.

EXTENT:

The extent of the vacation is of Jerome Street, east of Pennsylvania Avenue to where the street curves southeast into N Holmes Street, and from that curve south until E Michigan Avenue.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

BWL Electric: Jerry Wheeler – 517-702-6644, No comments or concerns.

BWL Water Operations: Randall Roost, No comments or concerns.

BWL Street Lighting: Gary Simpson 517-702-6647, BWL street light has direct buried cable on North and South sides of Jerome St. Cable will be within 18" of the curb and depth may vary from 12" to 20 " Care should be taken if any saw cutting is made.

BWL Water & Steam Distribution: Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- Site Specific Comments:
  - The BWL owns and maintains water facilities along Jerome St and Holmes St, utility easements will be required to ensure the protection and maintenance of the existing facilities. Should the customer wish to redevelop or perform alteration to the existing water main and service routes, design will need to be submitted to the BWL and meet drawing standards. The BWL will not accept any buildings being built on-top of water main/services.
- General Comments:
  - Any alteration to the BWL Water Distribution System is subject to review by the BWL. Alterations may include installation of new services, relocation or removal of

existing water distribution facilities, or any meter work. The owner is responsible for the costs of any alteration to these facilities.

- Any work on the site that exposes, disturbs, or otherwise carries the risk of damage to existing BWL Water Distribution facilities, including change of soil cover, is subject to review by the BWL. The owner is responsible for the costs of preparing a plan to protect these facilities, as well as the costs of inspection and/or repair, if deemed necessary by the BWL.
- The BWL owns and maintains all Water Distribution Facilities up to and including the water meters. All work on these facilities shall be performed in accordance to the BWL Rules and Regulations for service. A copy of the Rules and Regulations can be found online at: https://www.lbwl.com/sites/default/files/documents/2019-07/FY20%20Rules%20and%20Regulations%20for%20Water_FINAL.PDF
- Prior to receiving water service, the customer must submit an application to the BWL Utility Service Department at 517-702-6700 for any new service or alterations to existing services or metering. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at https://www.lbwl.com/customers/services/water.
- MDEQ permits and signed easements shall be established prior to construction, if applicable.

Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade via phone at 517-702-6564 or e-mail at Jerrod.Wade@lbwl.com.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality.

This project lies within the Lansing Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.

***Public Service Department*:**

- Public Service requires a ‘small’ permanent sanitary sewer easement: a single, public sanitary manhole in the NE corner of the Jerome/N Holmes intersection (in the greenspace) before, or as, the vacation occurs.
- The Public Service Department will require the same agreements discussed with Sparrow Health Systems in 2020.
  - Public Service has refined the previously agreed upon conditions to be more comprehensive.

***Building Safety Office*:**

- Building Safety has no issues with this other than it be noted that all Accessible and Egress Routes be maintained and all access shall remain to LFD along Jerome and North Holmes Street.

***Lansing Fire Department*:**

- The Lansing Fire Marshall would like to confirm this vacation will not interrupt Fire Department access and that no changes would be done to the street surfaces.

***Lansing Parks and Recreation*:**

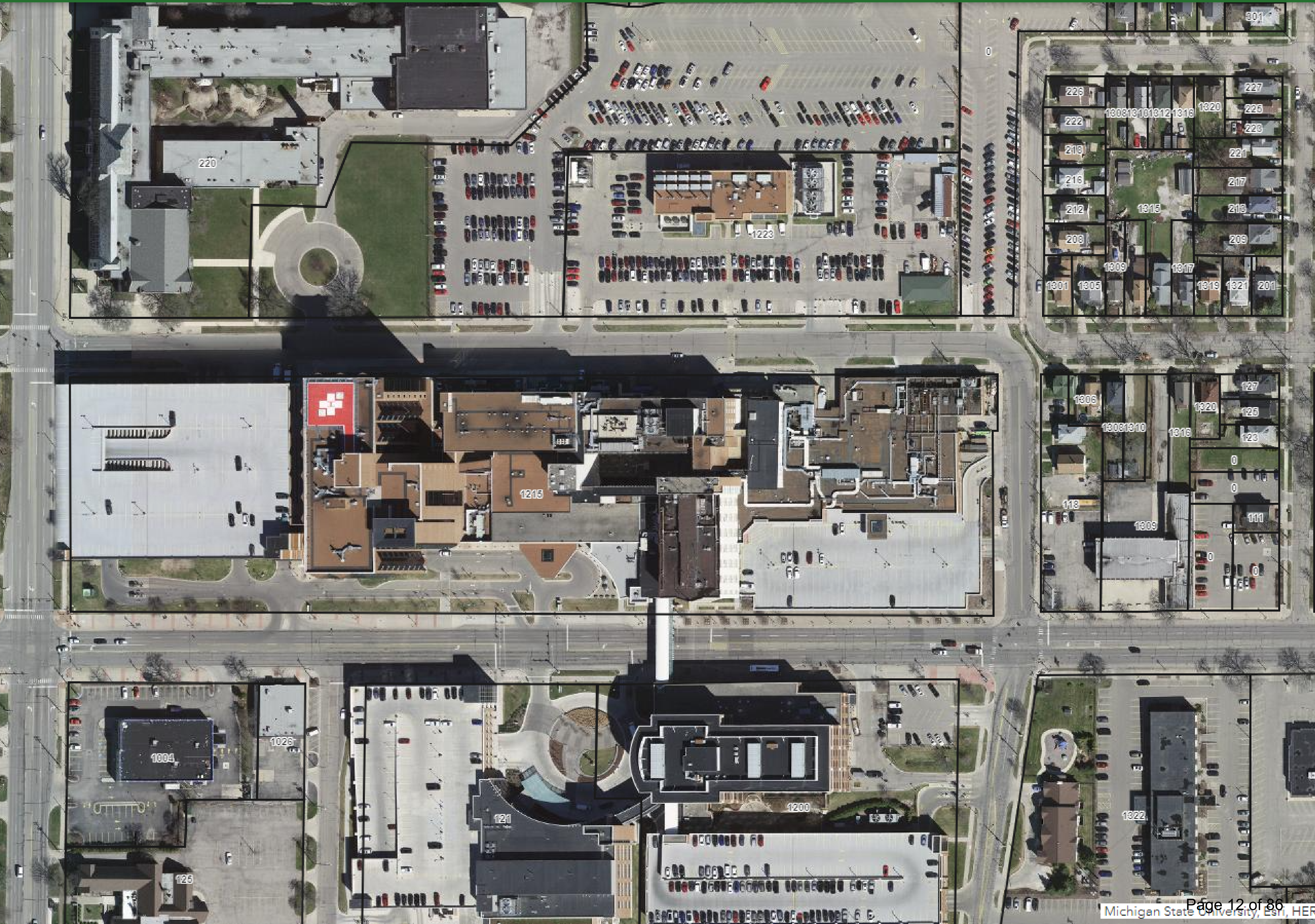
- No objection.

STAFF RECOMMENDATION

The request can be granted without a significant impact on the circulation network. Sparrow traffic is already isolated from the neighborhood, and Jerome will remain the preferred non-motorized transportation route with possible pedestrian movement shifting to the Eastside Connector and Michigan Ave. as infrastructure is developed. Easements for water, electric, street lighting and communications will be necessary to maintain service.

Staff recommends that the City vacate the Jerome Street ROW (Pennsylvania Ave. to N. Holmes, and N Holmes Street (from E Michigan Ave. to Jerome St.) with these conditions:

- Sparrow Health Systems shall enter into maintenance agreements for the traffic signals at Jerome St. & Pennsylvania Ave. and at Holmes St. & E Michigan Ave.,
- The street light agreement (for Jerome St.) with the Board of Water and Light shall be transferred to Sparrow Health Systems,
- The public sanitary sewers and public storm sewers that provide service to only the vacated area shall be transferred to Sparrow Health Systems for perpetual ownership, operation, maintenance and replacement,
- The non-motorized access along Jerome, from Pennsylvania to Holmes will be preserved,
- Easements for other existing utilities (water, electric, street lighting, communications) shall be reserved, and
- The agreement with ACD for their cell network antenna be transferred to/renegotiated with Sparrow Health Systems.



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Layer List
Lansing Form Based Code
DT-1 - Urban Edge
DT-2 - Urban Flex
DT-3- Urban Core
IND-1 - Suburban Industrial
IND-2 - General Industrial
IND-3 - Urban Industrial
INST-1 - Suburban Institution
INST-2 - Urban Institution
MFR - Multi-Family Residential
MX-1 - Neighborhood mixed-Use Center
MX-2 - Community Mixed-Use Center
MX-3 - District Mixed-Use Center
MX-C - Mixed-Use Corridor
R-1 - Suburban Detached Res.
R-2 - Suburban Detached Res.
R-3 - Suburban Detached Res.
R-4 - Urban Detached Res.
R-5 - Urban Detached Res.
R-6A - Urban Detached Res.
R-6B - Urban Detached Res.
R-AR - Residential Adaptive Reuse
R-MX - Residential Mix
ROW
S-C - Suburban Corridor
Lansing Zoning
Lansing_Aerial_2020
N Pennsylvania Ave
Jerome St
E Michigan Ave
N Holmes St
Ferguson St
220
1223
1215
121
1200
1004
1026
125
1322
118
1309
1315
Michigan State University

Andy Schor
Mayor

LANSING PLANNING BOARD
Regular Meeting
December 7, 2021
6:30 p.m.
Neighborhood Empowerment Center 600 W Maple St.

MINUTES – *DRAFT*

1. OPENING SESSION

Mr. Hovey called the meeting to order at 6:30 p.m.

a. Present: Dr. Farhan Bhatti, Marta Cerna, Tony Cox, Josh Hovey, Thomas Morgan, John Ruge
b. Absent: Katie Alexander (excused), Monte Jackson (excused)
c. Staff: Sue Stachowiak, Andy Fedewa, Doris Witherspoon, Barb Kimmel

2. APPROVAL OF AGENDA –

Planning & Zoning Staff requested that Act-9-2021 be referred to and voted on as Act-1-2020 to conform to City Council records.

Ms. Witherspoon requested that the FY 2022-26 Consolidated Plan title be revised to reflect the Public Hearing purpose and be removed from the Consent Items.

The revised Agenda was approved without objection.

3. COMMUNICATIONS –

- Letter of Support for Act-1-2020 from Lansing Regional Chamber of Commerce
- Email regarding noise and conditions of Sparrow Hospital, and Act-1-2020 from the Eastfield Neighborhood Association
- Email regarding noise and conditions of Sparrow Hospital, and Act-1-2020 from Shannon and Todd Branstner
- Email regarding noise and conditions of Sparrow Hospital, and Act-1-2020 from Amy Arguello and Fidel Maureira

4. PUBLIC HEARINGS –

A. FY 2022-26, Consolidated Plan Public Hearing – CDBG, HOME, and ESG Resources

(*section to be drafted*)

Seeing no one else wishing to speak, Chairperson Ruge closed the Public Hearing.

B. SLU-2-2021, Special Land Use Permit for Electrical Substation, 5411 Wise Rd.

Ms. Stachowiak stated this is a request from the Lansing Board of Water and Light to construct a new electric power substation, to replace the existing substation on the subject property.

(*section to be drafted*)

Tony Heriford, Lansing Board of Water & Light, thanked Ms. Stachowiak for her introduction of the request and the Planning Board for their consideration of the new substation.

Seeing no one wishing to speak, Chairperson Ruge closed the Public Hearing.

5. COMMENTS FROM THE AUDIENCE –

Jennie Gies, 220 Ferguson St., spoke about the noise of mechanical equipment from Sparrow Hospital that effects the neighborhoods around it, Sparrow Health Systems owning multiple residential houses along Ferguson and Jerome Streets that are being left vacant and not maintained, and requested that Sparrow Hospital be more thoughtful during their development. Ms. Gies shared an audio recording of the mechanical equipment.

Chris Thompson, 1408 Jerome St., spoke about the amount of trash that blows over from Sparrow Hospital into the Eastfield neighborhood and the noise of mechanical equipment that affects the neighborhoods around it. Mr. Thompson recommended that Board Members visit .tech to see some of the realities of Sparrow's conduct. (*website to be added*)

Skyin Yin, 1412 Jerome St., President of the Eastfield Neighborhood Association, spoke about the noise of mechanical equipment from Sparrow Hospital and the amount of residential houses along Ferguson and Jerome streets that are being left vacant and not maintained after Sparrow purchased them.

Margaret Tassaro, 206 Horton St., spoke about the noise of mechanical equipment from Sparrow Hospital that effects the neighborhoods around it and suggested Sparrow be more mindful and install green infrastructure to mitigate the noise pollution.

Rebecca Anthony, 1408 Jerome St. spoke about the level of noise pollution coming from the mechanical equipment on Sparrow Hospital property and reiterated her neighbor's previous comments.

Amy Arguello, 1401 Jerome St. spoke about the noise of mechanical equipment from Sparrow Hospital and the amount of residential houses along Ferguson and Jerome streets that are being left vacant and not maintained after Sparrow purchased them. Ms. Arguello shared a video recording of the mechanical equipment.

Seeing no one else wishing to speak, Chairperson Ruge closed the Public Comment portion.

6. RECESS – Not taken

7. BUSINESS

Mr. Hovey requested that SLU-2-2021 be removed from the Consent Items. **Mr. Morgan, seconded by Dr. Bhatti, motioned to remove SLU-2-2021 from the Consent Items. On a voice vote, the motion passed.**

A. Consent Items

(1) Minutes for approval: November 3, 2021

The minutes from the November 3, 2021 Planning Board meeting were approved without objection.

B. Old Business – None

C. New Business –

(1) SLU-2-2021, Special Land Use Permit for Electrical Substation, 5411 Wise Rd.

Dr. Bhatti made a motion, seconded by Mr. Morgan to approve SLU-2-2021, Special Land Use Permit for Electrical Substation, 5411 Wise Rd.

Mr. Hovey declared a potential conflict of interest and his desire to abstain from the vote.

On a roll call vote the motion carried (5-0). Mr. Hovey abstained.

(2) Act-1-2020, Jerome St. N Holmes St. Street Vacations

Mr. Fedewa reminded the Planning Board that at the July 2020 regular meeting they heard a request from Sparrow Health Systems to vacate that portion of Jerome St. between N Holmes St. and N Pennsylvania Ave. and vacate that portion of N Holmes St. between Jerome St. and E Michigan Ave. Sparrow Hospital owns properties on both sides of these stretches and wanted control of the rights-of-way for redevelopment purposes. The Board found that the request could be granted since these streets solely serve the hospital and it would not have a detrimental effect on the transportation circulation network.

Although the Planning Board's previous Act 33 Review recommendation stands, City Council had requested that all processes be conducted again since the resolution for the vacation expired.

Mr. Fedewa introduced the review of the street vacation request. Sparrow's application remains the same as does their need for the vacation for redevelopment purposes. Mr. Fedewa noted however this is an opportunity to refine staff's recommended conditions per instruction from the Public Service Department. The conditions to grant the request are as follows:

- Sparrow Health Systems shall enter into maintenance agreements for the traffic signals at Jerome St. & N Pennsylvania Ave. and at Holmes St. and E Michigan Ave.,
- The street light agreement (for Jerome St.) with the Board of Water and Light shall be transferred to Sparrow Health Systems,
- The public sanitary sewers and public storm sewers that provide service to only the vacated area shall be transferred to Sparrow Health systems for perpetual ownership, operation, maintenance, and replacement,
- The non-motorized access along Jerome St., between N Pennsylvania Ave. and N Holmes St. will be preserved,
- Easements for other existing utilities (water, electric, street lighting, communications) shall be reserved,
- The agreement with ACD for their cell network antenna will need to be transferred to/renegotiated with Sparrow.

Staci Bakkegard, Executive Director of Facilities, Sparrow Health Systems, stated that there was just a timeframe issue with finalizing the resolution, but all realities of the request are the same as last summer. Sparrow Health Systems agrees with City staff's recommended conditions and has already finalized or is in the process of wrapping up all of them.

Chairperson Ruge asked if Sparrow has any plans for the residential block and houses that have been referenced by the public. Ms. Bakkegard replied that currently Sparrow does not have final plans for them.

Mr. Morgan asked for details about a noise mitigation plan. Ms. Bakkegard stated that the equipment that Sparrow is installing is quieter and more efficient and spoke briefly about the temporary unit at the Professional Building during summer 2021. The pandemic-induced supply chain issue delayed equipment installation far longer than they had anticipated. The Central Utility building will also see upgrades during future redevelopment. Mr. Morgan asked if the updated equipment will be within the allowable City decibel level. Ms. Bakkegard replied that Sparrow can provide equipment specifications to the Board.

Mr. Morgan requested that Sparrow provide the results of any noise level tests that the Hospital has conducted during the last four years, if available. Ms. Bekkegard answered that she will provide any results that they can find.

