AGENDA

Committee of the Whole
AGENDA FOR DECEMBER 5, 2022 AT 5:30 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.

Council Member Hussain, Chairperson
Council Member Wood, Vice Chairperson

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
   A. November 14, 2022
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Presentations:**
   B. Substantial Amendment; FY 2020-2021 Annual Action Plan to Include HOME-ARP Allocation Plan
6. **Discussion/Action:**
   C. RESOLUTION - Substantial Amendment, FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan
   D. PLACE ON FILE - FY 2022-2023 First Quarter Budget and Vacancy Report
   E. RESOLUTION - Reappointment; Jennie Gies; City of Lansing Member-Capital Area Transportation Authority Board (CATA); Term to Expire September 30, 2025
   F. RESOLUTION- Voter Approved Sale of City Property; portion of North Cemetery
   G. RESOLUTION - Issuance and Sale of voter approved Unlimited Tax General Obligation Bonds for Public Safety Facilities
   H. ORDINANCE - Amending Chapter 1300, Marihuana Operations; Section 1300.02, 1300.04, 1300.09 & 1300.11 & Add Section 1300.17
7. **Other**

Closed Session

I. Pursuant to MCL 15.268(c) of the Open Meetings Act, City Council will recess into closed session for strategy and negotiation sessions connected with the negotiation of collective bargaining agreements between the City of Lansing and Capitol City Labor Program Inc, Non-Supervisory Unit, and

Lansing City Unit, Local 2256 of the United Auto Workers as requested by the City.

Reconvene

Discussion/Action:

J. RESOLUTION - Ratification of the CCLP Non-Supervisory Collective Bargaining Agreement; 7/1/2022 through 6/30/2026

K. RESOLUTION - Ratification of UAW 2256 Collective Bargaining Agreement; 10/1/2022 through 9/30/2026

8. 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.

MINUTES
Committee of the Whole
Monday, November 14, 2022 @ 5:30 p.m.
Tony Benavides Lansing City Council Chambers

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

PRESENT
Councilmember Adam Hussain- excused
Councilmember Carol Wood
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Jeremy Garza- excused
Councilmember Brian T. Jackson
Councilmember Jeffrey Brown
Councilmember Brian Daniels

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Jim Smiertka, OCA
Lisa Hagen-Lawrence, OCA
Jane Bias- DiSessa, Deputy Mayor
Dominic Cochran, City TV
Desiree Kirkland, Finance Director
Shelbi Frayer, Chief Strategy Officer
Loretta Stanaway
Karl Dorshimer, EDC
Jessica Tramontana, Consumer Energy
Brad Craboll, Consumers Energy
Kris Klein, EDC
Greg Venker, OCA

Minutes
MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES FROM OCTOBER 24, 2022, AS PRESENTED. MOTION CARRIED 6-0.

Public Comment
Ms. Stanaway spoke on the ovation performing center and proposed location and opposed to the vacancy of the former armory in the future, when it could be used for the public safety facility that was just bonded.

Presentations

Ovation Performing Arts Center

Mr. Cochran stated the materials he will go through in the presentation were provided via email after the last meeting and are in the packet. Mr. Cochran began the presentation on the work done over the last two years on a market study, the AMS Planning and Research firm that specialized in identifying. The presentation by Mr. Cochran included stakeholder requirements, vision and the impact.

Council Member Spitzley asked for the details in the packet on the funding. Mr. Cochran referenced the document Ovation Statement.

Council Member Spadafore asked if it was $5 million from the NSF, and Mr. Cochran stated it was, and the needed funding gap is $1.75 million along with fund raising. There will be an RFP process to work with a group to run the restaurant. Council Member Spadafore asked if there is an indoor space for the restaurant, and Mr. Cochran stated it is a hybrid.

Ms. Frayer stated she did not have any additional comments, and supported all three items on the agenda.

Council Member Spitzley asked about comparable event locations in Grand Rapids. Mr. Cochran stated the Intersection and 20 Monroe Live but was not able to provide their performance levels.

Council Member Spitzley referenced the grant resolution asked what the county financial responsibilities are. Mr. Cochran stated the City financing would be the issuance of the bonds to be paid back by the PEG fees. Council Member Spitzley stated the PEG fees are dependent on the State or is it guaranteed. Mr. Cochran stated there are 20 year agreements with those companies. Council Member Spitzley referenced the bond resolution up to $20 million and the "capital need of the City". Ms. Frayer stated that is how it is classified to use the PEG. Council Member Spitzley asked for clarification on the City and the Authority. Ms. Frayer stating classifying it as a Capital Improvement under Act 31. Council Member Spitzley asked again why using an Authority for ovation, with other capitals in the City. Mr. Cochran stated that under State statue PEG fees need to be used for these types of purposes. Funds have been coming in on a regular basis, so they will bond up front, and pay back with the PEG revenue. Mr. Smiertka stated with the ACT 31 for the bonds and stated this is the same structure used for the ballpark and Lansing Center. ACT 31 is a statue set up with the City issue the bonds, build the capital improvement and lease to the authority. Council Member Spitzley asked if there was thought of having this under the LEPFA and if so why not. Mr. Cochran stated by creating the Media Authority, because the City operates a public access media already, and building a facility will help with all the work they think will be coming to this facility.

Council Member Spadafore asked if this pulls City TV out of the City and under only the authority. Mr. Cochran stated that specifically City TV could be pulled out, but it would depend on what makes sense organizationally, and in his opinion he believes it would make more sense for new authority run City TV. Council Member Spadafore asked if general obligation bonds can be done, and Mr. Smiertka stated that as long as they have the authority. Council Member Spadafore asked who the owner of the facility will be. Mr. Smiertka stated the City, and the lease payments will be from the authority. Council Member Spadafore asked what the PEG fees go to now and what is the criteria. Mr. Cochran stated it is influx on debt service, coming in on average on $400,000 per year. Ms. Frayer added that there is 2.4 PEG fees on hand, and they will bond for $500,000-$600,000. Hoping for 4.5% on the bonds and annual payment less than $400,000. Mr. Cochran stated PEG funds are being used current for equipment. Ms. Frayer there are funding sources for this, PEG funds, bonding, MEDC grant, structure grant with funding throughout the project. This bond will give flexibility to have cash on hand but they do not believe they will need it. CM Spadafore- is there early payment fees and Ms. Frayer stated there would be bond notes and have flexibility on when they draw and pay back. Council Member Spadafore asked about the competition radius with Grand Rapids, Detroit and their competition radius clause. Mr. Cochran assured them the radius clauses were accounted for in the Performa.

Council Member Spadafore asked it they will break ground before obtaining all the funding and Ms. Frayer assured them there would be no construction until all funds for project. Council Member Spadafore asked about parking, and Mr. Cochran believed that within 1 full block of the site there are 2,621 spaces to public and if they have to build a ramp they could build one to accommodate 800 spaces.

Council Member Jackson asked if they are cautious on revenue earning and asked about the anticipated 65/35 from local; why 65/3 and what is "local". Mr. Cochran stated their idea of local is the tri-county area, and they plan on an average of one ticketed show a week.

Council Member Brown referenced a performance site currently being remodeled in downtown on S. Washington, and noted that if the revenues are not there over time for this proposed ovation site, who will pay the bond. Mr. Cochran stated they are only obligated to repay the bonds issued and there is a repayment mechanism built in. Council Member Spitzley asked who is responsible for making up the budget to fulfill funding gap. Mr. Cochran stated most funds come from putting on shows. Council Member Brown asked again, who would be responsible for the funds if there are no shows. Mr. Cochran stated the new authority, and the City would only be obligated for the bonds payment through the PEG fees.

Council Member Spadafore noted they would still be on the hook for staff and asked if they plan to privatize City TV and the people operating this. Mr. Cochran confirmed, at which Council Member Brown asked if there will be additional staff hired to work there. Mr. Cochran stated the pro-forma budget includes that and the authority would hire an executive director and staff to run the facility. Council Member Brown pointed out that currently the event center; Lansing Center, does not have a lot of shows and the City is still subsidizing their budget. Mr. Cochran stated yes they would but they could always stream line the staff.

Council Member Jackson stepped away from the meeting at 6:18 pm.

Mr. Cochran stated if there was a bad year it would be streamlined immediately.

Council Member Wood referenced the legislature with the cable franchise, and Council was told they could enter into an agreement with cable companies at the level the same as the State, and if that changed, the State over road what else there was.

Council Member Jackson returned to the meeting at 6:19 p.m.

There is a concern with the legislature making actions where there is a guarantee of no reductions, but there are reductions. She asked if they have had those discussions. Mr. Cochran stated this is separate from regular franchise fee and they have the ability to enter into the 20 year agreement with those cable companies, and the State cannot insert themselves into. Mr. Venker stated the City has recently renewed PEG contracts, and the State can adjust fees under the 2006 act that sets up the current franchise fee and PEG structure, but in his opinion that is not likely and is tied to federal legislation that exists. He confirmed again that currently PEG contracts were renewed. Council Member Wood asked where the City was at in those 20 year contracts, and Mr. Venker assured the Committee they were all renewed over the last 12 months. Council Member Wood referenced a referral later in the Council meeting, which is the quarterly report which noted in the GF the City has only received 11% of the fees in the first quarter report. Ms. Kirkland confirmed noting they have already received more funds since that report ending of September 31, 2022. Council Member Wood acknowledged that however noted that it appears there is a reoccurring issue with cable franchise fees not being timely to the City, yet they plan to use those for this project.