Mr. Morgan asked when Sparrow Hospital first became aware of noise complaints. Ms. Bakkegard answered that to her knowledge they do not have any records of complaints made to the Hospital. Mr. Morgan stated that he remembers making a complaint himself four years ago.

Mr. Morgan made a motion, seconded by Mr. Cox, to recommend approval of Act-1-2020 - Jerome St., N Holmes St. Street Vacations, with the following conditions:

- Sparrow Health Systems shall enter into maintenance agreements for the traffic signals at Jerome St. & Pennsylvania Ave. and at Holmes St. & E Michigan Ave.,
- The street light agreement (for Jerome St.) with the Board of Water and Light shall be transferred to Sparrow Health Systems,
- The public sanitary sewers and public storm sewers that provide service to only the vacated area shall be transferred to Sparrow Health Systems for perpetual ownership, operation, maintenance and replacement,
- The non-motorized access along Jerome, from Pennsylvania to Holmes will be preserved,
- Easements for other existing utilities (water, electric, street lighting, communications) shall be reserved, and
- The agreement with ACD for their cell network antenna be transferred to/renegotiated with Sparrow Health Systems.

And with Planning Board Member Morgan's recommended conditions:

- Keep current and future Sparrow Hospital building operations at or below 55 decibels per the City's noise ordinance, Ordinance 654.07,
- Maintain the current road diverter at Jerome St. and N Holmes St.,
- Invest in green infrastructure along Sparrow Hospital's borders with residential neighborhoods, in accordance of City staff's input, as described by USDA's Forrest Service publication No. 1146: "Urban Forest Systems and Green Stormwater Infrastructure" February 2020. Trees should have a root ball of at least 36 inches and should be at least 20 feet tall.

On a roll call vote the motion carried unanimously (6-0).

8. REPORT FROM PLANNING OFFICE –

9. COMMENTS FROM THE CHAIRPERSON –

Mr. Ruge wished to comment that he found the amount of residential houses Sparrow Health Systems is leaving vacant alarming, especially the ones outside of the block bordered by E Michigan Ave, N Holmes St., Jerome St. and Ferguson St.

10. COMMENTS FROM BOARD MEMBERS –

11. PENDING ITEMS: FUTURE ACTION REQUIRED – None

12. ADJOURNMENT – The meeting was adjourned at 7:50 p.m.

Andy Schor, Mayor

ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: ACT-__________

DATE SUBMITTED:__________

Applicant: Sparrow Health Systems, by Tom Bres

Address *(including zip code)*: 1215 E. Michigan Ave., Lansing, MI 48912

Phone number: 517-364-2072

Fax number:

Email: Tom.Bres@sparrow.org

Interest in Property:

☐ Owner ☐ Represent owner ☐ Option to buy

☒ Other: Adjacent owner to existing roadway with sole property access to proposed road to be vacated.

If applicant of not the owner, or if there is more than one owner, provide the following information *(attach additional sheets if necessary)*:

Name of owner(s): City of Lansing

Address *(including zip code)*: 7th Floor City Hall, Lansing, MI 48933

Phone number(s):

Fax number:

Email:

SUBJECT PROPERTY GENERAL INFORMATION:

Address *(if any)*:

Location description: Jerome St. between Pennsylvania Ave. & Holmes St., Also Holmes St. between Michigan Ave. & Jerome St.

Permanent parcel #: 33-01-01-15-177-903 & 33-01-01-15-177-901

Legal description *(see note below)*: Jerome St. (33-01-01-15-177-903) & N. Holmes St. (33-01-01-15-177-901) and that part as platted in "Gower's Addition"

Applicant's proposal: To vacate Jerome St. from N. Pennsylvania Ave. to 1± foot east of back of curb at N. Holmes St., to vacate N. Holmes St. from E. Michigan Ave. to Jerome St. and to privatize the storm and sanitary sewers that provide service only to the vacated area., Easements will be reserved for all public utilities and for non-motorized vehicle pedestrian access as may be required by the City's Non-motorized Access Plan.

REQUESTED ACTION: (please check one)

_____ City Acquisition of Property   __✓__ Street or Alley Closure   _____ City Sale of Property

__✓__ Vacation of R.O.W   _____ Significant Change of Use of City Property

_____ Other: ______________________________

What positive impacts (if any) will occur as a result of approving this proposal?

Sparrow currently owns all properties on both sides of the proposed roads to be vacated. The City is currently funding maintenance and repairs for these public roads. If vacated, Sparrow will be responsible for all maintenance and repairs. Approval will provide Sparrow with additional options for re-development of the main hospital and former Eastern High School property.

What negative impacts (if any) will occur if this proposal is not approved?

The City will continue to fund maintenance and repairs for City streets that only serve properties owned by Sparrow. Sparrow's options to redevelop the main hospital and former Eastern High School property in conjunction with the Sparrow Main Campus Plan will be limited.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

There are no foreseen negative impacts.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

Involving land sales over $50,000	$100.00
Involving land sales under $50,000	$50.00

Signature of applicant:

_______________ / 4-14-20
JCT Date

Signature of owner(s):

_______________ / _______
Date

_______________ / _______
Date

_______________ / _______
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933
(517) 483-4066
FAX: (517) 483-6036

FILE: L:\1793 (SPARROW-EASTERN HIGH SCHOOL)\S\VACATION-PLAN.DWG – PLOT DATE: 4/16/2020 9:06 AM BY: Joseph Levi SCALE: 1:1

CURVE TABLE

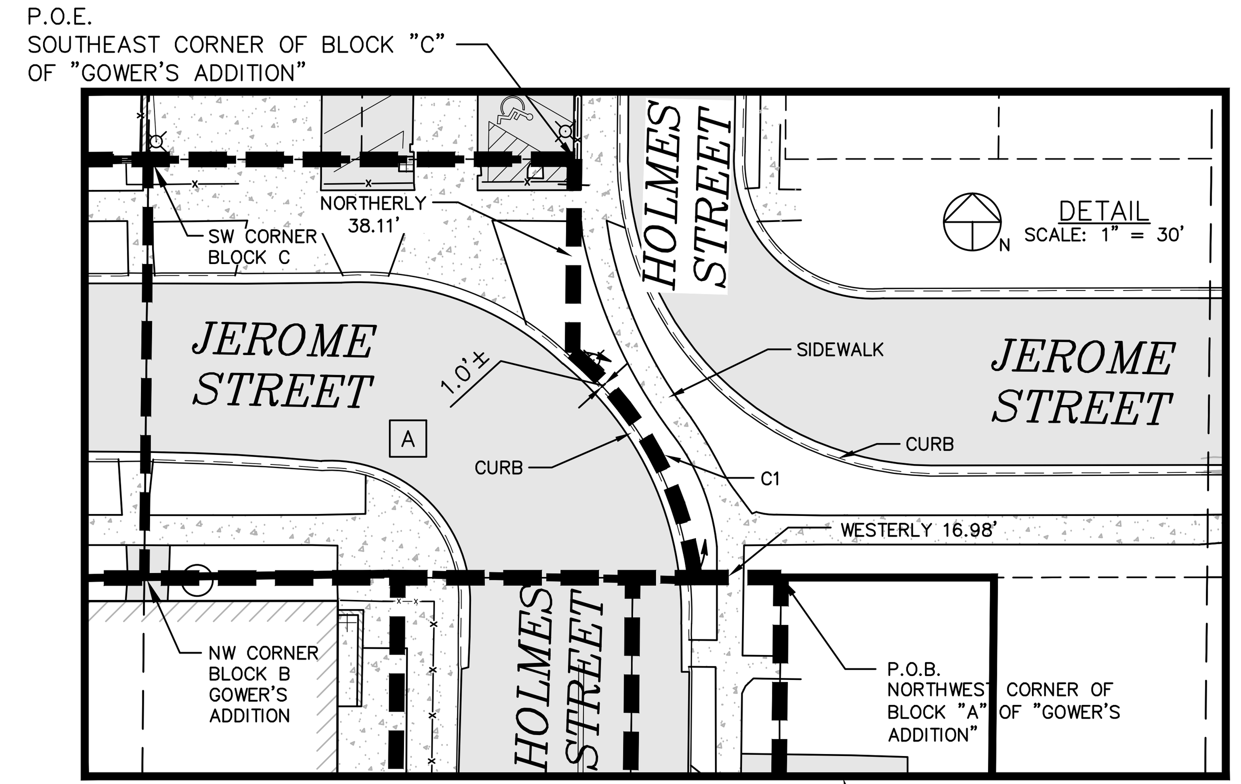
NUMBER	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH
C1	51.70'	69.39'	42°41'23"	NORTHWESTERLY	50.51'

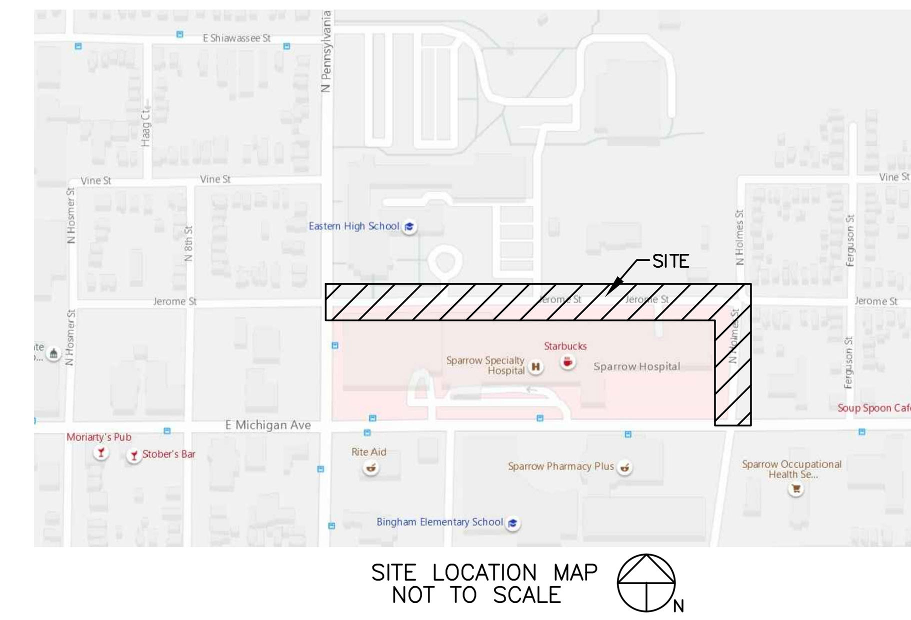
60 0 60 120 180

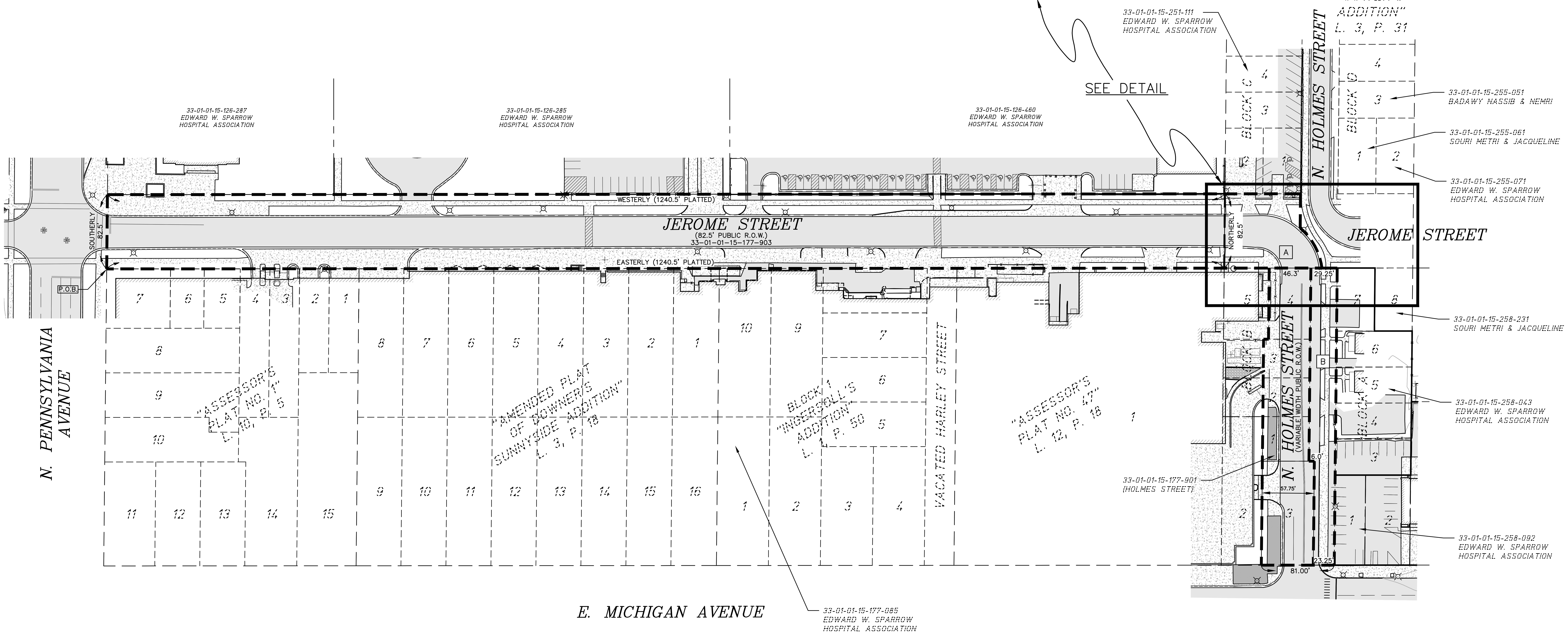
Scale 1" = 60'

LEGEND

LIMITS OF PROPOSED STREET VACATION AND EASEMENT







JEROME STREET DESCRIPTIONS

TAX PARCEL NUMBER: 33-01-01-15-177-903

PART OF THE NORTHWEST 1/4 OF SECTION 15, T4N,R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN BEING DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 7 OF "ASSESSOR'S PLAT NO. 1"; THENCE EASTERLY TO THE NORTHWEST CORNER OF BLOCK "B" OF "GOWER'S ADDITION"; THENCE NORTHERLY, 82.5 FEET TO THE SOUTHWEST CORNER OF BLOCK "C" OF SAID "GOWER'S ADDITION"; THENCE WESTERLY TO THE EAST LINE OF PENNSYLVANIA AVENUE; THENCE SOUTHERLY, 82.5 FEET TO THE POINT OF BEGINNING.

AND

A THAT PART OF JEROME STREET PLATTED IN "GOWER'S ADDITION" LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF BLOCK "A" OF "GOWER'S ADDITION"; THENCE WESTERLY, ALONG THE SOUTHERLY LINE OF JEROME STREET, 16.98 FEET; THENCE 51.70 FEET ALONG A 69.39 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 42°41'23" AND A CHORD OF NORTHWESTERLY, 50.51 FEET; THENCE NORTHERLY, 38.11 FEET TO THE SOUTHEAST CORNER OF BLOCK "C" OF "GOWER'S ADDITION" AND THE POINT OF ENDING.

HOLMES STREET DESCRIPTIONS

TAX PARCEL NUMBER: 33-01-01-15-177-901

LOT 3 OF "ASSESSOR'S PLAT NO. 47"; LOTS 1 AND 4, ALSO THE EASTERLY 51.75 FEET OF LOTS 2 AND 3 IN BLOCK "B" OF "GOWER'S ADDITION".

AND

B THAT PART OF HOLMES STREET PLATTED IN "GOWER'S ADDITION" LYING NORTH OF THE NORTH LINE OF MICHIGAN AVENUE AND SOUTH OF THE SOUTH LINE OF JEROME STREET.

GENERAL NOTES:

1) Drawing orientation based upon Michigan State Plane Coordinate System, South Zone.

2) See Sheet 2 of 2 for utilities within street right of ways.

DATE	DESCRIPTION	BY
4/9/20	ADDED UTILITIES TO STREET R.O.W.'S	JML
4/9/20	ROTATED TO STATE PLANE COORDINATES	JML
4/9/20	UPDATED ASSESSING INFO.	JML
6/14/17	MISC. REVISION	EAI
6/13/17	REVISE JEROME LEGAL DESCRIPTION	EAI
1/13/17	REVISED ROW PER CITY	WRW
9/7/16	DESCRIPTIONS	WRW
8/30/16	ROW REVISED AND PLATS ADDED	WRW
8/11/16	OWNER REQUESTED REVISION	SEP

REVISIONS/SUBMITTALS

LSG
Engineers & Surveyors

3135 PINE TREE ROAD
SUITE D
LANSING, MI 48911
PH. (517) 393-2902
FAX (517) 393-2608
www.lsg-es.com

PREPARED FOR:
SPARROW HEALTH SYSTEM
1215 E. MICHIGAN AVENUE
LANSING, MICHIGAN 48912

JEROME AND HOLMES STREET VACATION PLAN
FOR
SPARROW MAIN CAMPUS
1215 E. MICHIGAN AVENUE
LANSING, MICHIGAN 48912

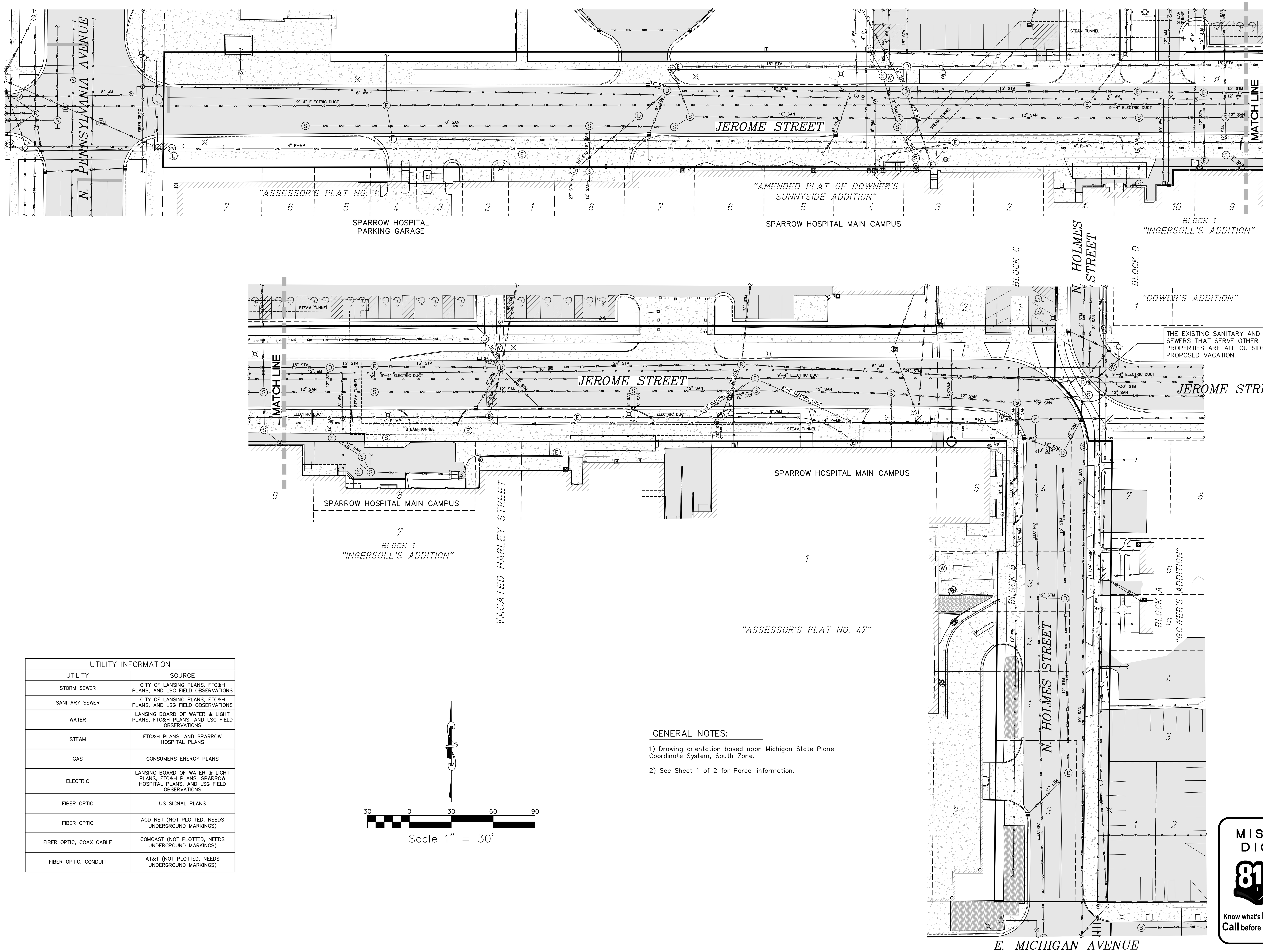
MISS DIG 811
Know what's below. Call before you dig.

FILE VACATION-PLAN.DWG
DESIGNED BY EAI
DRAWN BY JML
CHECKED BY DKR
DATE 8/10/2016

SCALE
HOR. 1" = 60'
VERT. N/A

PROJECT NO.
1793

SHEET NO.
1 OF 2



UTILITY INFORMATION	
UTILITY	SOURCE
STORM SEWER	CITY OF LANSING PLANS, FTC&H PLANS, AND LSG FIELD OBSERVATIONS
SANITARY SEWER	CITY OF LANSING PLANS, FTC&H PLANS, AND LSG FIELD OBSERVATIONS
WATER	LANSING BOARD OF WATER & LIGHT PLANS, FTC&H PLANS, AND LSG FIELD OBSERVATIONS
STEAM	FTC&H PLANS, AND SPARROW HOSPITAL PLANS
GAS	CONSUMERS ENERGY PLANS
ELECTRIC	LANSING BOARD OF WATER & LIGHT PLANS, FTC&H PLANS, SPARROW HOSPITAL PLANS, AND LSG FIELD OBSERVATIONS
FIBER OPTIC	US SIGNAL PLANS
FIBER OPTIC	ACD NET (NOT PLOTTED, NEEDS UNDERGROUND MARKINGS)
FIBER OPTIC, COAX CABLE	COMCAST (NOT PLOTTED, NEEDS UNDERGROUND MARKINGS)
FIBER OPTIC, CONDUIT	AT&T (NOT PLOTTED, NEEDS UNDERGROUND MARKINGS)

GENERAL NOTES:

1) Drawing orientation based upon Michigan State Plane Coordinate System, South Zone.

2) See Sheet 1 of 2 for Parcel information.

FILE: L:\1793 (SPARROW-EASTERN HIGH SCHOOL)\S\VACATION-PLAN.DWG – PLOT DATE: 4/16/2020 9:07 AM BY: Joseph Levi SCALE: 1:1

DATE	DESCRIPTION	BY
4/9/20	ADDED UTILITIES TO STREET R.O.W.'S	JML
4/9/20	ROTATED TO STATE PLANE COORDINATES	JML
4/9/20	UPDATED ASSESSING INFO.	JML
6/14/17	MISC. REVISION	EAI
6/13/17	REVISE JEROME LEGAL DESCRIPTION	EAI
1/13/17	REVISED ROW PER CITY	WRW
9/7/16	DESCRIPTIONS	WRW
8/30/16	ROW REVISED AND PLATS ADDED	WRW
8/11/16	OWNER REQUESTED REVISION	SEP

REVISIONS/SUBMITTALS

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PREPARED FOR:
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JEROME AND HOLMES STREET VACATION PLAN
FOR
SPARROW MAIN CAMPUS
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MISS DIG 811
Know what's below. Call before you dig.

FILE VACATION-PLAN.DWG
DESIGNED BY EAI
DRAWN BY JML
CHECKED BY DKR
DATE 8/10/2016
SCALE
HOR. 1" = 30'
VERT. N/A
PROJECT NO. 1793
SHEET NO. 2 OF 2

HOLMES STREET DESCRIPTIONS

TAX PARCEL NUMBER: 33-01-01-15-177-901

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Act-1-2020, Jerome St., N Holmes St. Street Vacations - SECOND REVIEW
RE: Received Email Correspondence

From: Eastfield Chair <eastfield.neighbor@gmail.com>
Sent: Saturday, December 4, 2021 6:34 PM
To: PlanningBoard@listserv.lansingmi.gov; Fedewa, Andrew
Cc: Skyin Yin; Pratap Sankar; Jennie Gies; Margaret Tassaro
Subject: [EXTERNAL] Eastfield Neighborhood's Amendments to Act 1 of 2020
Attachments: Block of Eastfied Neighborhood and Sparrow Properties.pdf; 2021.11 Sparrow Recurrent Noise Violations.pdf

Dear Planning Board Members,

Eastfield Neighborhood Association is writing to request additional conditions for Sparrow to meet in Act 1 of 2020. These requests are critical to the quality of life and vibrancy of Eastfield Neighborhood.

We request the following conditions to be included in Act 1 of 2020:
1. Keep current and future Sparrow building operations at or below the city’s noise ordinance of 55 decibels (654.07)
2. Invest in green infrastructure like “working trees” along its borders with residential neighborhoods as described by USDA’s Forest Service. We ask that trees planted must have a root ball that is significantly more than 36 inches and the trees are 20-feet or higher depending on the type of tree.
3. Provide copies of Sparrow’s construction, demolition and special permits to Eastfield Neighborhood Association at the same time permits are granted to Sparrow.
4. Maintain the current road diverter at Jerome and North Holmes Streets.

To provide context for the Eastfield Neighborhood Association’s location in Lansing, its northern boundary includes the Lansing School District property, Lansing Catholic High School property, and the Gillespie Group’s Armory property; southern boundary is East Michigan Avenue; eastern boundaries are 1929 Jerome Street and 1916 Jerome Street (up to but not including North Clemens Avenue); and western boundary is North Holmes Street.

For as long as Eastfield Neighborhood Association has been a neighborhood organization, interactions with Sparrow Hospital have been a balancing act. Sparrow is an incredible life- saving organization and resource for our neighborhood and the greater Lansing area. Many neighbors appreciate the ease of walking to Sparrow Hospital and its Urgent Care and are grateful for the care they’ve received. On the other hand, we’ve had and continue to have serious concerns about their growing footprint and physical impact on the health and environment of the Eastfield neighborhood.

Eastfield has two major issues with Sparrow which include the continuous noise pollution and the deterioration of Sparrow-owned residential homes on Ferguson and Jerome Streets. There have always been noise issues with Sparrow Hospital’s utility plant. This summer the noise pollution reached a deafening level to where neighbors on Jerome Street couldn’t sleep. This was due to Sparrow replacing its Professional Building’s air conditioning unit. The temporary air conditioning unit’s compressors faced out to the neighborhood instead of towards the Professional Building and produced a level of sound that deteriorated neighbors’ indoor and outdoor space. This replacement process lasted months. Once the air conditioning unit was fixed, Sparrow removed the wrongly placed, temporary air conditioning unit. However, this specific event galvanized neighbors to work together to address the ongoing noise pollution emitting from Sparrow’s utility plant located north of East Michigan Avenue.

This fall, neighbors started tracking the decibel levels coming from the hospital owing to repeated and persistent noise that interfered with peace both inside and outside of neighbors' homes. For the week of November 5th, the average decibel readings were between 66.5 to 68.6 decibels. The city's noise ordinance (654.07) for air conditioning and air handling devices or other compressors is 55 decibels. Neighbors heard continuous noise Saturday, Sunday, Monday, Tuesday and Thursday from 9 a.m. to 9 p.m. Please see attached the locations of decibel recordings. Sparrow will say that these are one-off events due to monthly testing. This is not true- it is ongoing.

The other major issue plaguing Eastfield Neighborhood is the deterioration of Sparrow-owned residential homes on Ferguson and Jerome Streets. In the past five years or so, Sparrow Hospital purchased swaths of properties on Ferguson Street and Jerome Street at exorbitant prices. Attached is a map of the properties owned by Sparrow Hospital. One day families living in them and the next day abandoned. With no communication or notification, Sparrow soon demolished two homes: 112 Ferguson Street and 1310 Jerome Street, until Eastfield Neighborhood Association reached out to Mayor Schor and Brian McGrain at the City's Economic and Development Planning Department. Sparrow has since stopped demolishing these historic centennial residential homes, but it is only a matter of time before they start again. As you can imagine, bulldozing residential blocks would only exacerbate the noise pollution from Sparrow with no barrier or buffer to the continuous and soon to be increasing noise.

We appreciate the open lines of dialogue with Sparrow's representatives, however it has done little to effect change with the major issues Eastfield neighbors have been experiencing in their own homes. It is our understanding that Act 1 of 2020 can be amended as any policy can be before any city council meeting, its committees and boards. Since Sparrow failed to meet its earlier obligation, we hope you will include Eastfield Neighborhood Association's conditions in Act 1 of 2020's second reiteration. Do you support Eastfield's amendments?

We look forward to continuing to work with you and Sparrow on ways to rectify the noise pollution and housing issues. If you have any questions, we would be happy to discuss the matter with you at your earliest convenience.

Sincerely,
Skyin Yin, President
Pratap Sankar, Secretary
Jennie Gies, Treasurer
Eastfield Neighborhood Association

---------- Forwarded message ----------
From: cpenabranst@aol.com
Date: Dec 5, 2021 11:14 PM
Subject: [EXTERNAL] Sparrow Hospital's Encroachment
To: "Betz, Brandon" <Brandon.Betz@lansingmi.gov>,Lansing Mayor <Lansing.Mayor@lansingmi.gov>,jennie.gies@gmail.com, yinxiaoyu725@gmail.com, mtassaro @gmail.com
Cc:

Hi Brandon,

I am a resident of the Eastfield neighborhood. I live on the 200 block of Ferguson St. and recently in the past months myself and some neighbors have heard a persistent humming noise that has affected our quality of life. Leaders and officers of our neighborhood Association have reached out to Sparrow only to have our concerns be blown off. While Sparrow is a private company, they are here to serve the public. Their temporary air conditioning compressor consistently exceeded prescribed acceptable noise levels as per ordinance. This is consistent with their behavior over the years, they treat our neighborhood as their property, which it quickly is becoming. They have been buying up properties along Jerome street to further their hunger for more parking. In the meantime, they cannot seem to maintain the properties they already own. While they are a very good hospital, they are not good neighbors and they do not seem to have any interest in becoming such.

We believe that the city needs to hold them accountable to a standard equivalent to their resources and position in the community.

Shannon and Todd Branstner, Eastfield neighborhood

From: johns21k@gmail.com
Sent: Monday, December 6, 2021 8:47 AM
To: Stachowiak, Susan; Fedewa, Andrew
Subject: [EXTERNAL] Fwd: Eastfield Neighborhood's Amendments to Act 1 of 2020
Attachments: Block of Eastfied Neighborhood and Sparrow Properties.pdf; 2021.11 Sparrow Recurrent Noise Violations.pdf

Good Morning Sue & Andy -

I hope you are well. I wanted to share this communication in case you hadn't seen it.

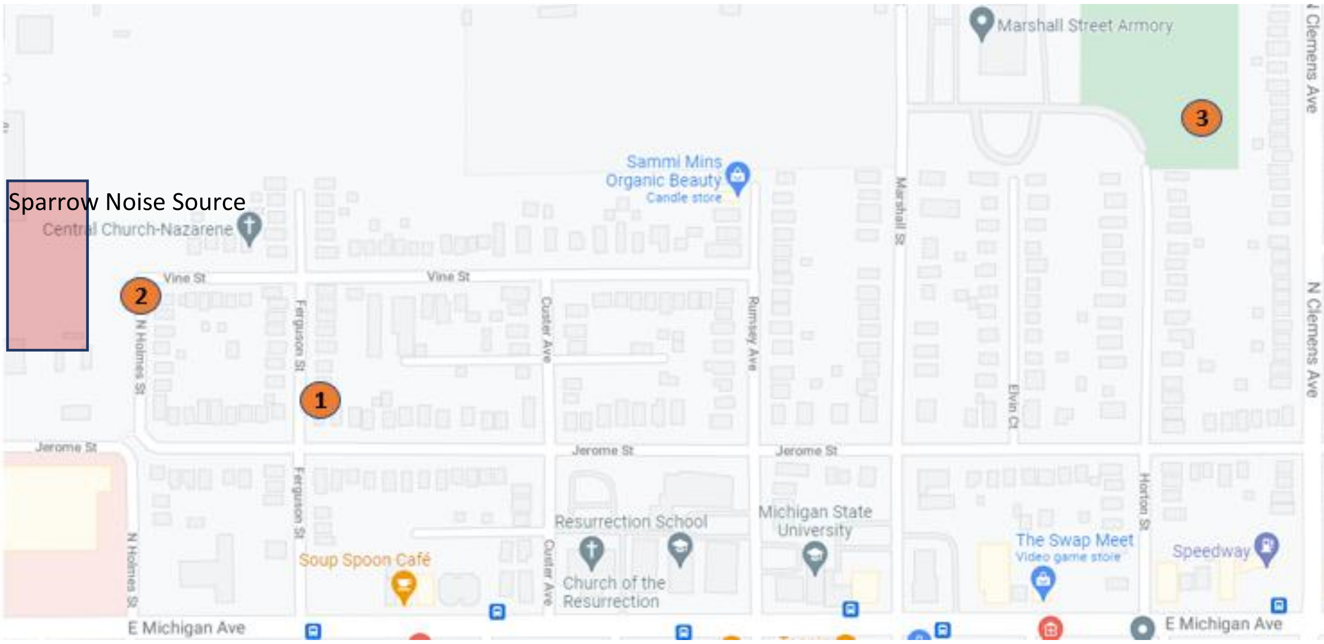
I did also want to share my personal experience with this issue. I have visited homes of friends around the Jerome street area over the last several months and have noted how loud these units are, coming from Sparrow.