Council Member Wood made a noted of statements made by all the Administrations that the ball park, the Lansing Center and the golf course will be self-sufficient however the City still is subsidizing. Mr. Cochran stated he was aware of those past concerns but he plans on minimal operating costs. Council Member Wood pointed out that the Lansing survey that was done from AMS in 2019 stated there were only 86 respondents, and in 2021 there were 35 respondents. She asked if they were making all these decisions for the City based on 121 respondents. Mr. Cochran attempted to clarify that those are 121 organizations that could potentially use the facility.

Council Member Brown asked if there was anything in the City that has not been subsidized. Ms. Frayer stated there are parts of LEPFA. Council Member Spitzley corrected her, pointing out the City still subsidizes the Lansing Center, ball park, and golf course. She then asked what Grand Rapids subsidizes for the earlier event centers mentioned by Mr. Cochran, and he noted both those are privately owned.

Discussion

RESOLUTION – Act-31; Incorporation of the Lansing Public Media Authorizing Public Media Authority

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR ACT 31; INCORPORATION OF THE LANSING PUBLIC MEDIA AUTHORITY.

Council Member Spadafore noted this action is to move out of Committee and place on the Council agenda for a vote.

MOTION CARRIED 5-1.

RESOLUTION – Grant Acceptance; Michigan Enhancement Grant – Ovation Performing Arts Center

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR THE MICHIGAN ENHANCEMENT GRANT FOR THE OVATION PERFORMING ARTS CENTER. MOTION CARRIED 5-1.

RESOLUTION -Issuance and Sale of Limited Tax General Obligation Bonds for Capital Improvements for Ovation Performing Arts Center

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR THE RESOLUTION FOR THE ISSUANACE AND SALE OF LIMITED TAX GENERAL OBLIGATION BONDS FOR THE CAPITAL IMPROVEMENTS FOR OVATION PERFORMING ARTS CENTER. MOTION CARRIED 5-1.

RESOLUTION – Setting a Public Hearing; Public Act 425; Windsor Township

Mr. Smiertka briefly explained what a PA 425 is and the role of the City and Township.

Mr. Venker summarized what is involved on the property, which includes a power facility with Consumer Energy and a 25-year renewal. Everything is taxed at the City millage rate and the

City would remit to Windsor Twp at whatever the Windsor Twp. millage rate would be, calculated on this assessed value of this property in terms of real and personal capturable property.

Council Member Spadafore asked if it is a set rate or whatever Windsor Twp. rate is at a certain time. Mr. Venker confirmed it will fluctuate in the same way the City could pass the next budget. However the township does have a cap. Council Member Spadafore reiterated and it was confirmed the rate is calculated annually, not what it is today.

Mr. Craboll spoke on the $26 million project cost and it will be transferring jurisdictions paying Lansing income taxes and Lansing taxes. This 425 agreement will allow BWL to service the property with water, and without this Act 425 they cannot get BWL water. Once agreed by both parties, then onto the State, transferred to the City and then Consumers will move forward to construct. While under construction they will remain in North Lansing at their current location. Years in the future, they will move from the old site to the new site. They have committed to cleaning property for redevelopment.

Council Member Spitzley asked what standards they would use for the cleanup of the current site when they move. Mr. Craboll stated it will not be cleaned up to residential standards, but there is a lot of opportunity and Mr. Dorshimer that there are opportunities for the new owner to apply for a brownfield redevelopment and that has standards for clean up to a development level.

Council Member Jackson asked if it can be cleaned up to higher standards, and what the difference is in the standards. Mr. Craboll stated the approach to clean up is consistent with how it aligns with general operating standards. For this site, if there is a need to go further, they will look to partner with the new owner/developer on the property.

Council Member Spadafore asked what the net gain or loss for the City in terms of revenue currently. Mr. Dorshimer said that with the existing site, overlap period, new site, and likely hood for a personal property tax exemption, and they can look over time for the City to be made whole. He added though that it would depend on redevelopment and commitment, and he did not plan for a loss.

Council Member Daniels asked for clarification on if it would be 7-8 years before redevelopment, and Mr. Craboll anticipated they would move into new parcel in 2026, and turning over to environmental on the old site in 2027 and see new development in 2032, of course that is contingent on approval from environmental group.

Council Member Brown asked what type of investment there is for a cleanup for their standards. Mr. Craboll admitted he did not have that information, however manufacturing on site is substantial and they can bring back as issue moves through.

MOTION BY COUNCIL MEMBER SPADAFORE TO SET A PUBLIC HEARING FOR DECEMBER 5, 2022 FOR THE PUBLIC ACT 425; WINDSOR TOWNSHIP. MOTION CARRIED 6-0.

<u>RESOLUTION – Fireworks Display License; ACE Pyro LLC for the City of Lansing's Silver Bells Celebration</u>
MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR THE FIREWORKS DISPLAY AT THE 2022 SILVER BELLS CELEBRATION. MOTION CARRIED 6-0.

RESOLUTION – Introduction and Setting of Public Hearing; Ordinance adding Chapter 291 to establish HUD Conflict of Interest Policy
MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR DECEMBER 5, 2022 FOR ADDING CHAPTER 291 FOR HUD CONFLICT OF INTEREST POLICY.

There were no presentations from the OCA or Administration, however Council Vice President Wood stated that HUD has asked for this policy and have it enacted as an ordinance.

MOTION CARRIED 6-0.

RESOLUTION – CITY COUNCIL MEETING SCHEDULE FOR 2023
MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR THE 2023 CITY COUNCIL MEETING SCHEDULE. MOTION CARRIED 6-0.

CLOSED SESSION
Per directive from OCA, two separate purposes for closed session, therefore read separately under one vote.

MOTION BY COUNCIL MEMBER SPADAFORE AT 6:53 p.m. Pursuant to MCL 15.268(c) of the Open Meetings Act, the City Council will recess into closed session for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement between the City of Lansing and the Capitol City Labor Program, Inc., Supervisory Unit, as requested by the City.

With Ms. DiSessa Deputy Mayor/Chief of Staff, Elizabeth O'Leary Labor Negotiator and LPD Assistant Chief Backus joining for this item only.

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

Atkinson, et.al. v. City of Lansing, et. al.
Lynn v. City of Lansing
OPV Partners v. City of Lansing
Stafford v Klein, et al.

With Mr. Abood, Ms. O'Boyle and Ms. Hagen joining Mr. Smiertka.

ROLL CALL VOTE, MOTION CARRIED 6-0.

RECONVENE
Council Vice President Wood reconvened the meeting at 7:39 p.m.

RESOLUTION – Ratification of the Tentative Agreement; CBA between the City of Lansing and the Union, Capitol City Labor Program, Inc., Supervisory Unit for a period of 7/1/2022-6/30/2026
MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR RATIFICATION OF THE TENTATIVE AGREEMENT AND CBA WITH CCLP 7/1/2022 – 6/30/2026.

Council Member Spadafore outlined the tentative agreement.

MOTION CARRIED 6-0.

Adjourn
The meeting adjourned at 7:42 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary,
Lansing City Council
Approved by the Committee

Lansing, Michigan

FY 2021 Annual Action Plan
Substantial Amendment for HOME-ARP

City Council Meeting

November 14, 2022

7:00 PM

American Rescue Plan

* What is the American Rescue Plan?
  * March 11, 2021 – President signed American Rescue Plan (ARP) to address the continued impact of the COVID-19 pandemic
  * Lansing is expected to receive **<u>$2,784,822</u>** in HOME-ARP funding, through HOME Investment Partnerships Program
  * HOME-ARP funding to be allocated by <u>substantial amendment</u> to City's FY 2021 Annual Action Plan for CDBG and HOME

HOME-ARP Eligible Activities

1. HOME-ARP Rental Housing
2. Tenant-Based Rental Assistance (TBRA)
3. Supportive Services
4. Non-Congregate Shelters
5. Nonprofit Operating & Capacity Building Assistance (5% statutory caps)
6. Administration and Planning (15% statutory cap)

HOME-ARP Qualifying Populations

1. Homeless, as defined by McKinney-Vento Act
2. At-Risk of Homelessness, as defined by McKinney-Vento Act
3. Persons fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
4. Persons at greatest risk of housing instability (i.e., < 30% AMI, or < 50% AMI <u>and</u> at-risk of homelessness)
5. Veterans or families of veterans that meet criteria 1. thru 4.