While I cannot attend the meeting tomorrow I did want to share my sentiment as I believe it is an issue that needs to be addressed.

Thank you,
Katie
[*Katie Alexander, Planning Board Member*]

Sparrow's Recurrent Noise Violation

Map depicting locations of recurrent noise from Sparrow (red shaded area): Corner of Holmes and Vine, Ferguson and Jerome, and as far as children's playground behind the Marshall Street Armory. Decibels measured at these locations the week of November 5th, and neighbors heard continuous humming that Saturday, Sunday, Monday, Tuesday and Thursday from 9 a.m. through 9 p.m.

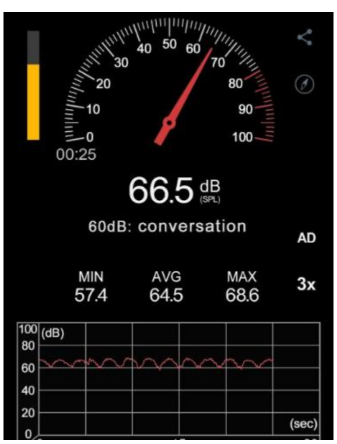


1. **<u>Corner of Ferguson & Jerome St:</u>**
   A. Video with window open
   https://www.dropbox.com/s/rzpdjnflpg7ft0n/VID_20211116_125331.mp4?dl=0

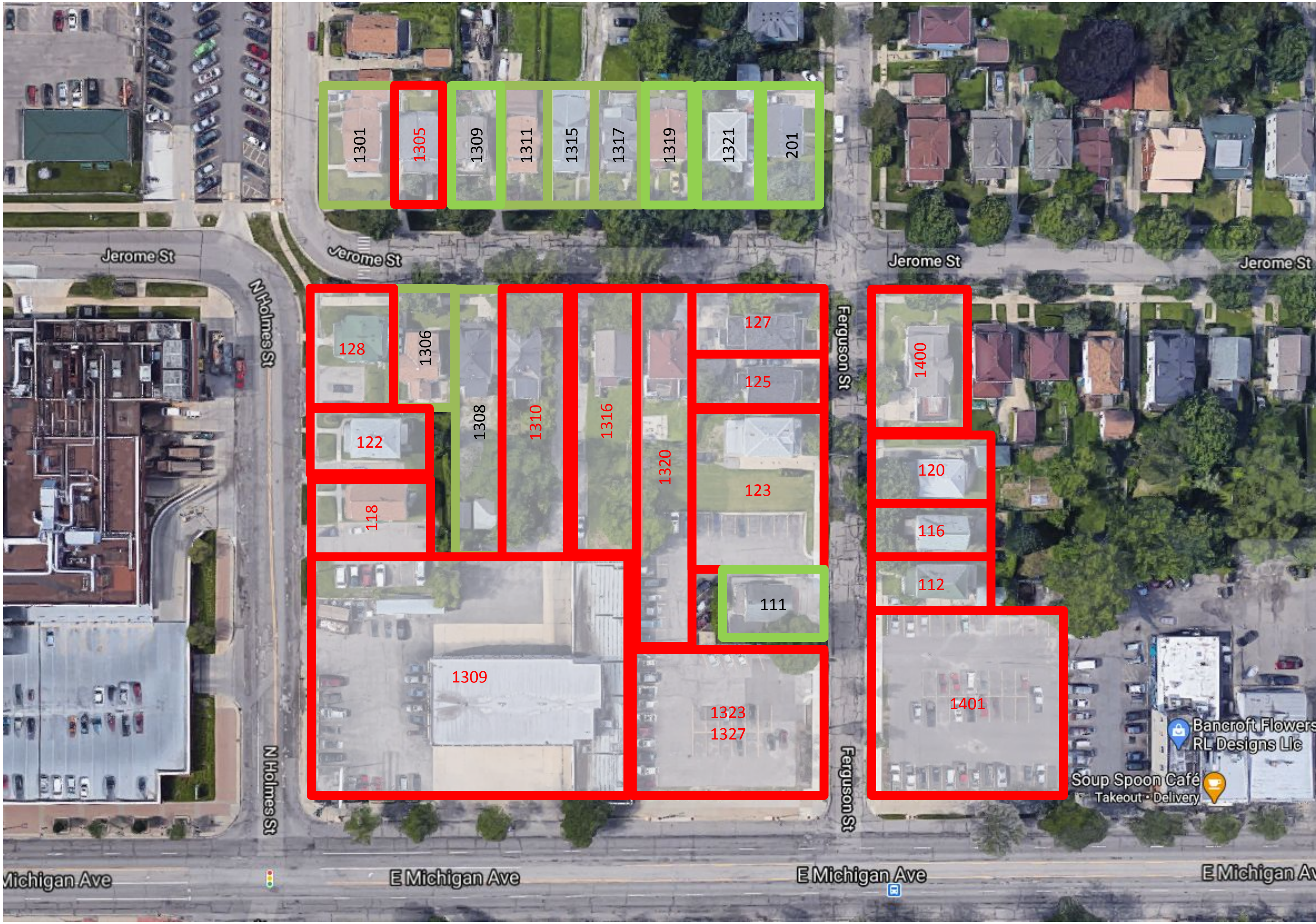
   B. Video with window closed
   https://www.dropbox.com/s/q4olmuhi9asg4f7/VID_20211116_124815.mp4?dl=0

2. **<u>Corner of Holmes & Vine St</u>**
   A. Video of sound heard from the street
   https://www.dropbox.com/s/08na51uvjfhlhmm/20211107_122903.mp4?dl=0

   B. Screenshot of decibel readings (avg of 66.5 dB, max of 68.6 dB)



3. **<u>Children's playground behind Armory</u>**
   A. Pulsating sound clearly audible at this location



EDWARD W SPARROW HOSPITAL ASSOC
JEROME STREET INVESTMENTS L L C

Other Property Owners

12/3/2021

Attn: Lansing City Council

Our names are Amy Arguello and Fidel Maureira and we are homeowners in the Eastfield Neighborhood (corner of Jerome and Ferguson). We would like to voice our concern on several issues related to our community and Sparrow Hospital.

When we first moved into 1401 Jerome, we were very excited to live in this neighborhood- easy walks to restaurant and coffee shops, close proximity to the hospital and our work at MSU, and a vibrant neighborhood association. However, in the last few years, we have been saddened to see Sparrow's interactions with our neighborhood.

First, Sparrow demolished a centennial home without any warning to our neighborhood association- despite the fact that several children play near the area and could have been put at risk for exposure to lead/dust/debris. After the demolishing of this home, Sparrow representatives started to attend the Eastfield Association monthly meetings.

However, at our monthly meeting it was brought up that Sparrow intended to demolish all the centennial homes they purchased along Jerome (2X over market rate) to build a parking lot. Police tactical training was conducted in one of the abandoned homes without any notice to the community, police have regularly removed people who are sheltering in the homes and a patient from Sparrow hid in a garage of a fellow neighbor with a full police search and K9 unit along Jerome and Ferguson.

Lastly, the noise pollution from Sparrow's air handling and facility systems has been recorded to be over the city's ordinance. This permanent noise pollution is heard within our home and as far as the Armory garden and playground. All the above-mentioned issues have deteriorated our trust with Sparrow's commitment to being a good neighbor and has significantly jeopardized the integrity of our vibrant community.

We request that Sparrow is transparent on their plans regarding new building infrastructure near our neighborhood and how they will buffer the noise and environmental impact to our community.

Below are links of video recording of the noise pollution from Sparrow.

Corner of Ferguson & Jerome St:

A. Video with window open
   https://www.dropbox.com/s/rzpdjnflpg7ft0n/VID_20211116_125331.mp4?dl=0

B. Video with window closed
   https://www.dropbox.com/s/q4olmuhi9asg4f7/VID_20211116_124815.mp4?dl=0

Corner of Holmes & Vine St

A. Video of sound heard from the street
   https://www.dropbox.com/s/08na51uvjfhlhmm/20211107_122903.mp4?dl=0

December 7, 2021

City of Lansing Planning Board
124 W. Michigan Ave.
Lansing, MI 48933

Dear Lansing Planning Board Members:

On behalf of the Lansing Regional Chamber of Commerce, we respectfully ask for your support of an expected recommendation from the City of Lansing Planning Board in support of Sparrow Health System's request to vacate Jerome and North Holmes Streets related to their future development projects.

On July 7, 2020, the Planning Board voted unanimously (6-0) in support of the proposal. On August 10, 2020, Lansing City Council also voted in unanimous support (8-0) of the resolution (Act-1-2020). Due to various delays in meeting the conditions included in the resolution, the resolution has expired.

It is our understanding the Planning Board will again consider the request today, December 7, 2021. If the request is supported, we ask for Lansing City Council to act swiftly and vote in favor of the request, with the minor details in the conditions to be addressed in an appropriate time with city departments.

Sparrow Health System's request is related to their public announcement in September where they shared plans to invest more than $800 million in our region over the next four years. On Michigan Avenue Sparrow plans to construct a new five-story patient tower, expand their Level 1 Trauma Center emergency department, and construct the ambulatory surgery center, already in process. Vacating Jerome and North Holmes Streets is necessary for their development.

This request aligns with the Chamber's policy priorities related to jobs and the economy, talent and workforce development, economic development, and healthcare accessibility.

This is an exciting opportunity for the city of Lansing as well as our entire region. If you have any questions, please feel free to contact me.

Sincerely,

Tim Daman

Tim Daman
President & CEO

c. Andy Schor, Mayor, City of Lansing
c. Chris Swope, Clerk, City of Lansing
c. Lansing City Council

DRAFT

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-1-2020, Jerome St., N Holmes St. Street Vacations

WHEREAS, Sparrow Health Systems, 1215 E Michigan Ave. Lansing, MI has requested that the City vacate that portion of Jerome Street between N Holmes Street and N Pennsylvania Avenue and vacate that portion of N Holmes Street between Jerome Street and E Michigan Avenue; and

WHEREAS, Sparrow Health Systems owns all parcels of land on both sides of the subject rights-of-way; and

WHEREAS, on July 7, 2020, the Planning Board reviewed the proposal for the vacations of the subject rights-of-way, and found that:

- Both subject rights-of-way are platted, deeded, and parceled,
- Both subject parcels will be owned by Sparrow Health Systems; and

WHEREAS, the Planning Board voted unanimously (6-0) on the proposal to recommend the vacation of that portion of the Jerome Street between N Holmes Street and N Pennsylvania Avenue and the vacation of that portion of N Holmes Street between Jerome Street and E Michigan Avenue with the following conditions:

- Sparrow Health Systems will enter into a maintenance agreement for the signals at Jerome St. & N Pennsylvania Ave. and at Holmes St. and E. Michigan Ave.,
- The street light agreement (for Jerome St.) with Board of Water and Light will be transferred to Sparrow Health Systems,
- The non-motorized access along Jerome, between Pennsylvania Ave. and Holmes St. will be preserved,
- Easements for existing utilities (water, electric, street lighting, communications) will be reserved,
- The agreement with ACD for their cell network antenna will need to be transferred to/renegotiated with Sparrow; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith; and

WHEREAS, on December 7, 2021 the Planning Board again reviewed the proposal for the vacations of the subject rights-of-way, made the same findings, and again voted unanimously (6-0) on the proposal to recommend vacation, but with the following additional conditions:

- The public sanitary sewers and public storm sewers that provide service to only the vacated area shall be transferred to Sparrow Health systems for perpetual ownership, operation, maintenance, and replacement,

- Sparrow must keep current and future Sparrow Hospital building operations at or below 55 decibels per the City's noise ordinance, Ordinance 654.07,
- Maintain the current road diverter at Jerome St. and N Holmes St.,
- Sparrow must invest in green infrastructure along Sparrow Hospital's borders with residential neighborhoods, in accordance of City staff's input, as described by USDA's Forrest Service publication No. 1146: "Urban Forest Systems and Green Stormwater Infrastructure" February 2020. Trees should have a root ball of at least 36 inches and should be at least 20 feet tall; and

WHEREAS, the Committee of the Whole has reviewed the report and recommendation of the Planning Board, and concurs therewith, [including only the first additional condition].

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-1-2020, and approves the vacations of the subject rights-of-way, particularly described as:

That portion of the Jerome Street between N Holmes Street and N Pennsylvania Avenue legally described as:

> Beginning at the Northwest corner of Lot 7 of "Assessor's Plat NO: 1"; Thence easterly to the Northwest corner of Block "B" of "Gower's Addition"; Thence northerly, 82.5 feet to the southwest corner of Block "C" of said "Gower's Addition"; Thence westerly to the east line of Pennsylvania Avenue; Thence southerly, 82.5 feet to the point of beginning.

And

> That part of Jerome Street platted in "Gower's Addition" lying westerly of a line described as follows: Beginning at the Northwest corner of Block "A" of Gower's Addition; Thence westerly, along the southerly line of Jerome Street, 16.98 feet; Thence 51.70 feet along a 69.39 foot radius curve to the left, said curve having a central angle of 42°41'23" and a chord of northwesterly, 50.51 feet; Thence northerly, 38.11 feet to the southeast corner of Block "C" of "Gower's Addition" and the point of ending.

And that portion of N Holmes Street between Jerome Street and E Michigan Avenue legally described as:

> Lot 3 of "Assessor's Plat NO: 47"; Lots 1 and 4, also the easterly 51.75 feet of Lots 2 and 3 in Block "B" of "Gower's Addition".

And

> That part of Holmes Street platted in "Gower's Addition" lying north of the north line of Michigan Avenue and south of the south line of Jerome Street.

With the following conditions:

- Sparrow Health Systems shall enter into maintenance agreements for the traffic signals at Jerome St. & N Pennsylvania Ave. and at Holmes St. and E Michigan Ave.,
- The street light agreement (for Jerome St.) with the Board of Water and Light shall be transferred to Sparrow Health Systems,
- The non-motorized access along Jerome St., between N Pennsylvania Ave. and N Holmes St. will be preserved,
- Easements for other existing utilities (water, electric, street lighting, communications) shall be reserved,
- The agreement with ACD for their cell network antenna will need to be transferred to/renegotiated with Sparrow,
- The public sanitary sewers and public storm sewers that provide service to only the vacated area shall be transferred to Sparrow Health systems for perpetual ownership, operation, maintenance, and replacement; and

BE IT FURTHER RESOLVED, that the Mayor and his Administration on behalf of the City may execute the necessary agreements described above to fulfil the conditions of this resolution, prior to vacation taking effect, subject to approval as to form by the City Attorney.

BE IT FURTHER RESOLVED, that upon the conditions above being met, and evidence of the same being presented to the City Clerk, the City Clerk shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Licensing and Regulatory Affairs, Office of Land Survey and Remonumentation (OLSR), the Planning and Assessor’s Offices, the Department of Public Service, and the applicant. The vacation shall be effective upon the date of recording of the resolution with the Ingham County Register of Deeds.

BE IT FINALLY RESOLVED, that if the conditions in this resolution are not met within 6 months of its passage, no vacation shall occur and this resolution shall expire and be of no further effect.

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

WHEREAS, in Resolution 2021-093, the City of Lansing established three Social Districts within the City, the Downtown Social District, the REO Town Social District, and the Old Town Social District; and

WHEREAS, Sidecar Lansing, LLC DBA Sidecar Slider Bar, 500 E Michigan Ave, Lansing MI 48912 is located within the previously established commons area of the Downtown Social District; and

WHEREAS, The Potent Potables Project, LLC DBA The Creole Burger Bar & Southern Kitchen, 1218 Turner Rd, Lansing MI 48906 is located within the previously established commons area of the Old Town Social District; and

WHEREAS, both Sidecar Slider Bar and The Creole Burger Bar & Southern Kitchen have requested that the City of Lansing approve each as a qualified entity that may apply for a social district permit issued by the Michigan Liquor Control Commission; and

WHEREAS, the COMMITTEE OF THE WHOLE met on December 13, 2021 to review the request with affirmative action taken; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Sidecar Lansing, LLC DBA Sidecar Slider Bar, 500 E Michigan Ave, Lansing MI 48912 to be added as a qualified licensee to the Downtown Social District.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Lansing City Council, hereby, approves the request from The Potent Potables Project, LLC DBA The Creole Burger Bar & Southern Kitchen, 1218 Turner Rd, Lansing MI 48906 to be added as a qualified licensee to the Old Town Social District.

BE IT FINALLY RESOLVED, the City Clerk is shall notify the Michigan Liquor Control Commission of the addition of the above two entities as qualified licensees who may apply for a social district permit.

INTRODUCTION OF ORDINANCE

Council Member Hussain introduced

> An Ordinance of the City of Lansing, Michigan, to amend Chapter 890 of the Lansing Codified Ordinances by amending section 890.01, to reform guidelines for poverty exemptions for real property and to include income and assets of all owners as criteria for eligibility and modify the percentage of relief granted during each year of exemption, consistent with state law.

The Ordinance is read a first time by its title and referred to the Committee of the Whole.

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 10, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 W. Michigan Avenue, Lansing Michigan, for the purpose of:

> Approving or opposing the amendment to Chapter 890 of the Lansing Codified Ordinances by amending section 890.01, to reform guidelines for poverty exemptions for real property and to include income and assets of all owners as criteria for eligibility and modify the percentage of relief granted during each year of exemption, consistent with state law.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, January 10, 2022, at 7:00 p.m. in the Tony Benavides Lansing Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an Ordinance of the City of Lansing, Michigan, to Amend Chapter 890 of the Lansing Codified Ordinances by amending Section 890.01, to reform guidelines for poverty exemptions for real property and to include income and assets of all owners as criteria for eligibility and modify the percentage of relief granted during each year of exemption, consistent with state law.

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

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

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 890 OF THE LANSING CODIFIED ORDINANCES BY AMENDING SECTION 890.01, TO REFORM GUIDELINES FOR POVERTY EXEMPTIONS FOR REAL PROPERTY AND TO INCLUDE INCOME AND ASSETS OF ALL OWNERS AS CRITERIA FOR ELIGIBILITY AND MODIFY THE PERCENTAGE OF RELIEF GRANTED DURING EACH YEAR OF EXEMPTION, CONSISTENT WITH STATE LAW.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 890, Section 890.01 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

890.01. - Adoption.

Pursuant to MCL 211.7u, as amended, the City hereby adopts the following guidelines for the City Assessor and Board of Review to implement poverty exemptions for property that qualifies under MCL 211.7dd as a principal residence from taxation. The guidelines shall include, but not be limited to, the specific income and asset levels of the claimant and all persons residing in the household of the claimant including the contributions of other parties to support the claimant. THE INCOME AND ASSET LEVELS OF ALL OWNERS OF THE PROPERTY SHALL ALSO BE CONSIDERED.

To be eligible for a poverty exemption from such taxation, a person shall meet all of the following on an annual basis:

(a) Be an owner of and occupy as a principal residence the property for which an exemption is requested;

(b) File a claim with the City Assessor or Board of Review on a form provided by the City Assessor, accompanied by Federal and State income tax returns for all persons residing in the principal residence including the contributions of other parties to support the claimant AS WELL AS ANY OTHER OWNERS OF THE PROPERTY;

(c) Produce a valid driver's license or other form of identification if requested;

(d) Produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested, if such proof of ownership is requested by the Assessor or Board of Review;

(e) Meet the Federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under authority of Section 673 of Subtitle B of Title VI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, 42 U.S.C. 9902;

(f) File a claim for exemption after January 1, but before the day prior to the last day of the DECEMBER Board of Review meeting; and

(g) Have assets, not including ~~homestead~~THE PRINCIPAL RESIDENCE, less than five times annual household income.

~~Any relief granted is a reduction over and above the maximum homestead property tax credit granted, or which would have been granted had the claimant applied, by the State of Michigan~~RELIEF GRANTED THE FIRST YEAR OF EXEMPTION APPROVAL IS 100%. UNLESS THE APPLICANT HAS A FIXED INCOME AND IS OVER THE AGE OF 65 OR PERMANENTLY DISABLED; THE TAXABLE VALUE REDUCTION WILL BE 50% IN SUBSEQUENT YEARS 2 THROUGH 4; THE TAXABLE VALUE REDUCTION WILL BE 25% IN YEAR 5 AND THEREAFTER.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

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 on December 31, 2029.

Andy Schor
Mayor

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

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

November 19, 2021

Hon. Peter Spadafore
President, Lansing City Council
124 W Michigan, Floor 10
Lansing, MI 48933

Council President Spadafore and Members of the Lansing City Council,

I am writing to request that the Lansing City Council take up the recently-introduced resolution allowing the Mayor to negotiate a multi-year contract, if necessary, with the police department and fire department chief candidates.

As you know, Lansing City Charter provision 6-401 requires that employment contracts for City department directors be limited to a maximum term of one year. Additionally, in the event that a position cannot reasonably be filled with a qualified individual an exemption may be made upon written recommendation of the mayor and the approval of City Council by resolution.

With the recent turnover in these departments, I believe that a multi-year candidate could provide stability that we need for both of these departments. Additionally, I believe we will ensure that we have the best candidates for each of these positions if we have this tool in the toolbox to offer to someone.

Additionally, adoption of this resolution will make Lansing more competitive with other employers by providing potential hires with job stability. The City is currently recruiting candidates nationwide; we need to be sure we have a competitive advantage to recruit by allowing for longer-term contracts as is done in other communities.

Thank you for your consideration of this request and the resolution sent to City Council.

Sincerely,

Andy Schor
Mayor
City of Lansing

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

WHEREAS, the Lansing City Charter provision 6-401 requires that employment contracts for City department directors be limited to a maximum term of one year; and

WHEREAS, in the event that a position cannot reasonably be filled with a qualified individual under the terms enumerated in Charter provision 6-401, an exemption may be made upon written recommendation of the mayor and the approval of City Council by resolution; and

WHEREAS, the City of Lansing is actively searching for a Police Chief and Fire Chief; and

WHEREAS, the Mayor has sent a written recommendation to City Council requesting that an exemption be made to the one-year contract limitation of Charter provision 6-401 for the current open positions of Police Chief and Fire Chief; and

WHERAS, the quality of candidates for the position of Police Chief and Fire Chief would be enhanced, if the City could offer a multi-year employment agreement

NOW, THEREFORE BE IT RESOLVED, that City Council approves the recommended exemption to Charter provision 6-401, and therefore will allow the Mayor to offer a multi-year employment agreement to a qualified candidate for the current open positions of Police Chief and Fire Chief;

BE IT FINALLY RESOLVED THAT, once the Police Chief and Fire Chief positions have been filled, any additional requests for exemptions shall be made via written recommendation for City Council review and approval.

Draft

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

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

A RESOLUTION ENACTED UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SEWAGE DISPOSAL SYSTEM REVENUE BONDS FOR THE PURPOSES OF PAYING FOR IMPROVEMENTS TO THE SYSTEM, AND PAYING COSTS RELATING THERETO; AUTHORIZING DETERMINATION STANDING AND PRIORITY OF LIEN WITH RESPECT TO OUTSTANDING SEWAGE DISPOSAL SYSTEM REVENUE BONDS OF THE CITY ISSUED UNDER CITY ORDINANCE NO. 29-A, AS AMENDED AND SUPPLEMENTED; PROVIDING FOR RETIREMENT AND SECURITY OF THE BONDS HEREIN AUTHORIZED AND PROVIDING FOR OTHER MATTERS RELATIVE THERETO.

WHEREAS, the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the ***"City"***) by Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 31-A, 32-A, 33-A, 35-A, 838, 873, 993, 0544, 2010-423 and 2012-269 (collectively, the ***"Outstanding Bond Ordinances"***) has provided for the issuance by the City of Sewage Disposal System Revenue Bonds; and

WHEREAS, the State of Michigan Department of Environment, Great Lakes, and Energy (***"EGLE"***), through its Administrative Consent Order #ACO-05153 (the ***"Consent Order"***) dated December 12, 2019, ordered the City to abate raw sewage overflows from its sewerage collection system; and

WHEREAS, EGLE and the City have agreed to implement the Wet Weather Control Program State Revolving Fund Project Plan, as amended (the ***"Wet Weather Control Program Project Plan"***), in compliance with the Consent Order;

WHEREAS, it is now deemed necessary by the City Council of the City (the ***"Council"***) to equip, improve, rehabilitate, acquire, construct and install certain improvements to the City's Sewage Disposal System (the ***"System"***), including but not limited to sanitary sewer overflow remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements (the ***"2022 SRF Improvements"***) in compliance with the plans approved under the Consent Order and according to the Wet Weather Control Program Project Plan; and

WHEREAS, Act 94, Public Acts of Michigan, 1933, as amended (***"Act 94"***), authorizes the Council to issue bonds under Act 94 without submitting the proposition to the voters of the City for approval and without publishing a notice of intent when the bonds are issued to comply with an order or permit requirement of a state or federal agency of competent jurisdiction to prevent or limit pollution of the environment; and

WHEREAS, the City intends to finance construction and acquisition of the 2022 SRF Improvements through issuance of sewage disposal system revenue bonds (the ***"2022 SRF Bonds"***), and to sell the 2022 SRF Bonds to the Michigan Finance Authority (the ***"Authority"***); and

WHEREAS, Section 19 of Ordinance No. 29-A authorizes the issuance of revenue bonds of equal standing and priority of lien with the Outstanding Bonds authorized by the Outstanding Bond Ordinances as follows:

> (a) For subsequent repairs, extensions, enlargements and improvements to the System or for the purpose of refunding part of any Bonds then outstanding and paying costs of issuing such Additional Bonds including deposits which may be required to be made to the Bond Reserve Account. Bonds for such purposes shall not be issued pursuant to this subparagraph (a) unless the average actual or augmented Net Revenues of the System for the then last two (2) preceding twelve month operating years or the actual or augmented Net Revenues for the last preceding twelve month operating year, if the same shall be lower than the average, shall be equal to at least one hundred thirty (130%) percent of the maximum amount of principal and interest thereafter maturing in any operating year on the then outstanding Bonds and on the Additional Bonds then being issued. If the Additional Bonds are to be issued in whole or in part for refunding outstanding Bonds the maximum annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the annual principal and interest requirements of any Bonds to be refunded from the proceeds of the Additional Bonds. For purposes of this subparagraph (a) the City may elect to use as the last preceding operating year any operating year ending not more than sixteen months from the date of delivery of the Additional Bonds and as the next to the last preceding operating year, any operating year ending not more than twenty-eight months from the date of delivery of the Additional Bonds. If the System rates, fees or charges shall be increased at or prior to the time of authorizing the Additional Bonds, the Net Revenues for each of the two preceding operating years shall be augmented by an amount reflecting the effect of the increase had the System's billings during such operating years been at the increased rates. In addition, the actual Net Revenues for each of the two preceding operating years may be augmented by the estimated increase in Net Revenues to accrue as a result of the acquisition of the repairs, extensions, enlargements and improvements to said System to be paid for in whole or in part from the proceeds of the Additional Bonds to be issued. In addition, the actual Net Revenues may be augmented by an amount equal to the investment income representing interest on

investments estimated to be received each operating year from the addition to the Bond Reserve Account to be funded from the proceeds of the Additional Bonds being issued. Determination by the Council as to existence of conditions permitting the issuance of Additional Bonds shall be conclusive. No Additional Bonds of equal standing as to the Net Revenues of the System shall be issued pursuant to the authorization contained in this subparagraph if the City shall then be in default in making its required payments to the Operation and Maintenance Fund or the Redemption Fund;

WHEREAS, the City has met or will meet all the conditions and requirements of Section 19 of Ordinance No. 29-A for the issuance of the proposed 2022 SRF Bonds as bonds of equal standing and priority of lien with the Outstanding Bonds issued pursuant to the Outstanding Bond Ordinances, or such 2022 SRF Bonds will be issued on a subordinate, junior lien basis to the Outstanding Bonds; and

WHEREAS, all things necessary to the authorization and issuance of the 2022 SRF Bonds under the Constitution and laws of the State of Michigan, particularly Act 94, the Charter and ordinances of the City, and the Outstanding Bond Ordinances, have been done or will be done, and the Council is now empowered and desires to authorize the issuance and sale of the 2022 SRF Bonds; and

WHEREAS, the Council wishes to authorize the Authorized Officers (as defined herein) to finalize the terms of the issuance and sale of the 2022 SRF Bonds without further resolution of the Council.

NOW, THEREFORE, THE CITY OF LANSING RESOLVES:

Section 1. Definitions. All terms not defined herein shall have the meanings set forth in the Outstanding Bond Ordinances and whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) "2022 SRF Construction Fund" means the 2022 SRF Construction Fund established pursuant to Section 10 of this Resolution for the deposit of the proceeds of the 2022 SRF Bonds for the purpose of constructing and acquiring the 2022 SRF Improvements.

(b) "2022 SRF Improvements" means the following improvements to the System: equipping, improving, rehabilitating, acquiring, constructing and installing certain improvements to the City's Sewage Disposal System, including but not limited to sanitary sewer overflow remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements as required under the Consent Order and evidenced in the Wet Weather Control Program Project Plan.

(c) "2022 SRF Bonds" means the Sewage Disposal System SRF Revenue Bonds, Series 2022 authorized by Section 5 of this Resolution for the purpose of paying for the 2022 SRF Improvements and paying the costs of issuing the 2022 SRF Bonds.

(d) "Authority" means the Michigan Finance Authority.

(e) "Authorized Officer" means any one of the following officials of the City: the Mayor, the Finance Director, or the Interim Finance Director.

(f) "Bond Reserve Requirement" means the lesser of (1) maximum annual debt service due on the Outstanding Bonds (including the 2022 SRF Bonds, if applicable), (2) 125% of the average annual debt service on Outstanding Bonds, or (3) 10% of the original aggregate face amount of each series of bonds currently outstanding, reduced by the net original issue discount, if any.

(g) "Outstanding Bonds" means any bonds currently outstanding under the Outstanding Bond Ordinances which have not been paid or defeased.

(h) "Outstanding Bond Ordinances" means Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 30-A, 31-A, 32-A, 33-A, 35-A, 838, 873, 993, 0544, 2010-423 and 2012-269.

(i) "SRF Program" means the State of Michigan Revolving Fund Program.

Section 2. Conditions Permitting Issuance of Additional Bonds. Pursuant to Section 19 of Ordinance 29-A, if the 2022 SRF Bonds will be of equal standing and priority of lien to the Outstanding Bonds, the Council hereby determines that the 2022 SRF Bonds will be issued within the following parameters:

(a) the average actual or augmented Net Revenues of the System for two consecutive preceding twelve-month operating years ending not more than twenty-eight months from the date of delivery of the 2022 SRF Bonds are equal to at least 130% of the maximum amount of principal and interest thereafter maturing in any operating year on the then Outstanding Bonds and the 2022 SRF Bonds, as required by Section 19(a) of Ordinance No. 29-A; and

(b) the City is not in default in making its required payments to the Operation and Maintenance Fund or the Redemption Fund established by Ordinance No. 29-A.

As applicable, an Authorized Officer shall determine that the conditions of the Outstanding Bond Ordinances including Section 19 of Ordinance 29-A for the issuance of the 2022 SRF Bonds have been met.

If the 2022 SRF Bonds will be issued on a subordinate, junior lien basis to the Outstanding Bonds, the 2022 SRF Bonds will otherwise be issued pursuant to the requirements of State of Michigan law, the Outstanding Ordinances and specifically the projected annual Net Revenues of the System after payment of the senior Outstanding Bonds will be at least 1.0x the annual principal and interest due on the 2022 SRF Bonds.

An Authorized Officer is authorized to direct the creation of such accounts and subaccounts within the Funds created by Ordinance 29-A, including but not limited to for the purposes of setting aside Revenues each month as described in Section 13 of Ordinance 29-A for the purpose of paying principal and interest on the 2022 SRF Bonds issued on a subordinate, junior lien basis to the Outstanding Bonds, after Revenues have been allocated as required for the Outstanding Bonds.

Section 3. Necessity of 2022 SRF Improvements. It is hereby determined to be necessary for the public health and welfare of the City to proceed to acquire and construct the 2022 SRF Improvements in accordance with approved plans and specifications.

Section 4. Cost and Useful Life of 2022 SRF Improvements. The cost of the 2022 SRF Improvements is estimated not to exceed Thirty Million Dollars ($30,000,000) including the payment of incidental expenses as specified in Section 5 of this Resolution, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the 2022 SRF Improvements is estimated to be not less than thirty (30) years.

Section 5. Payment of Costs of 2022 SRF Improvements and Authorization of 2022 SRF Bonds. It is hereby determined that the City shall borrow the sum of not-to-exceed Thirty Million Dollars ($30,000,000), as finally determined by an Authorized Officer upon the sale of thereof, and the 2022 SRF Bonds shall be issued pursuant to the provisions of Act 94 to pay the cost of acquiring and constructing the 2022 SRF Improvements, including the payment of engineering, legal, financial, bond insurance, underwriter's discount and other expenses incident thereto and incident to the issuance and sale of the 2022 SRF Bonds. The balance of the cost of the 2022 SRF Improvements, if any, will be paid from other funds of the City legally available therefor.

The 2022 SRF Bonds shall be designated as the SEWAGE DISPOSAL SYSTEM REVENUE BONDS (SRF PROJECT #5005-24), SERIES 2022, with such modifications as may be approved by an Authorized Officer, and, unless required by the Authority and as authorized by Act 94, shall not be a general obligation of the City, but be revenue bonds, payable solely out of the Net Revenues of the System. The 2022 SRF Bonds may constitute an Additional Bond as defined in the Outstanding Bond Ordinances, having equal standing and priority of lien as to the Net Revenues of the System with the Outstanding Bonds, or the 2022 SRF Bonds may be issued on a subordinate, junior lien basis to the Outstanding Bonds, as determined by an Authorized Officer.