Substantial Amendment to FY 2021 Annual Action Plan

* Substantially amend FY 2021 Annual Action Plan
* HOME-ARP Allocation Plan
  * Consultation, 15-day public comment period, public hearing
  * Qualifying populations (QPs) within the City
  * Unmet needs / gaps in housing, shelter, services, etc.
  * Planned use(s) and beneficiaries of HOME-ARP funds

Citizen Participation Efforts

- Two HOME-ARP Needs Assessment/Consultation Forums with service providers were held virtually on September 15th and 16th, 2022 (over 100 attendees representing about 40 organizations)
- 15-Day Public Comment Period – Draft HOME-ARP Allocation Plan available October 27 – November 14 on City's website https://www.lansingmi.gov/187/Economic-Development-Planning and at Economic Development & Planning (316 N Capitol Avenue, Suite D-1)
- General Public Hearing at City Council Meeting – November 14, 2022

Identified Priority Needs

* Needs identified through consultation process:
  - Increase supply of affordable housing development (through production of new rental units)
  - Shelter facilities (through development of non-congregate shelter)
  - Homeless prevention assistance (through supportive services, such as utility assistance, employment assistance, and case management)
  - Capacity building and organizational development (through non-profit operating & capacity building assistance)

Proposed Budget

	Funding Amount	Percentage of Grant	Statutory Limit
Supportive Services	$300,000	-	N/A
Acquisition/Development of Non-Congregate Shelters	$500,000	-	N/A
Tenant-Based Rental Assistance	$0	-	N/A
Development of Affordable Rental Housing	$1,539,251	-	N/A
Non-Profit Operating	$139,241	5%	5%
Non-Profit Capacity Building	$27,848	1%	5%
Administration & Planning	$278,482	10%	15%
TOTAL	**$2,784,822**	-	-

THANK YOU

* If you have questions about the City's **HOME-ARP** funding or the HOME-ARP Allocation Plan process, please contact:

Doris Witherspoon, Senior Planner

City of Lansing

Economic Development & Planning

(517) 483-4063

Email: doris.witherspoon@lansingmi.gov

LANSING MICHIGAN

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

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

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

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

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

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

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

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

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

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

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

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

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

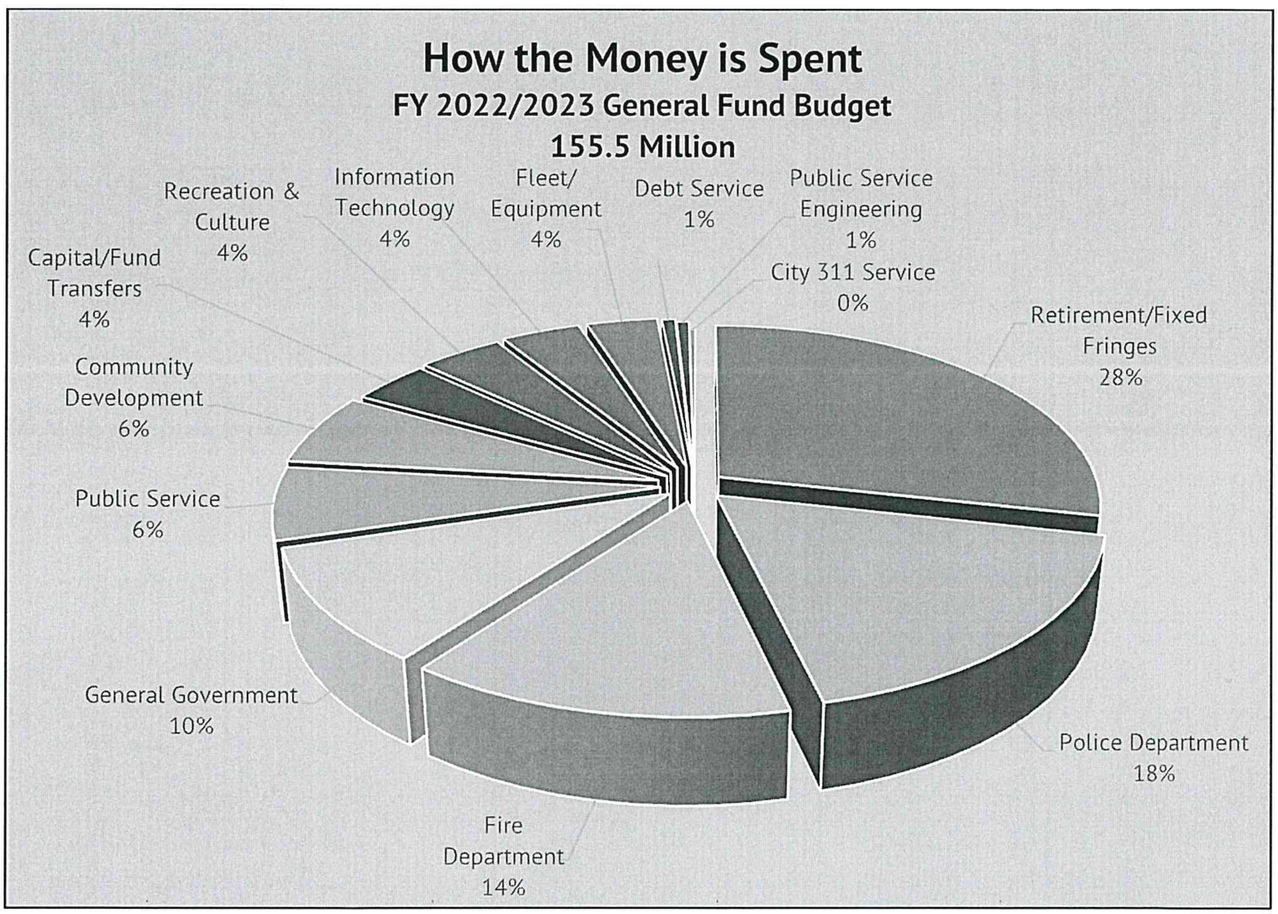
General Fund Status Report – FY 2023 1st Quarter

General Fund Summary

The City budgeted to end FY22 with $18,579,413 in combined general fund reserves. For FY23, the City budgeted $145,800,000 in total revenue including transfers and $155,512,500 in total expenditures. The difference between budgeted revenue and budgeted expenditures is expected to be covered by ARPA funds. Thus, the estimated ending balance for FY23 is the same as the beginning balance of $18,579,413.

The City's fund balance policy recommends a fund balance that is between 12% - 15% of expenditures. With estimated expenditures of $155,512,500, the recommended fund balance is $18,661,500 to $23,326,875.

The City's annual audit is currently in progress. The final audit numbers for FY22 will be available for the quarterly report that ends December 31, 2022.



Revenue Summary

General Fund revenue collected through the first quarter of fiscal year 2022-2023 are on track with expectations.

- **Property Taxes** (33.2% of GF revenue budget) are largely collected at the beginning of the fiscal year. They were initially estimated to be $48.245M. At the end of the quarter, collections were roughly $50.79M. Although collections currently exceed estimated amounts, they are subject to tax appeals and other adjustment throughout the fiscal year.

- **Income Tax** (25.8% of GF revenue budget) collections are slightly below the first quarter target. At the end of the 1st quarter, income tax collections were $8.7M (23.3% of its budgeted $37.51M).

- **Return on Equity (ROE)** (17.2% of GF revenue budget) represents payment to the City from the Board of Water & Light. Historically, payments have been received in December and June. However, the new agreement calls for quarterly payment. The first quarterly payment amount was $7,138,749. This payment is 28.6% of the FY23 budgeted ROE amount of $25M.

- **State Revenue** (14.8% of GF revenue budget) are estimated to be $16,899,500. Payments in the form of revenue sharing are expected to begin arriving in October.

- **Charges for Services** (6.2% of GF revenue budget) are trending slightly ahead of the year-end estimated amount.

- **Fines and Forfeitures** (1.2% of GF revenue budget) are budgeted to be $1,692,200. Quarter-to-date, they are trending ever so slightly below expectations.

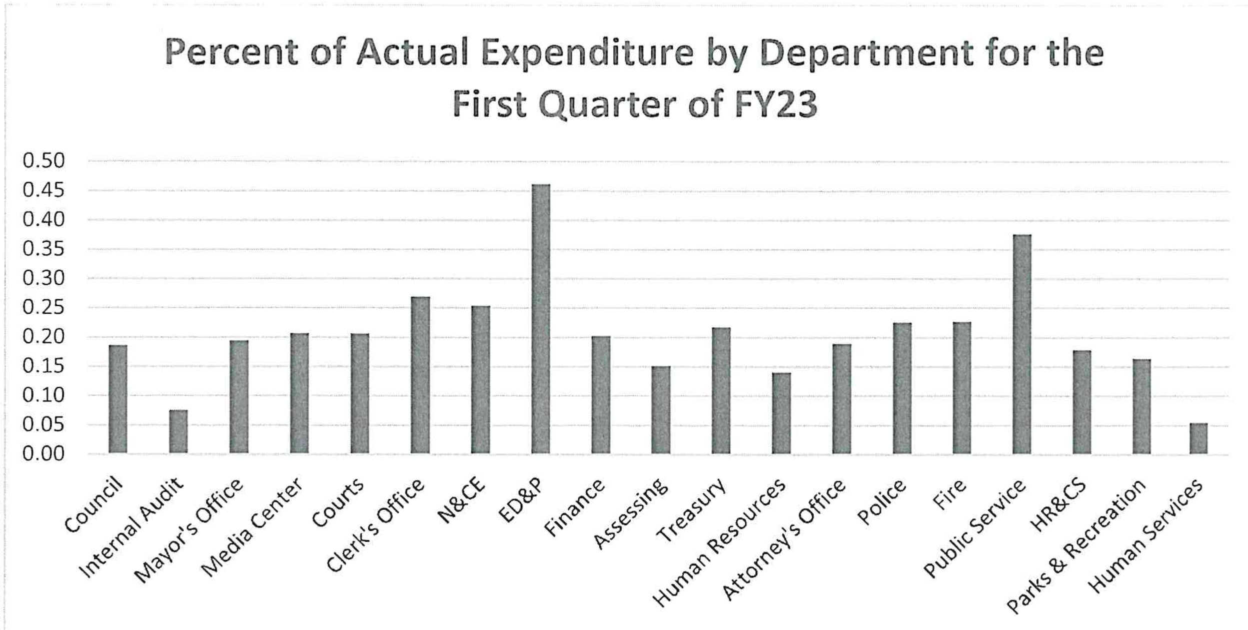
- **Licenses and Permits** (1.2% of GF revenue budget) are estimated to be $1,769,300. The City has received 11.8% of the budgeted amount. This low percentage is a timing issue because none of the estimated $1M of Cable Franchise fees have been received.

- **Interest and Rents** (0.2% of GF revenue budget) are budgeted to be $330,000 in FY23. The quarter-to-date amount of $51,728 appears low due to the timing of these revenue getting posted.

- **Other Revenues** (0.2% of GF revenue budget) are a very small percentage of the General Fund budget and are trending below budget expectations.