Section 6. Year of Sale. If the 2022 SRF Bonds, or any series thereof, are not sold or delivered in calendar year 2022, then references to the name of the bonds, funds and accounts approved by this Resolution may be changed to reflect the year in which such bonds will be sold or delivered.

Section 7. 2022 SRF Bond Details. The 2022 SRF Bonds shall be issued in the form of one or more fully-registered, nonconvertible bonds, dated as of the date of delivery, payable in annual principal installments in the amounts and on the dates as determined by the order of the EGLE and approved by the Authority and the Authorized Officer, provided that the final payment on the 2022 SRF Bonds shall occur within the period of usefulness of the 2022 SRF Improvements as set forth in Section 4 of this Resolution. Final determination of the principal amount and the payment dates and amounts of principal installments of the 2022 SRF Bonds shall be evidenced by execution of a Purchase Contract (the ***"Purchase Contract"***) between the City and the Authority providing for sale of the 2022 SRF Bonds, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract.

The 2022 SRF Bonds shall bear interest at a rate or rates to be determined by the Authorized Officer at the time of execution of the Purchase Contract, but in any event not exceeding the maximum amount permitted by law, payable semiannually on the dates as determined in the Purchase Contract. In addition, if required by the Authority, the 2022 SRF Bonds will bear additional interest, under the terms required by the Authority, in the event of a default by the City in the payment of principal or interest on the 2022 SRF Bonds when due. The 2022 SRF Bonds principal amount is expected to be drawn down by the City periodically, and interest on each installment of the principal amount shall accrue from the date such principal installment is drawn down by the City. Principal installments of the 2022 SRF Bonds will be subject to prepayment prior to maturity as permitted by the Authority and approved by the Authorized Officer.

The Mayor and City Clerk are authorized to execute the 2022 SRF Bonds by manual or facsimile signature. If required, at least one signature on the 2022 SRF Bonds shall be a manual signature. The 2022 SRF Bonds shall have the facsimile corporate seal of the City printed or impressed thereon. The 2022 SRF Bonds may be transferred by the bondholder as provided in the 2022 SRF Bonds as executed.

Section 8. <u>State Revenue Sharing Pledge.</u> If required by the Authority, as additional security for repayment of the 2022 SRF Bonds, the Council agrees to pledge the state revenue sharing payments that the City is eligible to receive from the State of Michigan under Act 140, Public Acts of Michigan, 1971, as amended, to the Authority as purchaser and holder of the 2022 SRF Bonds. The Authorized Officer is authorized to execute and deliver a revenue sharing pledge agreement between the City and the Authority.

Section 9. <u>Applicability of the Outstanding Bond Ordinances.</u> Except to the extent supplemented or otherwise provided in this Resolution (such as if the 2022 SRF Bonds are issued on a subordinate basis to the Outstanding Bonds), the provisions and covenants provided in the Outstanding Bond Ordinances shall apply to the 2022 SRF Bonds issued pursuant to provisions of this Resolution, such provisions of said Ordinances being made applicable to the 2022 SRF Bonds herein authorized, the same as though said 2022 SRF Bonds were originally authorized and issued as a part of the Outstanding Bonds issued pursuant to the Outstanding Bond Ordinances.

Section 10. <u>2022 SRF Bond Proceeds.</u> The proceeds of the sale of the 2022 SRF Bonds as received by the City shall be deposited in an account separate from other money of the City and held in a bank or banks qualified to act as depository of the proceeds of sale under the provisions of Section 15 of Act 94 designated "2022 SRF Project Construction Fund" (the "***2022 SRF Construction Fund***"). Moneys in the 2022 SRF Construction Fund shall be applied solely in payment of the cost of the 2022 SRF Improvements including any engineering, legal and other expenses incident thereto and to the costs of issuance of the 2022 SRF Bonds. Any balance remaining in the 2022 SRF Construction Fund after completion of the 2022 SRF Improvements may be used for any other improvements to the System if such use is permitted by state law and will not cause the interest on the 2022 SRF Bonds to be included in gross income for federal income tax purposes within the meaning of the Internal Revenue Code. Any remaining balance shall be paid into the Redemption Fund and used as permitted by state law.

Section 11. Bond Reserve Requirement. The City hereby covenants and agrees with the holders of the Bonds that, if an Authorized Officer determines that the 2022 SRF Bonds shall have equal standing and priority of lien with the Outstanding Bonds, the City shall maintain on deposit in the Bond Reserve Account an amount not less than the Bond Reserve Requirement. If at any time there is any excess in the Bond Reserve Account over the Bond Reserve Requirement, such excess may be transferred to such fund or account as the City shall direct.

Section 12. Bond Form. The 2022 SRF Bonds shall be in substantially the following form subject to changes, including references to additional security, as may be required by the Authority:

[Form of Bond To Be Completed After Bond Sale]
United States of America
State of Michigan
Counties of Ingham and Eaton

CITY OF LANSING
SEWAGE DISPOSAL SYSTEM
REVENUE BOND (SRF PROJECT #5005-24), SERIES 2022

Interest Rate	Date of Maturity
___%	**[Month 1, 20__]**

Registered Owner: Michigan Finance Authority

Principal Amount: ___________ Dollars ($__________)

Date of Original Issue: __________, 2022

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the "City"), for value received, acknowledges itself to owe, and for value received hereby promises to pay, but only out of the hereinafter described Net Revenues of the City's Sewage Disposal System (hereinafter defined), to the Michigan Finance Authority (the "Authority") the principal amount of this Bond or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environment, Great Lakes, and Energy. During the time funds are being drawn down by the Issuer under this Bond, the Authority will periodically provide the Issuer a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the Issuer of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on Schedule I attached hereto and made a part hereof[, as Schedule I may be adjusted if less than $[amount] is disbursed to the City. Interest is first payable on [April 1, 202_/October 1, 202_], and semiannually thereafter, and principal is payable on the first day of [April/October] commencing [April 1, 202_/October 1, 202_] (as identified in the Purchase Contract) and annually thereafter.

The Bond is subject to prepayment by the City prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

Notwithstanding any other provision of this Bond, as long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at U.S. Bank National Association or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent (2%) above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the Issuer's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the Issuer shall and hereby agrees to pay on demand only the Issuer's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

For prompt payment of principal and interest on this Bond, the City has irrevocably pledged the revenues of its Sewage Disposal System, including all appurtenances, extensions and improvements thereto (the "System"), after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and a statutory lien thereon is hereby recognized and created. [This Bond is of [equal][junior] standing and priority of lien as to the Net Revenues of the System with the ______________.]

[This Bond is one of a series of bonds aggregating the principal sum of $______________, issued pursuant to Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 30-A, 31-A, 35-A, 838, 873, 993, 0544, 2010-423, and Ordinance No. 2012-269, and Ordinance No. _____, each duly adopted by the City Council of the City, and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan 1933, as amended for the purposes of constructing and acquiring improvements to the System, and refunding certain outstanding sewage disposal system revenue bonds of the City.]

For a complete statement of the revenues from which and the conditions under which this Bond is payable, a statement of the conditions under which additional bonds of equal standing may thereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinances. Copies of the Ordinances are on file at the office of the City Clerk and reference is made to the Ordinances and any and all supplements thereto and modifications and amendments thereof, if any, and to Act 94 for a more complete description of the pledges and covenants securing the bonds, the nature, extend and manner of enforcement of such pledges, the rights and remedies of the registered owners of the bonds with respect thereto and the terms and conditions upon which the bonds are issued and may be issued thereunder. To the extent and in the manner permitted by the terms of the Ordinances, the provisions of the Ordinances or any resolution or agreement amendatory thereof or supplemental thereto, may be modified or amended by the City, except in specified cases, only with the written consent of the registered owners of at least fifty-one percent (51%) of the principal amount of the bonds then outstanding.

[THIS BOND IS A SELF-LIQUIDATING BOND AND IS NOT A GENERAL OBLIGATION OF THE CITY AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATION, AND IS PAYABLE BOTH AS TO PRINCIPAL AND INTEREST, SOLELY FROM THE NET REVENUES OF THE SYSTEM AND CERTAIN FUNDS AND ACCOUNTS ESTABLISHED UNDER THE ORDINANCES. THE PRINCIPAL AND INTEREST ON THIS BOND ARE SECURED BY THE STATUTORY [FIRST][JUNIOR] LIEN HEREINBEFORE DESCRIBED.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law.

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

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

By___________________________________

Its Mayor

(SEAL)

Countersigned:

By_________________________________

Its City Clerk

[FORM OF SCHEDULE I]

Name of Issuer: CITY OF LANSING
EGLE Project No.: ________
EGLE Approved Amt:

SCHEDULE I

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the City is repaid. In the event the Order of Approval issued by the Department of Environment, Great Lakes, and Energy (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the City and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, or (2) that less than the principal amount of assistance approved by the Order is disbursed to the City by the Authority, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the City.

Due Date	Amount of Principal Installment

Interest on the bond shall accrue on principal disbursed by the Authority to the City from the date principal is disbursed, until paid, at the rate of ____% per annum, payable [date], and semi-annually thereafter.

The City agrees that it will deposit with [U.S. Bank National Association], or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

Section 13. Non-Arbitrage Covenant. The City covenants and agrees with the holders of the 2022 SRF Bonds that as long as any of the 2022 SRF Bonds remain outstanding and unpaid as to either principal or interest, the City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the 2022 SRF Bonds pursuant to the Internal Revenue Code of 1986, as amended (the ***"Code"***) in such a manner as to cause the 2022 SRF Bonds to be "arbitrage bonds" within the meaning of the Code. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exemption of interest on the 2022 SRF Bonds from gross income for federal income tax purposes, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of bond proceeds and moneys deemed to be bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the City with the 2022 SRF Bonds.

Section 14. Municipal Advisor. The City hereby confirms Robert W. Baird & Co., Incorporated, as Municipal Advisor for the 2022 SRF Bonds.

Section 15. Negotiated Sale; Application to EGLE and Authority. The Council has considered the option of selling the 2022 SRF Bonds through a competitive sale and a negotiated sale and determines that it is in the best interest of the City to negotiate ethe sale of the 2022 SRF Bonds to the Authority because the State Revolving Fund financing program provides significant savings to the City compared to a competitive sale in the municipal bond market. The Authorized Officer and the City's Director of Public Works are authorized to apply to the Authority and to EGLE for placement of the 2022 SRF Bonds with the Authority. The actions taken by the Authorized Officer and the Director of Public Works with respect to the 2022 SRF Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officer is authorized to sell the 2022 SRF Bonds to the Authority and to execute and deliver the Purchase Contract, the Supplemental Agreement and the Issuer's Certificate in the forms provided by the Authority. The Authorized Officer and the Director of Public Works are further authorized to execute and deliver such contracts, documents and certificates as are necessary or advisable to qualify the 2022 SRF Bonds for the State Revolving Fund program.

Section 16. Bond Counsel. The City hereby appoints Dykema Gossett PLLC as Bond Counsel with respect to the 2022 SRF Bonds notwithstanding Dykema's occasional representation of the Authority in other unrelated transactions.

Section 17. Other Actions. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and to facilitate issuance, sale, and delivery of the 2022 SRF Bonds, and to execute and deliver all other agreements, documents, and certificates and to take all other actions necessary or convenient to complete the issuance and delivery of the 2022 SRF Bonds in accordance with this Resolution, and to pay costs of issuance including bond counsel fees, Municipal Advisor fees, filing fees with State Treasury costs of printing the 2022 SRF Bonds bond counsel fees, and any other costs necessary to accomplish sale and delivery of the 2022 SRF Bonds. The Authorized Officer is authorized to determine final bond details for the 2022 SRF Bonds to the extent necessary or convenient to complete the transaction authorized by this Resolution, to exercise the authority and make determinations authorized pursuant to Section 7a(1)(c) of Act 94, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters.

Section 18. Repeal, Savings Clause. All ordinances, resolutions of orders, or parts thereof, in conflict with the provisions of the Ordinance are repealed.

Section 19. Severability; Paragraph Headings, and Conflict. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such action, paragraph, clause or provision shall not affect any of the other provisions of this Resolution. The paragraph headings in this Resolution are furnished for convenience of reference only and shall not be considered to a part of this Resolution.

Section 20. Publication and Recordation. This Resolution shall be published in full in the Lansing City Pulse, a newspaper of general circulation in the City of Lansing, qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the President of the Council and the City Clerk.

Section 21. Effective Date. As provided in Act 94, this Resolution shall be effective upon its adoption.

Passed and adopted by the City of Lansing, Counties of Ingham and Eaton, State of Michigan, on ____________, 2021.

[Remainder of page intentionally left blank]

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular Meeting held on __________ __, 2021, and that said meeting was conducted and public notice of said meeting was given pursuant to the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act No. 267.

I further certify that the following City Council members were present at said meeting: _______________________________ and that the following City Council members were absent: _______________.

I further certify that City Council member ___________moved adoption of said Resolution, and that the motion was supported by: _________. A second is not required under Mason's Manual of Legislative Procedure, which are the rules governing the City Council.

I further certify that the following City Council members voted for adoption of said Resolution, ____________________ and that the following City Council members voted against adoption of said Resolution. ____________

_________________ Lansing City Clerk.

076492.000038 4833-8622-3614.6

Draft

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

Resolution Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation

WHEREAS in 2017, the Lansing City Council declared the Opioid Epidemic that exists throughout this country, and in the City of Lansing specifically, to be a public nuisance and authorized the City to file suit against pharmaceutical companies that the City alleged to be responsible for the public nuisance and to seek recovery of past expenditures that the City has expended in abating the epidemic; and

WHEREAS, on or about December 19, 2017, the City of Lansing filed *City of Lansing v. Purdue Pharma L.P., et al;* Case No. 1:17-cv-01114 in the United States District Court, Western District of Michigan, to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants ("Settling Defendants"):

1. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
2. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
3. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
4. McKesson Corporation (a prescription opioids wholesaler distributor); and

WHEREAS the City's lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation,* MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge; and

WHEREAS the Settling Defendants have negotiated proposed national settlement agreements ("Proposed Settlements") with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to Lansing's lawsuit; and

WHEREAS the Proposed Settlements contain significant equitable and monetary relief, including:

1. An agreement by Janssen that it will discontinue the manufacture and distribution of prescription opioids products for at least the next ten years;
2. An agreement by Janssen that it will suspend any lobbying efforts that concern prescription opioids products;
3. The creation of a National Clearinghouse for wholesale distributors that will assist in the detection, suspension and reporting of suspicious orders of prescription opioids products; and
4. The payment of up to $26 billion (depending upon the level of participation of state and local governments in the Proposed Settlements) in funding installments over

the next 18 years, the bulk of which will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance; and

WHEREAS the City of Lansing has been advised that a State-Local Government Intrastate Agreement may be negotiated and entered between Litigating Local Governments (like the City of Lansing) and the State of Michigan that will govern the allocation of Proposed Settlement funds to local governments in the State of Michigan;

NOW, THEREFORE BE IT RESOLVED, upon execution of the above-referenced State-Local Government Intrastate Agreement, the City of Lansing authorizes the execution of Participation Agreements for: 1. the Master Settlement Agreement with Janssen Pharmaceuticals, Inc.; and 2. the Master Settlement Agreement with the three wholesale distributor defendants (Cardinal Health, Inc., Amerisource Bergen Corporation and McKesson Corporation), both of which are listed and available to the public at https://nationalopioidsettlement.com/. The participation agreements are subject to modification prior to execution, such modifications shall be subject to the review of the City Attorney's Office and outside counsel representing the City of Lansing.

Draft

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

Resolution Authorizing Entry of State Local Government Intrastate Agreement Concerning Allocation of Settlement Proceeds in the National Opioids Litigation

WHEREAS in 2017, the Lansing City Council declared the Opioid Epidemic that exists throughout this country, and in the City of Lansing specifically, to be a public nuisance and authorized the City to file suit against pharmaceutical companies that the City alleged to be responsible for the public nuisance and to seek recovery of past expenditures that the City has expended in abating the epidemic; and

WHEREAS, on or about December 19, 2017, the City of Lansing filed *City of Lansing v. Purdue Pharma L.P., et al;* Case No. 1:17-cv-01114 in the United States District Court, Western District of Michigan, to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants ("Settling Defendants"):

1. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
2. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
3. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
4. McKesson Corporation (a prescription opioids wholesaler distributor); and

WHEREAS the City's lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation,* MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge; and

WHEREAS the Settling Defendants have negotiated proposed national settlement agreements ("Proposed Settlements") with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to Lansing's lawsuit; and

WHEREAS the Proposed Settlements contain a "default" allocation method whereby, for settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund; and

WHEREAS the Proposed Settlements enable the state and local governments within a State to negotiate alternative allocation methods to the "default" allocation method referenced above; and

WHEREAS the City of Lansing desires to enter into an alternative allocation method which allocates settlement funds solely to:

1. Participating Local Governments who have elected to participate in the Proposed Settlements; and
2. the State of Michigan.

NOW, THEREFORE BE IT RESOLVED, the City of Lansing authorizes the execution of a Michigan State-Subdivision Agreement For Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement (State-Subdivision Agreement). The State-Subdivision Agreement may be subject to modification prior to execution, such modification (if any) shall be subject to the review of the City Attorney's Office and outside counsel representing the City of Lansing

BE IT FINALLY RESOLVED, the City of Lansing also authorizes execution of a similar state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity.

SECOND AMENDMENT TO AGREEMENT FOR CONDITIONAL TRANSFER OF PROPERTY PURSUANT TO 1984 PA. 425

This Second Amendment to Agreement for Conditional Transfer of Property (this "Second Amendment") is made this ______ day of December, 2021 (the "Effective Date"), between the **CHARTER TOWNSHIP OF DELTA** ("Delta"), a Michigan charter township organized and operating under the Charter Township Act, MCL 42.1, *et seq.,* as amended, and the **CITY OF LANSING** ("Lansing"), a Michigan municipal corporation (individually, a "Party" and collectively, the "Parties").

WHEREAS, the Parties entered into an agreement, dated May 8, 2000, for the conditional transfer of property located within the Township (the "425 Agreement"); and

WHEREAS, the Parties amended the 425 Agreement to revise the boundaries through a First Amendment, dated November 18, 2002 ("First Amendment"); and

WHEREAS, the Parties desire to amend the 425 Agreement upon the terms and conditions contained in this Second Amendment; and

WHEREAS, except as previously amended by the First Amendment and by this Second Amendment, the remaining terms and conditions contained in the 425 Agreement shall remain in full force and effect.

NOW, THEREFORE, it is agreed as follows:

1. Subsection 2.4.B. of the 425 Agreement is amended in its entirety as follows:

    B. Delta shall be responsible for building and trade inspections, permitting, and plan review. All fees associated with any inspection, permit, or plan review, including, but not limited to, those denominated above, shall be at the rate or cost assessed by Delta. Delta shall collect and retain all inspection, permit, and plan review fees. Any appeals of decisions of the building official shall be heard by the Delta Board of Appeals.

2. Subsection 2.5.B. of the 425 Agreement is amended in its entirety as follows:

    B. Delta shall conduct preliminary and final review with respect to all plans of development within the Transferred Area. Delta shall be accorded agency status under the Zoning Code of Lansing.

3. Section 3.1 of the 425 Agreement is amended in its entirety as follows:

    Section 3.1 <u>Revenue Sharing and Taxing Collection</u>.

    During each year commencing with the year following the year in which this Agreement is adopted, and each year thereafter, Lansing shall annually remit:

A. To Delta fifty percent (50%) of Lansing's ad valorem property tax revenue collected on the taxable value of all real and taxable personal property within the Transferred Area, including all interest, penalties, late fees, and collection fees due thereon. Lansing shall be entitled to an administrative fee for the cost of assessing and collecting ad valorem property tax in an amount equal to what is allowed under the General Property Tax Act. In the event of an appeal of taxable value by any landowner or interested party in the Transferred Area, the Parties will jointly determine the defense of the appeal and any proposed resolution. Delta shall be responsible for fifty percent (50%) of the cost of defense and make payment of the same to Lansing.

B. To Delta fifty percent (50%) of Lansing's industrial facilities tax revenue collected on all property within the Transferred Area for which an industrial facilities exemption certificate ("IFEC") is in effect.

C. To Delta, fifty percent (50%) of the infrastructure improvement and service payment ("IISP") which Lansing collects in consideration of Lansing's representations set forth in any Tri-Party Agreement that may be entered into between Lansing, GM, and Delta concurrently with this Agreement, as well as any Tri-Party Agreement that may be entered into between Lansing, Ultium Cells LLC, and Delta concurrently with the Second Amendment.

D. To Delta, a percentage of all income tax revenue collected by the City from within the Transferred Area, based on the following schedule:

i. For income earned on the part of the Transferred Area commonly known as the Lansing Delta Plant ("LDT") and east of a line approximately 350 feet west of the centerline of the former right of way known as Guinea Road, including without limitation the facility located thereon, and beginning in 2025,
   a. In the first year, Delta shall receive five percent (5%),
   b. In the second year, Delta shall receive ten percent (10%),
   c. In the third year, Delta shall receive fifteen percent (15%),
   d. In the fourth year, Delta shall receive twenty percent (20%),
   e. In the fifth year, Delta shall receive twenty-five percent (25%),
   f. In the sixth year, Delta shall receive thirty percent (30%),
   g. In the seventh year, Delta shall receive thirty-five percent (35%),
   h. In the eighth year, Delta shall receive forty percent (40%),
   i. In the ninth year, Delta shall receive forty-five percent (45%),
   j. In the tenth year, and thereafter for the duration of the 425 Agreement, Delta shall receive fifty percent (50%);

ii. If and when a new factory or employer is operational on the part of the transferred Area west of a line approximately 350 west of the centerline of the former right of way known as Guinea Road, more specifically described in Exhibit "A-2", for income earned at said new factory or employer, Delta shall receive fifty percent (50%);

iii. At all times and for all income earned in the Transferred Area, Lansing shall be entitled to an administrative fee for the cost of collecting income tax in an amount equal to one percent (1%) of the total income tax revenue received.

E. Should any real or personal property taxes be reduced, limited, or eliminated by legislation or other legal process with respect to any real or personal property or class of property subject to the tax sharing formula provided at subparagraphs (A) and (B) of this section then any substitute tax or source of revenue which the legislation or other legal process may provide or authorize Lansing to collect in lieu of said taxes shall likewise be allocated and remitted to Delta in an amount reasonably equivalent to that remitted to Delta as provided in subparagraphs (A) and (B) above for the prior year.

4. Section 3.3 of the 425 Agreement is amended in its entirety as follows:

Section 3.3 Gifts, Grants, Etc.

All gifts, grants, assistance funds, bequests, or other funds from any private or public source, including without limitation state and federal grants for infrastructure, given to either Party with respect to the Transferred Area and activity performed upon or within the Transferred Area, shall belong to the Party that received the Funds (collectively, "Funds"). Any infrastructure constructed with Funds received by or provided by a Party shall belong to that Party. Except as otherwise provided in this Agreement, Lansing shall annually pay to Delta the equivalent of the amount of state and federal revenue sharing payments based upon the population of the Transferred Area, if any, that Delta would have received if the Transferred Area remained with Delta.

5A new Section 3.4 shall be added to the 425 Agreement as follows:

Section 3.4 Certain Transferred Property Subjected to Development Incentives.

A. The Parties acknowledge and agree that the City may apply for and be granted a Renaissance Zone pursuant to 1996 P.A. 376 for only that area of the Transferred Property that is legally described in Exhibit "A-2," attached, which if granted would reduce the tax revenues collected.

B. The Parties acknowledge and agree that the City may establish an Industrial Facilities Exemption pursuant to 1974 P.A. 198 for only that area of the Transferred Property that is legally described in Exhibit "A-2", attached, which if granted would reduce the tax revenues collected.

6. A new Section 3.5 shall be added to the 425 Agreement as follows:

Section 3.5 Remittance of Shared Taxes and Revenue.

Lansing shall remit to Delta, within sixty (60) days of Lansing's receipt of any tax or other revenue described in Section 3.1 (collectively, the "Shared Taxes and Revenue"), Delta's share of the Tax and Other Revenue.

7. A new Section 3.6 shall be added to the 425 Agreement as follows:

Section 3.6 Audit Rights.

When remitting the Shared Taxes and Revenue to Delta, Lansing shall provide to Delta a detailed summary accounting of the Shared Taxes and Revenue. Delta shall be entitled, upon reasonable notice to Lansing, to inspect, examine and make copies of Lansing's books, documents and records of the Shared Taxes and Revenue. The inspection shall occur at Lansing's offices. Any inspection, examination, or copying of Lansing's books, documents and records shall occur within three (3) years of Delta's receipt of the Shared Taxes and Revenue.

8. Section 4.1 of the 425 Agreement is amended as follows:

Section 4.1 Term.

The term of this 425 Agreement commenced on May 8, 2000 and pursuant to the Second Amendment shall terminate on December 31, 2046. Delta and Lansing may renew this 425 Agreement for additional terms for such period as permitted by law by an affirmative vote of the legislative body of each party to this 425 Agreement. The additional terms shall be on the same terms and conditions as stated in this 425 Agreement, as amended, unless the Parties shall agree otherwise in writing.

9. Miscellaneous. The following miscellaneous provisions are agreed to by the Parties:

A. Except as specifically modified above by this Second Amendment, the 425 Agreement remains unmodified and unchanged by the Parties. The 425 Agreement shall continue in full force and effect and is hereby ratified and affirmed by this Amendment.

B. This Second Amendment shall be construed, interpreted and enforced under the laws of the State of Michigan.

C. This Second Amendment shall be binding upon and shall inure to the benefit of the Parties, their successors and assigns

D. All terms that are not defined by this Second Amendment shall have the same meaning as those terms described in the 425 Agreement.

E. This Second Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall together be construed as one in the same Second Amendment. Electronic and facsimile signatures will be binding.

F. In the event of any conflict between the terms of this Second Amendment and the terms of the 425 Agreement, the terms of this Second Amendment shall govern and control.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this 425 Agreement on the date above first written by authority of the respective Lansing City Council and Delta Township Board of Trustees.

CHARTER TOWNSHIP OF DELTA,
a Michigan charter township

By: ______________________________

Its: Township Supervisor

and

By: ______________________________

Its: Township Clerk

CITY OF LANSING,
a Michigan municipal corporation

By: ______________________________

Its: ______________________________

and

By: ______________________________

Its: ______________________________

Approved as to form:

CHARTER TOWNSHIP OF DELTA ATTORNEY

By: ______________________________

Approved as to form:

LANSING CITY ATTORNEY

By: ______________________________

EXHIBIT A-2

Legal Description:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001

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

WHEREAS, the City of Lansing (City) and Delta Charter Township (Township) are "local units" as defined by Public Act 425 of 1984, as amended (Act 425), (MCL 124.21 et seq.); and

WHEREAS, Act 425 enables two local units of government to conditionally transfer property by written agreement for the purpose of economic development projects; and

WHEREAS, on May 8, 2000, the City and Township conditionally transferred certain property from the Township to the City pursuant to Act 425 ("425 Agreement"; and

WHEREAS, on November 18, 2002, the City and Township entered into a First Amendment of the Agreement entered into pursuant to Act 425; and

WHEREAS, a proposed Second Amendment providing for the continuation of the original 425 Agreement, modifying tax and other revenue sharing, and for matters permitted and required under Act 425 has been negotiated and prepared; and

WHEREAS, the proposed Second Amendment has been presented to City Council for review and approval;

NOW, THEREFORE, BE IT RESOLVED that the City finds that the continuation of the conditional transferred property from the Township to the City pursuant to the Second Amendment will provide for the division of municipal powers, functions, and responsibilities to allow for the joint administration of the transferred area and will continue to support economic development and be beneficial to the residents of the City and the Township.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the City entering into the Second Amendment.

BE IT FURTHER RESOLVED that pursuant to and in compliance with Act 425, the Mayor is hereby authorized to execute the Second Amendment that will continue the Conditional Transfer of Property Pursuant to 1984 PA 425, subject to the City Attorney's prior approval and correction of minor technical revisions, if any.

BE IT FINALLY RESOLVED that after the Second Amendment is executed, the City Clerk will file a duplicate original of the Second Amendment with the County Clerk of the County of Ingham and with the Secretary of the State of Michigan in the office of the Great Seal.

MICHIGAN RENAISSANCE ZONE PROGRAM

Application for Creating a
Michigan Strategic Fund (MSF)Designated
Renaissance Zone

MICHIGAN STRATEGIC FUND

December 2015

MICHIGAN RENAISSANCE ZONE PROGRAM
MSF Designated Renaissance Zone

Application Contents / Instructions

APPLICATION PROCESS

The application for a MSF Designated Renaissance Zone consists of 3 parts and required attachments. The required attachments include: Authorizing Resolution(s), Firm Financial Commitment(s), Geographic Map, Property Parcel Map and Site Plan, if applicable. All portions of the application must be completed and provided for consideration. If the application is deemed complete by Renaissance Zone staff, a Development Agreement will be prepared by the MEDC staff in consultation with the Department of Attorney General. The Development Agreement is prepared from the information contained in the application. Before the project will be presented to the Michigan Strategic Fund (MSF) Board for consideration, the Company/Owner must sign off on the Development Agreement.

The applicant is to be the "qualified local governmental unit" which is either of the following:

- A County
- A City, Village or Township that contains an eligible distressed area and as defined in Sec. 11, of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1411 "Distressed Unit".

Authorizing Resolution(s):

- If the Applicant is the County, authorizing resolutions will be required from the County and the Local Governmental Unit.
- If the Applicant is the Distressed Unit, as defined in Sec. 11, of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1411, an authorizing resolution is only required from the Local Governmental Unit.

Taxes still due are those mandated by the federal government, local bond obligations, school sinking fund or special assessments. Speak with your local Treasurer if there are any questions as to whether they apply to your property tax bill. Companies and individuals are also not exempt from paying Michigan sales and use tax. You will be required to pay these taxes.

Taxes shall be abated as defined in the Michigan Renaissance Zone Act, Act 376 of 1996, Sec. 125.2689.

Application Fee

The Application Fee must be made payable to the Michigan Strategic Fund, is due upon receipt of the application. The fees are as followed:

- $5,000 if more than 50 employees
- $2,500 if less than 50 employees

NOTE: This application, including any attachments, contains information from the Renaissance Zone Program of the Michigan Strategic Fund. This information is intended for use only by the project to which it is released. If you are not the intended recipient of this application, be advised that any dissemination, distribution, or use of the contents of this application is strictly prohibited.

MICHIGAN RENAISSANCE ZONE PROGRAM
MSF Designated Renaissance Zone

Application Checklist / Submission Instructions

APPLICATION CHECKLIST

- ☐ Completed Application and any extended attachments
- ☐ Authorizing Resolution(s) from the qualified local governmental unit agreeing to forego the pertinent taxes. If the county is the applicant, then a resolution is also required from the local unit of government.
  The resolution(s) must have original signatures or be a certified copy including the number of years they are willing to waive taxes (up to 15)
- ☐ Firm Financial Commitment(s) for project. Submit one or all of the following:
  (dollar values must be included)
  - Firm monetary commitment letter from Financial Institution(s).
  - Two (2) years of Audited Annual Financial Statements.
  - Proof of Financial Assets to be used for project.
- ☐ A Geographic map of the local governmental unit showing the proposed MSF Designated Renaissance Zone.
- ☐ A Property Parcel map including boundaries, parcel numbers and acreage.
- ☐ A Site Plan of the Project (if applicable)
- ☐ Copies of the two (2) most recent real property tax bills.
- ☐ Application Fee

APPLICATION SUBMISSION

The completed original application should be mailed to the address below.

Michigan Renaissance Zone Program
Michigan Economic Development Corporation
300 North Washington Square
Lansing, Michigan 48913

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone
Part 1 – Application Form

A. COMPLETE THIS SECTION ONLY IF COUNTY IS APPLICANT-CONTACT/SIGNATORY INFORMATION		
Contact Person Name:	Title:	
County Name(s):		
Telephone:	E-mail:	
Street Address / PO Box:		
City:	State:	ZIP Code:
Elected County Executive/Authorized Officer:		
Title:		
Street Address / PO Box:		
City:	State:	ZIP Code:
Telephone:	E-mail:	
Signature:	Title:	Date:

B. COMPLETE THIS SECTION ONLY IF DISTRESSED UNIT IS APPLICANT (PER PA 346) – CONTACT/SIGNATORY INFORMATION		
Contact Person's Name:Karl R. Dorshimer	Title:Senior VP of Economic Development	
City:Lansing	State:Michigan	ZIP Code:48910
Telephone: 517-702-3387 x 210	E-mail: karl@purelansing.com	
Local Unit Name(s):City of Lansing		
Street Address / PO Box:1000 S. Washington Ave, Suite 201		
City:Lansing	State:MI	ZIP Code:48910
Telephone:517-702-3387 X 210	E-mail:karl@purelansing.com	
Mayor Name (if City)/Authorized Officer:Andy Schor		
Title:Mayor of Lansing		
Street Address / PO Box:124 W. Michigan Ave		
City:Lansing	State:MI	Zip Code:48933
Telephone:517-483-4141	E-mail:Lansing.Mayor@lansingmi.gov	
Signature:	Title:Mayor	Date:12/8/2021

C. COMPANY INFORMATION		
Name of Company:Ultium Cells LLC		
Street Address / PO Box: 7400 Tod Avenue SW		
City:Warren	State:OH	ZIP Code:44481
Contact Name:Lincoln Schomer	Title:CFO - Ultium Cells LLC	
Telephone:586-295-5429	E-mail:	
Signatory's Name:Lincoln Schomer	Title:CFO - Ultium Cells LLC	
Street Address / PO Box:GM Tech Center - PPO North, 30745 Louis Chevrolet Road		
City:Warren	State:MI	Zip:48093-2350
Telephone:586-295-5429	Email:lincoln.schomer@gm.com	

D. PROPERTY INFORMATION		
Owner Name & Title:General Motors LLC (anticipated land lessor / licensor or seller)		
Street Address:8100 Davis Hwy.(subject to change)		
City:Lansing	State:MI	Zip Code:48917
Telephone:313-418-5569	E-Mail: troy.d.kennedy@gm.com	
Total Acres to be included within zone:Approximately 590 acres		
Number of years applying for a MSF Designated Renaissance Zone:18 years (Renewable Energy) (Note: Not to exceed 15 years)		

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone
Part 2 – Description of the Project

A. Describe in detail the history and background of the company.

Ultium Cells LLC was formed in 2019 (originally as Gigapower LLC). This joint venture between General Motors Holdings LLC ("GM") and LG Energy Solution Michigan, Inc. ("LGESMI") was formed to manufacture battery cells and capacity for the battery powered automobile market.