Expenditure Summary

Departmental actual expenditures for the first quarter are below first quarter anticipated expenditures.



Conclusion

The administration continues to monitor expenditures and seek necessary savings to maintain vital services while also making strategic investments to grow the City's economy and strengthen the quality of life for residents, workers, business owners, and visitors. With the aid of the American Rescue Plan Act, the City has been able to restore services negatively impacted by the COVID-19 pandemic. Even so, there remains significant challenges to maintaining the City's fiscal health.

The general fund budget report is presented in several formats for informational value as follows. After a separate revenue and expenditure summary, the City's general fund is presented as formally adopted in appropriation detail showing personnel vs. operating expenditures, then in governmental detail it is summarized by purpose.

September 30, 2022 Revenue Summary

Fiscal Year July 1, 2022- June 30, 2023

General Fund Revenues	FY 2023 Adopted Budget	FY 2023 Amended Budget	FY 2023 Projected Budget	FY 2023 Sep. 30 Actuals	Sep. 30 Percent YTD
Property Taxes					
Non-Dedicated	36,095,000	36,495,000	36,495,000	39,038,502	
Dedicated - Police	3,645,000	3,525,000	3,525,000	3,525,000	
Dedicated - Fire	3,645,000	3,525,000	3,525,000	3,525,000	
Dedicated - Roads	2,430,000	2,350,000	2,350,000	2,350,000	
Dedicated - Parks	2,430,000	2,350,000	2,350,000	2,350,000	
Total	48,245,000	48,245,000	48,245,000	50,788,502	105.3%
Income Taxes					
City Income Tax	37,510,000	37,510,000	37,510,000	8,747,789	
Total	37,510,000	37,510,000	37,510,000	8,747,789	23.3%
Return on Equity					
Board of Water and Light	25,000,000	25,000,000	25,000,000	7,138,749	
Sewer fund	300,000	300,000	300,000		
Total	25,300,000	25,300,000	25,300,000	7,138,749	28.2%
State Revenues					
Revenue Sharing	16,899,500	16,899,500	16,899,500	-	
Fire Reimbursement Grants	2,750,000	2,750,000	2,750,000	-	
Personal Property Tax Reimbursement	900,000	900,000	900,000	-	
Recreational Marijuana	900,000	900,000	900,000	-	
Liquor License Fee	70,000	70,000	70,000	66,129	
Total	21,519,500	21,519,500	21,519,500	66,129	0.3%
Charges for Services					
Public Safety	4,368,850	4,368,850	4,368,850	1,157,532	
Reimbursements	2,242,200	2,242,200	2,242,200	759,353	
Code Compliance	1,846,000	1,846,000	1,846,000	282,651	
Recreation Fees	415,500	415,500	415,500	159,595	
Appeals & Petitions	82,450	82,450	82,450	25,773	
Work for Others	33,200	33,200	33,200	111,123	
Central Stores	3,500	3,500	3,500	675	
Subscriptions and Information	2,300	2,300	2,300	(5,080)	
Total	8,994,000	8,994,000	8,994,000	2,491,621	27.7%
Fines and Forfeitures					
Fines and Forfeitures	1,692,200	1,692,200	1,692,200	404,414	
Total	1,692,200	1,692,200	1,692,200	404,414	23.9%
Licenses & Permits					
Cable Franchise Fees	1,000,000	1,000,000	1,000,000	-	
Marihuana Licenses	650,000	650,000	650,000	185,000	
Business Licenses	64,450	64,450	64,450	16,959	
Non-Business Licenses	37,600	37,600	37,600	4,148	
Building Licenses & Permits	17,250	17,250	17,250	3,550	
Total	1,769,300	1,769,300	1,769,300	209,657	11.8%
Interest & Rents					
Interest Income	330,000	330,000	330,000	51,728	
Total	330,000	330,000	330,000	51,728	15.7%
Other Revenues					
Miscellaneous	173,000	173,000	173,000	8,916	
Sale of Fixed Assets	102,000	102,000	102,000	-	
Donations & Contributions	65,000	65,000	65,000	18,666	
Total	340,000	340,000	340,000	27,582	8.1%
Total General Fund					
Operating Revenue	145,700,000	145,700,000	145,700,000	69,926,171	48.0%
Transfers from Other Funds	100,000	100,000	100,000	-	
Total	145,800,000	145,800,000	145,800,000	69,926,171	48.0%

September 30, 2022 Departmental Summary

Fiscal Year July 1, 2019 - June 30, 2022

General Fund Appropriations	FY 2023 Adopted Budget	FY 2023 Amended Budget	FY 2023 Sep. 30 Actuals	Sep. 30 Percent YTD
Beginning General Fund Balance	5,873,867	5,873,867	5,873,867	
Beginning Budget Stab. Fund Balance	12,705,546	12,705,546	12,705,546	
Total General Fund Reserves	18,579,413	18,579,413	18,579,413	
Revenues (detail on previous page)	145,800,000	145,800,000	69,926,171	48.0%
Departmental Expenditures:				
Council	726,651	726,651	135,134	18.6%
Internal Audit	207,885	207,885	15,736	7.6%
Mayor's Office	1,769,932	1,769,932	343,585	19.4%
Office of Community Media	606,113	606,113	125,392	20.7%
District Court	5,984,638	5,984,638	1,301,735	21.8%
Circuit Court Building Rental	336,693	336,693	-	0.0%
City Clerk's Office	1,542,191	1,542,191	415,525	26.9%
Neighborhood & Citizen Engagement	1,326,296	1,326,296	334,221	25.4%
Economic Development & Planning	6,772,299	6,772,299	3,125,157	46.1%
Finance Department	2,100,195	2,100,195	424,319	20.2%
City Assessor	1,970,719	1,970,719	298,022	15.1%
Treasury/Income Tax	2,398,328	2,398,328	521,530	21.7%
Human Resources Department	2,724,062	2,724,062	381,302	14.0%
City Attorney's Office	2,520,110	2,520,110	476,910	18.9%
Police Department	51,580,854	51,580,854	11,627,473	22.5%
Fire Department	40,272,672	40,272,672	9,131,417	22.7%
Public Service	12,571,351	12,571,351	4,728,363	37.6%
Human Relations & Community Services	1,842,818	1,842,818	329,486	17.9%
Parks & Recreation Department	9,380,212	9,380,212	1,534,980	16.4%
Human Service Agency Support	1,958,000	1,958,000	83,626	5.4%
Non-Departmental Expenditures:				
Library Building Rental	136,150	136,150	33,587	24.7%
Operating Subsidies to Other Funds	197,631	197,631	-	0.0%
City Supported Agencies	489,500	489,500	(1,500)	-0.3%
Capital Improvements	4,823,000	4,823,000	-	0.0%
Debt Service & Penalties	987,100	987,100	-	0.0%
Vacancy Factor	(700,000)	(700,000)	-	
Expenditures	155,512,500	155,512,500	35,365,998	22.8%
Net Impact on Fund Balance	(9,712,500)	(9,712,500)		
Federal Stimulus Reimbursement				
IRS/ACA Bills Resolved	-	-		
Ending General Fund Reserves	8,866,913	8,866,913		

September 30, 2022 Budget Appropriation Summary

Fiscal Year July 1, 2022 - June 30, 2023

Estimated Revenues	FY 2023 Adopted Budget	FY 2023 Amended Budget	FY 2023 Sep. 30 Actuals	Sep. 30 Percent YTD
Property Taxes	48,245,000	48,245,000	50,788,502	
Income Taxes	37,510,000	37,510,000	8,747,789	
Return on Equity	25,000,000	25,000,000	7,138,749	
State Revenues	21,519,500	21,519,500	66,129	
Charges for Services	8,994,000	8,994,000	2,491,621	
Fines & Forfeitures	1,692,200	1,692,200	404,414	
Licenses & Permits	1,769,300	1,769,300	209,657	
Interest & Rent	330,000	330,000	51,728	
Other Revenue	340,000	340,000	27,582	
TOTAL REVENUES	**145,400,000**	**145,400,000**	**69,926,171**	**48.0%**

Appropriations	FY 2023 Adopted Budget	FY 2023 Amended Budget	FY 2023 Sep. 30 Actuals	Sep. 30 Percent YTD
Council				
Personnel	474,673	474,673	98,573	
Operating	251,978	251,978	36,561	
Total	**726,651**	**726,651**	**135,134**	**18.6%**
Internal Audit				
Personnel	195,589	195,589	13,484	
Operating	12,296	12,296	2,252	
Total	**207,885**	**207,885**	**15,736**	**7.6%**
Courts				
Personnel	4,829,179	4,829,179	1,001,542	
Operating	1,492,152	1,492,152	300,193	
Total	**6,321,331**	**6,321,331**	**1,301,735**	**20.6%**
Mayor's Office				
Personnel	1,523,058	1,523,058	303,152	
Operating	246,874	246,874	40,433	
Total	**1,769,932**	**1,769,932**	**343,585**	**19.4%**
Media Center				
Personnel	533,107	533,107	104,612	
Operating	73,006	73,006	20,780	
Total	**606,113**	**606,113**	**125,392**	**20.7%**
Clerk's Office				
Personnel	1,103,136	1,103,136	280,816	
Operating	439,055	439,055	134,709	
Total	**1,542,191**	**1,542,191**	**415,525**	**26.9%**
Neighborhood & Citizen Engagement				
Personnel	790,097	790,097	174,547	
Operating	536,199	536,199	159,674	
Total	**1,326,296**	**1,326,296**	**334,221**	**25.4%**
Economic Development & Planning				
Personnel	3,364,071	3,364,071	661,207	
Operating	3,408,228	3,408,228	2,463,950	
Total	**6,772,299**	**6,772,299**	**3,125,157**	**92.9%**
Finance/Operations				
Personnel	1,548,729	1,548,729	331,066	
Operating	551,466	551,466	93,253	
Total	**2,100,195**	**2,100,195**	**424,319**	**20.2%**

Appropriations	FY 2023 Adopted Budget	FY 2023 Amended Budget	FY 2023 Sep. 30 Actuals	Sep. 30 Percent YTD
Assessing				
Personnel	1,690,117	1,690,117	261,991	
Operating	280,602	280,602	36,031	
Total	**1,970,719**	**1,970,719**	**298,022**	**15.1%**
Treasury				
Personnel	1,832,523	1,832,523	358,392	
Operating	565,805	565,805	163,138	
Total	**2,398,328**	**2,398,328**	**521,530**	**21.7%**
Human Resources				
Personnel	1,609,829	1,609,829	271,037	
Operating	1,114,233	1,114,233	110,265	
Total	**2,724,062**	**2,724,062**	**381,302**	**14.0%**
Attorney's Office				
Personnel	2,211,152	2,211,152	403,093	
Operating	308,958	308,958	73,817	
Total	**2,520,110**	**2,520,110**	**476,910**	**18.9%**
Police				
Personnel	43,330,653	43,330,653	9,868,435	
Operating	8,250,201	8,250,201	1,759,038	
Total	**51,580,854**	**51,580,854**	**11,627,474**	**22.5%**
Fire				
Personnel	34,484,467	34,484,467	8,133,026	
Operating	5,788,205	5,788,205	998,390	
Total	**40,272,672**	**40,272,672**	**9,131,417**	**22.7%**
Public Service				
Personnel	2,945,961	2,945,961	3,003,075	
Operating	9,625,390	9,625,390	1,725,289	
Total	**12,571,351**	**12,571,351**	**4,728,364**	**37.6%**
Human Relations & Community Service				
Personnel	1,669,373	1,669,373	296,294	
Operating	173,445	173,445	33,191	
Total	**1,842,818**	**1,842,818**	**329,485**	**17.9%**
Parks & Recreation				
Personnel	5,759,154	5,759,154	553,881	
Operating	3,621,058	3,621,058	981,099	
Total	**9,380,212**	**9,380,212**	**1,534,980**	**16.4%**
Human Services				
Operating	1,958,000	1,958,000	83,626	
Total	**1,958,000**	**1,958,000**	**83,626**	**5.4%**
City Supported Agencies				
Operating	489,500	489,500	(1,500)	
Total	**489,500**	**489,500**	**(1,500)**	**-0.3%**
Non-Departmental				
Vacancy Factor	(700,000)	(700,000)	-	
Library Lease	136,150	136,150	33,587	
Debt Service	987,100	987,100	-	
Net Transfers	6,007,731	6,007,731	-	
Total	**6,430,981**	**6,430,981**	**33,587**	**-6.0%**
TOTAL EXPENDITURES	**155,512,500**	**155,512,500**	**35,365,999**	**24.4%**

Department	Key	PCN	Position Description	Bargaining Unit	FTE	Vacancy	Vacancy Factor
Vacancies Counted Toward General Fund Vacancy Factor							
COUNCIL/INTERNAL AUDIT	1012120	LEGISAUD	LEGISLATIVE AUDITOR	COUNCIL	1.00	2/20/2020	22,483
NEIGH CTZN ENG	1012320	OPCOORDR	GRANT ADMINISTRATOR	T243CTP	1.00	7/1/2022	15,379
HRCS	1012500	HMISPFAN	HMIS PERFORMANCE ANALYST	T243CTP	1.00	9/3/2021	14,024
HRCS	1012500	T243SUP	CONTRACT MNGMNT ADMINISTRATOR	T243SUP	1.00	5/26/2022	24,570
CODE COMPLIANCE	1012610	CCOFICER	CODE ENFORCEMENT WORKER	T243CTP	1.00	7/1/2022	17,871
CODE COMPLIANCE	1012610	PRMISOFF	PREMISE OFFICER	T243CTP	1.00	8/1/2022	9,999
CODE COMPLIANCE	1012610	PRMISOFF	PREMISE OFFICER	T243CTP	1.00	8/11/2022	8,221
ED&P/PLANNING	1012620	ASTPLMGR	ASSISTANT PLANNING MANAGER	T214 SUPV	1.00	3/20/2020	CONTRACT
FINANCE/OPERATIONS	1012710	FINDRCTR	FINANCE DIRECTOR	EXEC MGMT PLAN	0.50	8/13/2021	NO BDGT IMPACT
FINANCE/OPERATIONS	1012710	BUDGETAN	BUDGET ANALYST	T243CTP	1.00	8/6/2022	10,026
ASSESSOR	1012720	COMINDAP	COMMERICAL/INDUSTRIAL APPRAISR	T243CTP	1.00	6/15/2022	20,135
ASSESSOR	1012720	RESAPPLD	RESIDENTIAL APPRAISER LEAD	T243CTP	1.00	10/18/2019	17,871
ASSESSOR	1012720	RESAPPTR	RESIDENTIAL APPRAISER APPRENTICE	T243CTP	1.00	5/24/2019	14,665
ASSESSOR	1012720	RESIDAPP	RESIDENTIAL APPRAISER	T243CTP	1.00	10/5/2017	CONTRACT
ASSESSOR	1012720	ADMAST28	ADMINISTRATIVE ASSISTANT 28	T243CTP	1.00	7/1/2022	11,565
TREASURY	1012730	CTYTREASR	CITY TREASURER	EXEC MGMT PLAN	0.50	8/13/2021	NO BDGT IMPACT
TREASURY	1012730	CUSTSREP	CUSTOMER SERVICE REP	T243CTP	1.00	9/16/2022	1,927
TREASURY	1012730	CUSTSREP	CUSTOMER SERVICE REP	T243CTP	1.00	2/19/2021	11,565
HUMAN RESOURCES	1012800	DPTDIRHR-TBD	DEPUTY HR DIRECTOR	NON BARG SUPV	1.00	1/1/2022	21,711
HUMAN RESOURCES	1012800	PRNCRECR	PRINCIPAL RECRUITER	T243CTP	1.00	4/18/2017	18,785
HUMAN RESOURCES	1012800	HRSPEC34	HIRING SPECIALIST	T243CTP	1.00	7/1/2022	CONTRACT
HUMAN RESOURCES	1012800	HRSPEC34	HIRING SPECIALIST	T243CTP	1.00	6/25/2022	CONTRACT
HUMAN RESOURCES	1012800	SAFTYADM	HEALTH & WELLNESS SPECIALIST	T243CTP	0.25	7/1/2022	893
CITY ATTORNEY	1012900	LGLADVSR	LEGAL ADVISOR	T214 NS	1.00	4/6/2018	17,922
CITY ATTORNEY	1012800	PTASST31	PT LEGAL ASST DST CT 31	NON BARG SUPV	0.75	7/1/2022	7,448
PUBLIC SERVICE/BUILDINGS	1013140	BLDSERSU	BUILDING SERVICES SUPERVISOR	T243CTP	1.00	10/16/2020	19,732
PUBLIC SERVICE/BUILDINGS	1013140	CUSTOWKR	CUSTODIAL WORKER 300	UAW	1.00	12/3/2021	9,985
PUBLIC SERVICE/BUILDINGS	1013140	ELCTRICN	ELECTRICIAN	T243SUP	1.00	12/30/2018	14,665
PUBLIC SERVICE/BUILDINGS	1013140	ELECFACW	ELECTRICAL FACILITY CTRL WKR	T243SUP	1.00	11/2/2018	11,866
PUBLIC SERVICE/BUILDINGS	1013140	PLUMBSUP	PLUMBING SUPERVISOR	UAW	1.00	6/10/2018	19,732
PUBLIC SERVICE/BUILDINGS	1013140	ADMAST29	ADMINISTRATIVE ASSISTANT 29	T243CTP	1.00	8/31/2022	5,110
POLICE - ADMIN	1013201	ADMSPC31	ADMINISTRATIVE SPECIALIST 31	T243SUP	1.00	12/28/2011	CONTRACT
POLICE - ADMIN	1013201	BUDCTSUP	BUDGET CONTROL SUPERVISOR	T243SUP	1.00	6/27/2022	CONTRACT
POLICE - ADMIN	1013201	CMNCTMGR	COMMUNICATIONS DIRECTOR	T243SUP	1.00	7/1/2022	CONTRACT
POLICE - HUMAN RESOURCES	1013221	CLERKS22	CENTRAL RECORD PRINCIPAL CLERK	T243CTP	1.00	7/1/2022	12,891
POLICE - HUMAN RESOURCES	1013221	POLTEC31	LPD FOIA ANALYST	T243CTP	1.00	12/13/2021	12,891
POLICE - HUMAN RESOURCES	1013221	POLTEC31	LPD FOIA ANALYST	T243CTP	1.00	7/31/2021	13,333
POLICE - RADIO LAB	1013222	RADTEC34	RADIO TECHNICIAN 34	T243CTP	1.00	3/26/2022	CONTRACT
POLICE - DETENTION	1013224	DETENOFF	DETENTION OFFICER	T243CTP	1.00	12/5/2020	17,871
POLICE - DETENTION	1013224	DETENOFF	DETENTION OFFICER	T243CTP	1.00	5/2/2022	17,871
POLICE - DETENTION	1013224	DETENOFF	DETENTION OFFICER	T243CTP	1.00	9/22/2022	1,895
POLICE - DETENTION	1013224	DETENOFF	DETENTION OFFICER	T243CTP	1.00	9/7/2022	5,381
POLICE - DETENTION	1013224	DETENOFF	POLICE OFFICER 1	CCLP NS	1.00	7/1/2022	18,537
POLICE - INVESTIGATIONS	1013240	DETECT2C	DETECTIVE IIC	CCLP NS	1.00	5/1/2021	19,835
POLICE - INVESTIGATIONS	1013240	DETECT2B	DETECTIVE IIB	CCLP NS	1.00	6/17/2022	19,835
POLICE - INVESTIGATIONS	1013240	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	2/13/2021	12,891
POLICE - INVESTIGATIONS	1013240	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	7/1/2022	12,891
POLICE - INVESTIGATIONS	1013240	POLOFFDT	POLICE OFFICER DETECTIVE PAY	CCLP NS	1.00	4/22/2022	19,835
POLICE - INVESTIGATIONS	1013240	POLOFFDT	POLICE OFFICER DETECTIVE PAY	CCLP NS	1.00	7/14/2022	17,130
POLICE - INVESTIGATIONS	1013240	POLOFFDT	POLICE OFFICER DETECTIVE PAY	CCLP NS	1.00	6/16/2022	19,835
POLICE - INVESTIGATIONS	1013240	SECRTY26	SECRETARY 26	CCLP NS	1.00	5/24/2022	CONTRACT
POLICE - PATROL	1013251	ADMAST28	ADMINISTRATIVE ASSISTANT 28	T243CTP	1.00	1/1/2022	11,565
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	7/14/2021	TRAINEE
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	8/7/2021	TRAINEE
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	8/17/2021	TRAINEE
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	9/11/2021	12,891
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	1/6/2022	12,891
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	1/14/2022	12,891
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	2/26/2022	12,891
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	3/10/2022	12,891
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	3/10/2022	12,891
POLICE - PATROL	1013251	POLOFFCR	POLICE OFFICER 1	CCLP NS	1.00	3/16/2022	12,891
FIRE - ADMIN	1013501	ASTFIRCF	ASSISTANT FIRE CHIEF	NB SUPV	1.00	1/15/2021	OVERTIME
FIRE - ADMIN	1013501	ADMSPC30	ADMINISTRATIVE SPECIALIST 30	T243CTP	1.00	9/9/2022	3,388
FIRE - ADMIN	1013501	MATALSP3	MAINTENANCE ALARM SPECIALIST 3	IAFF	1.00	7/17/2021	OVERTIME
FIRE - ADMIN	1013510	MATALSP3	MAINTENANCE ALARM SPECIALIST 4	IAFF	1.00	7/1/2022	19,687
FIRE - OPERATIONS	1013520	CAPTAIN4	CAPTAIN IV	IAFF	1.00	9/30/2020	OVERTIME
FIRE - OPERATIONS	1013520	CAPTAIN4	CAPTAIN IV	IAFF	1.00	9/10/2021	OVERTIME
FIRE - OPERATIONS	1013520	CAPTAIN4	CAPTAIN IV	IAFF	1.00	9/10/2021	OVERTIME
FIRE - OPERATIONS	1013520	CAPTAIN4	CAPTAIN IV	IAFF	1.00	9/11/2021	OVERTIME
FIRE - OPERATIONS	1013520	CAPTAIN4	CAPTAIN IV	IAFF	1.00	9/11/2021	OVERTIME
FIRE - OPERATIONS	1013520	FIRENG02	ENGINEER II	IAFF	1.00	5/3/2021	OVERTIME