At the beginning, the initial project focused on the launch and operation of one facility producing in excess of 30 Gigawatt hours of cell capacity. This facility is located in Ohio and is scheduled to begin production in August of 2022. In April of 2021, GM and LGESMI agreed to expand the project to include a second facility of equal capacity in Spring Hill, TN.

Currently, the demand growth for EVs, along with GM's commitment to an EV future, warrants the considerations for a third plant of equal capacity. The JV is looking for a third location to establish an additional plant.

B. Is the Company who is obligating itself to the investment and/or job creation, registered with Michigan's *Department of Licensing & Regulatory Affairs* (DLARA), to conduct business in the State of Michigan? *(If not, the Company will need to be registered in order for consideration of the Renaissance Zone).* Please make sure all representation of the Company is exactly as the registration with DLARA, including correct punctuation, etc.

No ☐ or Yes ☒

C. Describe the Project, equipment to be purchased, type of building to be constructed or purchased and any necessary infrastructure improvements, etc.

The building, site improvments, and machinery and equipment to be constructed and installed will all be for the main purpose of high volume battery cell manufacturing. The building and related site improvements will be approximately 2.5 million square feet, where ~2/3 of the area under roof will be a clean room environment. The machinery and equipment consists of electrode mixing, coating, assembly and formation areas. Each area of the process has uniquely designed pieces of equipment to allow for the high volume output necessary to produce cells at this capacity.

D. Identify the types of activities that will occur in the proposed MSF Designated Renaissance Zone.

Battery cell manufacturing

E. What is the expected total private dollar investment? (building and equipment, etc.)	$up to or more than $2.5B
F. When will investment for this project be completed?	12/31/2025

Investment Per Year

	1^{ST} Year	2^{nd} Year	3^{rd} Year	4^{th} Year	5^{th} Year
Real – New Construction	$210	$312	$341	$	$
Real – Bldg Improvements	$	$	$	$	$
New Personal Property	$	$544	$829	$265	$
TOTAL	$210	$856	$1170	$265	$

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone
Part 2 – Description of the Project - Continued

G. Will you be able to commence the project within one (1) year from when the MSF Designated Renaissance Zone is designated?	☒ Yes or ☐ No
H. How many new jobs will be created at the facility?	up to 1,700
I. By what date will all of the proposed jobs be created?	12/31/2026

	First Year of Operation		**Third Year of Operation**		**Fifth Year of Operation**	
	Year Ending: 2025		Year Ending:2028		Year Ending:2030	
Job Category (add categories that reflect your company)	New Full Time Jobs Created	Avg Weekly Wage	New Full Time Jobs Created	Avg Weekly Wage	New Full Time Jobs Created	Avg Weekly Wage
Mgmt/Prof						
Technical/Sales						
Clerical/Service						
Skilled/Unskilled	750	900	1,700	950	1,700	1000
TOTAL	750	675,000	1,700	1,615,000	1,700	1,700,000

J. What is your current workforce at the facility? 0

K. Describe the benefit package provided to the employees: Utlium Cells LLC anticipates offering a competitive total compensation package with average wages of approximately $46,000 plus other benefits, including heathcare, for example. In section I, Skilled/unskilled jobs category comprises all potential job categories not separately estimated at this time.

L. Does Company have Ownership or Control of the Property? ☒ Yes ☐ No

M. Is the Property a single Contiguous Geographic Area? ☒ Yes ☐ No

N. Property Parcel ID#(s):
23-50-40-32-250-001 (Anticipated to lease / license or potentially sell all or a portion of the acreage to Ultium Cells LLC by General Motors LLC)

O. Legal Description of the property to be included in the MSF Designated Renaissance Zone.

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001

P. What will be the anticipated economic impact on the community?

The initial impact will occur while the investment funds are being spent to construct the facility and install the machinery and equipment. During this time, it is anticipated that there will be a need for well over 1,000 skilled trades and construction jobs.

Once in production and the plant is operational, members of the community will have the opportuntiy to fill the many hourly or salaried available postions, up to ~1,700. The skills required for these positions will vary depending on the type of work; however, for the community, it should offer an attractive level of diversity and new innovative types of opportunities.

Given the growth and transformation of the EV market, the community stands to benefit from the brand and significance an operation of this nature provides.

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone
Part 2 – Description of the Project - Continued

Q. Please indicate what type, quantity and what percentage of Michigan commodities/raw materials will be purchased for use in the MSF Designated Renaissance Zone.

<1%

R. What percentage of commodities/raw materials will be purchased out-of-state?

>99%

S. If purchasing commodities outside the state, please explain why that is necessary.

The primary commodities necessary to produce these battery cells largely consist of Nickel, Cobalt, LiOH, Manganese, Graphite and Silicon. Each of these materials only has certain places across the globe to mine them and then the processing post mining is very specialized and resides with suppliers outside the state.

T. Identify all public programs, public funding sources and public incentives that will be utilized.

Economic incentives associated with this proposed project include the Michigan Renaissance Zone program, Industrial Facilities Tax Exemption program, and other potential various programs to be determined and offered by the MEDC and local partners.

U. List the State and Local permits required for the project.

See Attached. To the best of our knowledge. there are no outstanding permits in response to Section V. below.

V. List any permits that are outstanding.

Permit:	Agency:	Anticipated Receipt Date:
Permit:	Agency:	Anticipated Receipt Date:
Permit:	Agency:	Anticipated Receipt Date:

W. Identify any infrastructure and/or physical needs of the MSF Designated Renaissance Zone that need to be implemented to make the zone viable.

Potential infrastructure needs may include the following:

- Surrounding Road Paving, acceleration, deceleration lanes, potential traffic signal pending traffic study
- Bordering street lighting on Davis Road and Nixon Road
- Regulatory Signage along adjoining streets
- Storm water piping and potential offsite outlet improvements
- Flood plain alteration speedy approvals
- Water Main connections / metering
- Sanitary Main connections/ metering
- Fiber/Data infrastructure extension
- Natural Gas connections/extension/metering

- Road and Traffic improvements, utility connections and storm water relocation
- High voltage transmission lines extended to the site/dedicated industrial sub-station

and others as may be identified through due diligence with local partners.

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone
Part 2 – Description of the Project - Continued

X. Why is this important to Michigan?

The battery cell production facility will generate significant economic activity throughout Michigan, initially through the anticipated construction investment and construction jobs followed by new full-time battery cell production jobs. This proposed battery cell production facility, with important technology and over 1,000 new good paying jobs, will be a valuable addition to the Lansing region, as well as the State as a whole. Especially at a time when other states are aggressively working to attract this type of project, it is particularly important for this project to be located in Michigan

Y. Can this facility be located in an existing renaissance zone? Yes ☐ No ☒(If No, Explain below)

Existing available land owned by JV parent entity (GM) with sufficient acreage meets many requirements.

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone
Part 3 – Tax Information

A. FOREGONE PROPERTY TAXES		
Estimated annual savings of property taxes for the Company after Renaissance Zone designation	$See Attached	
B. SEV AND TV ON THE PROPERTY		
SEV Year:2020	TV Year:2020	
Real Property-LAND	SEV: $	TV: $
Real Property-BUILDING	SEV: $	TV: $
Personal Property	SEV: $	TV: $
TOTALS	SEV: $See Attached	TV: $See Attached
C. TOTAL MILLAGE RATE		
Total Non-Principal Residence Exemption Millage Rate for ALL taxing jurisdictions	See Attached	
D. PLEASE PROVIDE A BREAKOUT OF MILLAGE(S) LEVIED FOR THE FOLLOWING:		
Debt Service (local bond obligations)		
School Sinking Fund		
Special Assessment(s)		
TOTAL	See Attached	
E. ADDITIONAL INFORMATION		
Are Taxes Current? Yes ☒ No ☐ Explain:		
School District Code (Speak with your Treasurer if you do not know your 5-digit School District Code)	23060	
Company's Federal Employer Identification Number (FEIN)	84-4244377 (Ultium Cells LLC)	
Senator's Name:Tom Barrett	Senate District:24	
Representative's Name:Angela Witwer	House District:71	
Identify all the affected local governmental unit(s).		
See attached taxing entities		

RESOLUTION #

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the Renaissance Zone Act, being Public Act 376 of 1996 (PA 375 of 1996), Ultium Cells, LLC (the Developer) has filed an application (the “Application”) for a Michigan Strategic Fund (MSF) Designated Renaissance Zone with the Lansing City Clerk, for a proposed redevelopment project in Lansing with an estimated cost of two billion five hundred million dollars ($2,500,000,000) (the “Project”), to be constructed on the property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917, (the “Property”).

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves an application for submission to the Michigan Strategic Fund with a City Council recommendation to approve a Michigan Strategic Fund Designated Renaissance Zone, for the property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917, legally described as:

> ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001,

for the period of eighteen (18) consecutive years to begin on December 31, 2022, or such other start date as set by the Michigan Strategic Fund.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer’s application by this resolution, finds and determines all of the following;

1. The applicant is not delinquent in any taxes related to the properties.

2. All of the items described in the Application for Michigan Strategic Fund Designated Renaissance Zone have been provided to the City of Lansing by the applicant.

3. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Renaissance Zone.

4. The application relates to the Renaissance Zone property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917 for a proposed redevelopment project in Lansing with an estimated cost of two billion five hundred million dollars ($2,500,000,000).

5. The completion of the Project is calculated to and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, and revitalize an urban area.

6. If the renaissance zone designation is granted, persons and property within the renaissance zone are exempt from taxes levied by the city, as provided in the Renaissance Zone Act.

IT IS FINALLY RESOLVED that the City Clerk shall cause the Application for the Renaissance Zone to be completed, including the “Clerk Certification” and submit the Application and a certified copy of this resolution to the Michigan Strategic Fund.

City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a hearing on December 20, 2021 at 4:30 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for the applicant, the assessor, and a representative of the affected taxing units to be heard on the application of Ultium Cells, LLC for an Industrial Facilities Exemption Certificate (IFT-01-21) pursuant to Public Act 198 of 1974, as amended, as requested by the applicant for the location indicated below:

Applicant:	Ultium Cells, LLC
By:	Troy Kennedy
IFT Location:	8100 Davis Hwy., Lansing, MI. 48917

Legally described as:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001.

Approval of IFT-01-21 as requested by Ultium Cells, LLC will make certain new property investment (real property) eligible for tax abatements and/or exemptions. Further information regarding this application may be obtained from Mr. Karl Dorshimer, Lansing Economic Area Partnership, 1000 South Washington Ave., Ste. 201, Lansing, Michigan, 48910, (517) 702-3387.

Chris Swope

City Clerk

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

WHEREAS, the City of Lansing received and filed an application from Ultium Cells, LLC requesting an Industrial Facilities Exemption Certificate (IFT-01-21) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to afford the applicant, the assessor, and a representative of the affected taxing units an opportunity for a hearing on the Ultium Cells, LLC application for an Industrial Facilities Exemption Certificate (IFT-01-21);

NOW, THEREFORE, BE IT RESOLVED that a hearing be held in the Tony Benavides Lansing City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, December 20, 2021 at 4:30p.m., on the Ultium Cells, LLC application for an Industrial Facilities Exemption Certificate (IFT-01-21) located at 8100 Davis Hwy., Lansing, MI. 48917 within the boundary more particularly described as:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001;

and that the City Clerk cause the applicant, City Assessor, and legislative body of each taxing unit levying ad valorem taxes on this property, be notified of this application and the scheduled public hearing.

Michigan Department of Treasury
1012 (Rev. 04-19), Page 1 of 4

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and one copy of this form and the required attachments (two complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires one complete set (one original). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call 517-335-7460.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date Received by Local Unit 12/10/2021
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Ultium Cells LLC	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 335912	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 8100 Davis Hwy., Lansing, MI. 48917	1d. City/Township/Village (indicate which) City of Lansing	1e. County Eaton
2. Type of Approval Requested ☒ New (Sec. 2(5)) ☐ Transfer ☐ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(6)) ☐ Research and Development (Sec. 2(10)) ☐ Increase/Amendment	3a. School District where facility is located Grand Ledge	3b. School Code 23060
	4. Amount of years requested for exemption (1-12 Years) See Attached	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

The proposed investment is for the construction of a battery cell production facility and related structures and site improvements necessary to support the project.

6a. Cost of land and building improvements (excluding cost of land) .... 863,000,000 Real Property Costs
* Attach list of improvements and associated costs.
* Also attach a copy of building permit if project has already begun.

6b. Cost of machinery, equipment, furniture and fixtures .... 0 Personal Property Costs
* Attach itemized listing with month, day and year of beginning of installation, plus total

6c. Total Project Costs .... 863,000,000 Total of Real & Personal Costs
* Round Costs to Nearest Dollar

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	05/01/2022	12/31/2025	☒ Owned ☐ Leased
Personal Property Improvements			☐ Owned ☐ Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No

9. No. of existing jobs at this facility that will be retained as a result of this project. 0	10. No. of new jobs at this facility expected to create within 2 years of completion. up to 1,700 jobs

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) ....

b. TV of Personal Property (excluding inventory) ....

c. Total TV ....

12a. Check the type of District the facility is located in:

☒ Industrial Development District ☐ Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) 05/08/2000	12c. Is this application for a speculative building (Sec. 3(8))? ☐ Yes ☒ No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a Preparer Name Troy Kennedy	13b Telephone Number (313) 418-5569	13c Fax Number (313) 665-4125	13d E-mail Address troy.d.kennedy@gm.com
14a Name of Contact Person Troy Kennedy	14b Telephone Number (313) 418-5569	14c. Fax Number (313) 665-4125	14d. E-mail Address troy.d.kennedy@gm.com
▶ 15a Name of Company Officer (No Authorized Agents) Lincoln Schomer - CFO Ultium Cells LLC			
15b. Signature of Company Officer (No Authorized Agents)		15c Fax Number (313) 665-4125	15d Date 12/7/2021
▶ 15e. Mailing Address (Street, City, State, ZIP Code) MC482-C16-B16, P.O. Box 300 Detroit, MI 48265		15f Telephone Number (313) 418-5569	15g. E-mail Address troy.d.kennedy@gm.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16 Action taken by local government unit

☐ Abatement Approved for _______ Yrs Real (1-12), _____ Yrs Pers (1-12)

After Completion ☐ Yes ☐ No

☐ Denied (Include Resolution Denying)

16a. Documents Required to be on file with the Local Unit
Check or Indicate N/A if Not Applicable

☐ 1. Notice to the public prior to hearing establishing a district.
☐ 2. Notice to taxing authorities of opportunity for a hearing.
☐ 3. List of taxing authorities notified for district and application action.
☐ 4. Lease Agreement showing applicants tax liability.

16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:
Check or Indicate N/A if Not Applicable

☐ 1. Original Application plus attachments, and one complete copy
☐ 2. Resolution establishing district
☐ 3. Resolution approving/denying application.
☐ 4. Letter of Agreement (Signed by local unit and applicant)
☐ 5. Affidavit of Fees (Signed by local unit and applicant)
☐ 6. Building Permit for real improvements if project has already begun
☐ 7. Equipment List with dates of beginning of installation
☐ 8. Form 3222 (if applicable)
☐ 9. Speculative building resolution and affidavits (if applicable)

16c. School Code 23060 Grand Ledge

17. Name of Local Government Body City of Lansing	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original of the completed application and all required attachments to:

Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY

▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

ATTACHMENT NO. 1

Legal Description:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001