Vacancy Factor Report

Quarter Ending September 30, 2022

Department	Key	PCN	Position Description	Bargaining Unit	FTE	Vacancy	Vacancy Factor
FIRE - OPERATIONS	1013520	FIRENG02	ENGINEER II	IAFF	1.00	7/31/2021	OVERTIME
FIRE - OPERATIONS	1013520	FIRENG02	ENGINEER II	IAFF	1.00	9/11/2021	OVERTIME
FIRE - OPERATIONS	1013520	FIRENG02	ENGINEER II	IAFF	1.00	9/14/2021	OVERTIME
FIRE - OPERATIONS	1013520	FIRENG02	ENGINEER II	IAFF	1.00	10/23/2021	OVERTIME
FIRE - OPERATIONS	1013520	FIRENG02	ENGINEER II	IAFF	1.00	10/23/2021	OVERTIME
FIRE - OPERATIONS	1013520	FFTRAINE	FIRE FIGHTER TRAINEE	IAFF	4.00	7/1/2022	32,755
PARKS/BUSINESS & MGMT	1013810	ACCTGCLK	ACCOUNTING CLERK	T243CTP	1.00	3/5/2022	12,717
PARKS/BUSINESS & MGMT	1013810	ADMSPC27	ADMINISTRATIVE SPECIALIST	T243CTP	1.00	9/2/2022	3,680
PARKS/COMMUNITY CENTERS	1013811	PTCTRPRG	PT COMMUNITY CENTER PROGRMMR	T243PT	0.88	2/16/2022	12,299
					81.88		757,401

Vacancy Factor Report

Quarter Ending September 30, 2022

Department	Key	PCN	Position Description	Bargaining Unit	FTE	Vacancy	Vacancy Factor
Non-Vacancy Factor (non-General Fund) Vacancies							
PUBLIC SERVICE/O&M	1013611	ACTOPRSP	ACCOUNTING AND OPERATIONS SPEC	T243CTP	1.00	2/21/2022	13,976
PUBLIC SERVICE/O&M	1013611	ACTOPRSP	ACCOUNTING AND OPERATIONS SPEC	T243CTP	1.00	8/19/2022	6,564
PUBLIC SERVICE/O&M	1013611	EQPOPWK5	EQUIPMENT OPERATOR WORKER 500	UAW	1.00	1/16/2022	11,866
PUBLIC SERVICE/O&M	1013611	EQPOPWK6	EQUIPMENT OPERATOR WORKER 600	UAW	1.00	12/2/2021	12,831
PUBLIC SERVICE/O&M	1013611	MANTWKR4	MAINTENANCE WORKER 400	UAW	1.00	3/25/2022	10,921
PUBLIC SERVICE/O&M	1013611	PKSMTWK2	GROUNDS & MAINTENANCE WKR 200	UAW	1.00	9/4/2021	9,219
PUBLIC SERVICE/O&M	1013611	PKSMTWK2	GROUNDS & MAINTENANCE WKR 200	UAW	1.00	1/24/2022	9,219
PUBLIC SERVICE/O&M	1013611	PUBWKSUP	PUBLIC SERVICE SUPERVISOR	T243SUP	1.00	12/4/2021	15,420
PUBLIC SERVICE/O&M	1013611	SOLWASUP	SOLID WASTE SUPERVISOR	T243SUP	1.00	8/15/2020	16,188
ED&P/BUILDING SAFETY	2492610	BLDINSPC	BUILDING INSPECTOR	T243CTP	1.00	1/18/2022	16,188
ED&P/BUILDING SAFETY	2492610	BLDINSPC	BUILDING INSPECTOR	T243CTP	1.00	7/1/2022	16,188
ED&P/PARKING	5853640	PRKNGMGR	PARKING MANAGER	NB SUPV	1.00	9/24/2021	25,917
ED&P/PARKING	5853641	ACCTGCLK	ACCOUNTING CLERK	T243CTP	1.00	1/22/2018	10,532
ED&P/PARKING	5853641	ACCTGCLK	ACCOUNTING CLERK	T243CTP	1.00	5/18/2019	10,532
PUBLIC SERVICE/WWTP	5903670	ASPLSUPT	ASSIST PLANT SUPERINTENDENT	NB SUPV	1.00	7/31/2020	21,255
PUBLIC SERVICE/WWTP	5903670	LABSUP-TBD	LAB SUPERVISOR	T243SUP	1.00	7/1/2022	15,734
PUBLIC SERVICE/WWTP	5903670	PLOPSU36	PLANT OPERATIONS SUPERVISOR 36	T243SUP	1.00	7/22/2022	14,106
PUBLIC SERVICE/WWTP	5903670	WWMATWK6	WASTEWATER MAINTENANCE WKR 600	UAW	1.00	5/27/2020	12,831
PUBLIC SERVICE/WWTP	5903670	WWRESHAN	RESIDUAL HANDLER	UAW	1.00	12/18/2020	11,866
PUBLIC SERVICE/WWTP	5903670	WWSYSANL	WASTEWATER SYSTEMS ANALYST	T243CTP	1.00	10/23/2015	16,188
PUBLIC SERVICE/WWTP	5903679	IPPSUP-TBD	IPP SUPERVISOR	T243SUP	1.00	6/21/2021	10,921
INFO TECH	6303130	DATANLST	DATA ANALYST	T243CTP	1.00	2/16/2018	16,188
INFO TECH	6303130	TELCMTEC	TELECOMMUNICATIONS TECHNICIAN	T243SUP	1.00	1/21/2022	15,420
INFO TECH	6303130	GISTECHN-TBD	GIS TECHNICIAN	T243CTP	1.00	Mis-lable PCN	-
INFO TECH	6303130	SECURADM	SECURITY ADMINISTRATOR	T243SUP	1.00	Mis-lable PCN	-
PUBLIC SERVICE/FLEET	6433623	ATGARSUP	ASSIST SHIFT GARAGE SUPERVISOR	T243SUP	1.00	7/1/2017	14,665
PUBLIC SERVICE/FLEET	6433623	ATGARSUP	ASSIST SHIFT GARAGE SUPERVISOR	T243SUP	1.00	7/12/2019	14,665
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	3/29/2019	11,866
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	8/12/2022	6,472
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	6/17/2022	11,866
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	5/13/2019	11,866
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	8/17/2019	11,866
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	7/21/2021	11,866
PUBLIC SERVICE/FLEET	6433623	SRVCSPEC	SERVICE SPECIALIST	T243CTP	1.00	9/20/2019	11,565
PUBLIC SERVICE/FLEET	6433623	VEHWKR04	VEHICLE MAINTENANCE WORKER 400	UAW	1.00	11/1/2020	10,921
PUBLIC SERVICE/ENGINEERING	6453603	CTYENGNR	CITY ENGINEER	T243SUP	1.00	8/16/2019	24,044
PUBLIC SERVICE/ENGINEERING	6453603	DPPBSDIR	DEPUTY PUBLIC SERVICE DIRECTOR	NB SUPV	1.00	7/1/2017	28,615
PUBLIC SERVICE/ENGINEERING	6453603	ENGTECHN	ENGINEER TECHNICIAN	T243CTP	1.00	9/4/2021	12,717
PUBLIC SERVICE/ENGINEERING	6453603	PLMINSPC	PLUMBING INSPECTOR	T243CTP	1.00	10/1/2018	14,665
PUBLIC SERVICE/ENGINEERING	6453603	TRANSENG	TRANSPORTATION ENGINEER	NB SUPV	1.00	1/1/2020	27,239
PUBLIC SERVICE/ENGINEERING	6453603	TRANSENG	TRANSPORTATION ENGINEER	NB SUPV	1.00	1/1/2020	27,239
HUMAN RESOURCES	1012800	SAFTYADM	HEALTH & WELLNESS SPECIALIST	T243CTP	0.75	7/1/2022	8,041
HUMAN RESOURCES	1012800	PTPRTECH	PT RETIREMENT ANALYST	T243CTP	0.50	7/1/2022	3,746
DISTRICT COURT	7602201	COLOFFCR	COLLECTIONS OFFICER	T243 DCT	1.00	4/1/2021	9,311
DISTRICT COURT	7602201	DPCLERK2	DEPUTY CLERK 2	T243 DCT	1.00	1/17/2020	9,311
DISTRICT COURT	7602201	DPCLERK2	DEPUTY CLERK 2	T243 DCT	1.00	9/7/2021	9,311
DISTRICT COURT	7602201	DPCLERK2	DEPUTY CLERK 2	T243 DCT	1.00	10/2/2021	9,311
DISTRICT COURT	7602201	MAGISCLK	MAGISTRATE'S CLERK	DCT NON REPR	1.00	7/12/2019	CONTRACT
					47.25		621,237

Boak, Sherrie

From: Plummer, Marilyn
Sent: Tuesday, March 9, 2021 3:52 PM
To: Hetke, Veronica
Subject: Fw: Online Form Submittal: Application for Appointment to Board or Commission

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From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Wednesday, February 14, 2018 10:14 PM
To: Plummer, Marilyn <Marilyn.Plummer@lansingmi.gov>
Subject: Online Form Submittal: Application for Appointment to Board or Commission

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or committee. The Lansing City Charter requires that every appointee to a board, commission, or committee established by Charter or ordinance must meet the following qualifications and eligibility requirements:

• Be a registered elector in the City of Lansing (Charter Section 2-102).

• Be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

• Not be in default to the City at the time of taking office (Charter Section 2-103.2).

• Not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

(Section Break)

Date	2/14/2018
First Name	Jennie
Middle	Marie
Last Name	Gies
Other name(s) by which you have been known, including maiden names	*Field not completed.*

Date of Birth	[redacted]
Address	220 Ferguson Street
City	Lanisng
State	Michigan
Zip Code	48912
Email	jennie.gies@gmail.com
Gender	Female
Ward	1
Precinct	4
Best phone number to contact you	517.881-1419
Last 4 digits of social security number	[redacted]
In what year did you move to Lansing?	2003
Additional information regarding experience and credentials	From 2007 to 2010 I served as an appointee to the the Ingham County Women's Commission. I was elected chair of the commission and transitioned it back to its core mission of being an advisory commission to the Board of Commissioners and shepherded several policy resolutions for the board to review and adopt. For over 11 years I have been an active community resident in Lansing's Eastside. I enjoy organizing events for new and long standing neighbors to get to know each other and provide opportunities to improve our area. I maintain the financial records as Eastfield Neighborhood Association's treasurer. And as Eastfield's past president, I spearheaded multiple neighborhood improvement grant projects which included beautifying our street ends, street corners, and playground area, and installing park benches. I've also led neighborhood clean-up days, organized our bimonthly meetings and guest speakers. Prior to buying my home in Eastfield, I served as Vice-Chair for Foster Your Neighborhood and helped organize similar neighborhood activities. I'm a board member at Allen Neighborhood Center (ANC) and a long-time volunteer. I've delivered ANC's newsletter going door-to-door and was one of ANC's first Community Supported Agriculture Hunter Park gardenhouse subscribers. I've volunteered at many ANC events including their Big Fuss

	fundraiser to raise funds for a year round indoor farmers' market and farmer's food exchange.
Occupational Background	As legislative program coordinator for the Michigan Nurses Association and a former legislative staffer for several state legislators, I have the policy, analytical, organizational and constituent relation skills to analyze, give thoughtful policy recommendations and talk with constituents about CATA services. I have experience working collaboratively with a myriad of government officials— local, state and federal on policy and solving constituent issues.
Educational Background	Master of Public Administration, Western Michigan University, Kalamazoo, MI, 2015 Bachelor of Arts in Social Relations, James Madison College, Michigan State University, East Lansing, MI, 2005
Please attach a resume if available	*Field not completed.*
First choice for board to serve on	Capital Area Transportation Authority (CATA)
Second choice of a board to serve on	Zoning Appeals
Third choice of a board to serve on	*Field not completed.*
Fourth choice of a board to serve on	*Field not completed.*
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	I believe I have the professional experience, skill set and community relationships to hit the ground running on day one to work with staff, various stakeholders and constituents in advancing the City of Lansing and CATA's goals, addressing challenges and effectively managing public resources and services. If appointed to CATA, I would ensure CATA is following best practices in its operations and service delivery. I would work to promote a downtown Lansing, Old Town and REO town loop during peak hours so residents could easily access the area's restaurants, shopping districts and entertainment options. I would also ask for an audit of CATA's current bus routes to seek ways to improve bus routes based on ridership data, analytics, performance and citizen input. I believe there are opportunities to upgrade CATA's buses to provide a more pleasant experience for riders like offering more fuel efficient buses, simplified payment systems, public WiFi and secure public USB ports to charge electronics.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	*Field not completed.*
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	Jennie Gies
Date & Time	2/14/2018 10:15 PM

Email not displaying correctly? [View it in your browser.]

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit http://www.symanteccloud.com

Boak, Sherrie

From: Jennie Gies <jennie.gies@gmail.com>
Sent: Monday, November 7, 2022 3:29 PM
To: Hetke, Veronica
Subject: RE: [EXTERNAL] Reappointment to CATA

Hi Veronica,

Thank you so much for reaching out. Yes, I'm interested in being reappointed to the CATA board. The only thing that has changed is that I'm currently the Legislative Director for State Senator Jeremy Moss.

Let me know if you need anything else from me.

Kind regards,

Jennie

On Mon, Nov 7, 2022 at 3:13 PM Hetke, Veronica <Veronica.Hetke@lansingmi.gov> wrote:

> Hello Jennie,
>
> I am reaching out on behalf of Mayor Andy Schor to see if you're interested in being reappointed to the CATA Board? If so, could you let me know if the information we have on file for you is still up to date?
>
> Thank you!
>
> **Veronica Hetke**
>
> *Scheduling Coordinator*
>
> **City of Lansing – Office of Mayor Andy Schor**
>
> 124 W. Michigan Ave. | Lansing, MI 48933
>
> O: 517-483-4587 | C: 517-290-9398 | E: Veronica.Hetke@lansingmi.gov
>
> Website | Facebook | Twitter | Instagram

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF
UNLIMITED TAX GENERAL OBLIGATION BONDS

A RESOLUTION TO APPROVE:

- Up to $175,000,000 of Unlimited Tax General Obligation Bonds to finance lawful capital improvement needs of the City;
- Sale of Bonds or Notes in one or more series;
- Pledge of City's unlimited tax full faith and credit for the payment of the Bonds;
- Authorized Officers to sell Bonds without further Council action;
- Rating application, official statement, and continuing disclosure; and
- Other matters necessary to sell and deliver the Bonds.

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

WHEREAS, at a general election held on November 8, 2022, the qualified electors of the City approved a ballot proposal (the "2022 Public Safety Proposal") authorizing the City to borrow the sum of not to exceed One Hundred Seventy-Five Million Dollars ($175,000,000) and to issue its general obligation unlimited tax bonds, in one or more series, for the purpose of erecting, acquiring and equipping new public safety buildings and the sites for such buildings, including but not limited to, police department facilities and fire department stations and training centers, court(s), detention and other related facilities; rehabilitating and updating existing such public safety buildings; acquiring and installing instructional/public safety technology and instructional/public safety technology equipment for new and existing public safety buildings; equipping and re-equipping existing public safety buildings; and developing, equipping and improving facilities, parking areas, driveways, infrastructure and sites (the "Capital Improvements"); and

WHEREAS, the City determines it to be necessary for the public health, safety and welfare of the City and its residents to acquire and construct within the City the Capital Improvements; and

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

WHEREAS, staff of the City recommend that issuance by the City of its Capital Improvement Notes or Bonds (Unlimited Tax General Obligation), in one or more series, pursuant to the applicable terms of Act 34 and this Resolution, in an aggregate amount borrowed of not to exceed One Hundred Seventy-Five Million Dollars ($175,000,000) (the “Bonds”) for the purpose of financing costs of acquisition and construction of the Capital Improvements is the most practical means to that end; and

WHEREAS, it is proposed that the Bonds be unlimited tax general obligation bonds secured by a pledge of the City’s full faith and credit, pursuant to the terms of the 2022 Public Safety Proposal; and

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

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

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

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

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

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

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

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

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

ARTICLE I
DEFINITIONS AND INTERPRETATION

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

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

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

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

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

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

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

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

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

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

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

“Bonds Maximum Principal Amount” means an amount not to exceed One Hundred Seventy-Five Million Dollars ($175,000,000), exclusive of any original issue discount or original issue premium.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"State" means the State of Michigan.

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

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

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

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

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

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

ARTICLE II
DETERMINATIONS

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

The Bonds may be issued in one or more series, on different dates, in order to best manage the costs of the Bonds and Capital Improvements, as determined by an Authorized Officer.

The Bonds may be issued as draw down bonds, as revolving bonds, and as serial and term bonds.

Bonds issued to fund construction of the Capital Improvements may be refunded or refinanced with longer-term Bonds, within the parameters of this Resolution, as approved by an Authorized Officer, so long as the aggregate amount borrowed does not exceed the Bonds Maximum Principal Amount.

The Bonds shall consist of bonds in fully-registered form in denominations of $5,000, or integral multiples thereof, or in minimum denominations of $100,000 and $5,000 additional integral multiples thereof, not exceeding for each maturity the maximum principal amount of that maturity, numbered as determined by the Transfer Agent (as hereinafter defined). The Bonds shall bear interest at the rates determined upon sale of the Bonds but in any event the net interest cost of any Tax-Exempt Bonds (as defined below) shall not exceed 8.00% per annum and the net interest cost of any Taxable Bonds (as defined below) shall not exceed 10.00% per annum. The Bonds shall bear interest, mature as serial bonds, term bonds, revolving bonds or drawdown bonds, and be payable at the times and in the manner as may be determined by the Authorized Officer in a Sale Order at the time of sale of the Bonds. The Bonds shall be dated as of the date of delivery thereof or as may be otherwise determined by the Authorized Officer at the time of sale of the Bonds. The Bonds may be subject to redemption prior to maturity at the times and prices and in the manner as may be determined by the Authorized Officer at the time of sale of the Bonds.

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

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

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

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

Section 301. Unlimited Tax Pledge; Security. (a) The City hereby irrevocably pledges its unlimited tax full faith and credit for the prompt payment of the Bonds. Commencing with the fiscal year beginning July 1, 2023, it shall be the duty of the City to levy a tax annually in an amount sufficient so that the estimated collections therefrom will be sufficient to pay promptly when due the principal of and interest becoming due on the Bonds, which tax levies shall not be subject to limitation as to rate or amount. The rights or remedies of Bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

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

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

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

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

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

(1) The first maturity date or mandatory sinking fund redemption date for each series of the Bonds shall not be later than five (5) years from the date of issuance; and the final maturity dates for the Bonds shall not be

later than the earlier of (i) the last year of the weighted average estimated period of usefulness of the Capital Improvements or (ii) 30 years.

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

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

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

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

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

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

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

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

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

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

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

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

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

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

[Remainder of page intentionally left blank]

[Form of Bond]

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

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

Interest Rate	Date of Maturity	Date of Original Issue	CUSIP

Registered Owner:

Principal Amount: ___________ Dollars ($__________)

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

The unlimited tax full faith, credit and resources of the City are pledged for the payment of the Bonds of this issue, and the City has covenanted that, commencing with the fiscal year beginning July 1, 2023, it shall be the duty of the City to levy a tax annually in an amount sufficient so that the estimated collections therefrom will be sufficient to pay promptly when due the principal of and interest becoming due on the Bonds, which tax levies shall not be subject to limitation as to rate or amount.

[This bond is one of a series of [2022/2033] Unlimited Tax General Obligation Bonds (the “Bonds”) aggregating the principal sum of $______________, issued for the purpose of erecting, acquiring and equipping new public safety buildings and the sites for such buildings, including but not limited to, police department facilities and fire department stations and training centers, court(s), detention and other related facilities; rehabilitating and updating existing such public safety buildings; acquiring and installing instructional/public safety technology and instructional/public safety technology equipment for new and existing public safety buildings; equipping and re-equipping existing public safety buildings; and developing, equipping and improving facilities, parking areas, driveways, infrastructure and sites (collectively, the “Capital Improvements”), [paying capitalized interest] and paying costs incidental to the issuance of the Bonds.]

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

[Insert any draw down, revolving or term bond provisions, if applicable.

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

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

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

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

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

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

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

By____________________________________

Its Mayor

(SEAL)

Countersigned:

By____________________________________

Its City Clerk

Certificate of Authentication

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

____
_______________, Michigan
Transfer Agent

By____
Its: Authorized Signature

Date of Authentication: ________________, [2022/2023]

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

ARTICLE IV
SPECIAL COVENANTS

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

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

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

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

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

ARTICLE V
BONDS FUNDS AND ACCOUNTS; DISPOSITION OF BONDS PROCEEDS

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

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

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

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

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

Section 503. Capital Improvement Fund. The City Treasurer is authorized and directed to create a fund designated as the [2022/2023] CAPITAL IMPROVEMENT BONDS (UNLIMITED TAX GENERAL OBLIGATION) CAPITAL IMPROVEMENT FUND (the “Capital Improvement Fund”). The City Treasurer shall deposit the proceeds of the Bonds into the Capital Improvement Fund, less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Capital Improvement Fund shall be used to pay the costs of the Capital Improvements and to pay the costs of issuance of the Bonds. Moneys remaining in the Capital Improvement Fund after completion of the Capital Improvements may be used for any purpose permitted by law.

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

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

ARTICLE VI
DEFEASANCE

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

ARTICLE VII
OTHER PROVISIONS OF GENERAL APPLICATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 711. Severability. If any one or more sections, clauses or provisions of this Resolution shall be determined by a court of competent jurisdiction to be invalid or ineffective for any reason, such determination shall in no way affect the validity and effectiveness of the remaining sections, clauses and provisions hereof.

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

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

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

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

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

YEAS:
NAYS:
ABSTENTIONS:
ABSENT:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN) ss.

COUNTIES OF INGHAM AND EATON)

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

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of __________, 2022

____
Chris Swope, City Clerk
City of Lansing, Michigan

EXHIBIT A
FORM OF CONTINUING DISCLOSURE UNDERTAKING

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

(a) *Purpose of the Disclosure Undertaking*. This Undertaking is being executed and delivered by the City for the benefit of the Bondholders and in order to assist the Participating Underwriter in complying with section (b)(5) of the Rule. In consideration of the purchase and acceptance of any and all of the Bonds by those who shall hold the same or shall own beneficial ownership interests therein from time to time, this Undertaking shall be deemed to be and shall constitute a contract between the City and the Bondholders from time to time of the Bonds, and the covenants and agreements herein set forth to be performed on behalf of the City shall be for the benefit of the Bondholders of any and all of the Bonds.

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

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

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

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

"EMMA" shall mean the MSRB's Electronic Municipal Market Access System.

"MSRB" means the Municipal Securities Rulemaking Board.

"Official Statement" means the final Official Statement for the Bonds dated _________ __, 20__.

"Participating Underwriter" means any of the original underwriters of the Bonds required to comply with the Rule in connection with the primary offering of the Bonds.

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

"SEC" means the United States Securities and Exchange Commission.

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

(c) *Continuing Disclosure*. The City hereby agrees, in accordance with the provisions of the Rule, to provide or cause to be provided to the MSRB through EMMA, on or before the last day of the sixth (6th) month following the end of the fiscal year of the City, commencing with the fiscal year ended June 30, 2023, in an electronic format as prescribed by the MSRB:

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

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

a. Appendix A - GENERAL FINANCIAL INFORMATION - Historical Valuation;

b. Appendix A - GENERAL FINANCIAL INFORMATION - Major Taxpayers;

c. Appendix A - GENERAL FINANCIAL INFORMATION - Tax Rates (Per $1,000 of Valuation);

d. Appendix A - GENERAL FINANCIAL INFORMATION - Tax Levies and Collections;

e. Appendix A - GENERAL FINANCIAL INFORMATION - City Income Tax;

f. Appendix A - GENERAL FINANCIAL INFORMATION - Revenues From the State of Michigan;

g. Appendix A - GENERAL FINANCIAL INFORMATION - Labor Force;

h. Appendix A - GENERAL FINANCIAL INFORMATION – Employees Retirement System;

i. Appendix A - GENERAL FINANCIAL INFORMATION – Police and Fire Retirement System;

j. Appendix A - GENERAL FINANCIAL INFORMATION - Debt Statement - Direct Debt; and

k. Appendix B - General Fund Budget Summary.

(2) The Audited Financial Statements. Provided, however, that if the Audited Financial Statements are not available by the date specified above, they shall be provided when available and unaudited financial statements will be filed by such date and the Audited Financial Statements will be filed as soon as available.

(3) Such additional financial information or operating data as may be determined by the City and its advisors as desirable or necessary to comply with the Rule.

Such annual financial information and operating data described above are expected to be provided directly by the City or by specific reference to other documents available to the public through EMMA or filed with the SEC, including official statements of debt issues of the City or related public entities.

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

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

(e) *Occurrence of Events.* The City agrees to provide or cause to be provided in a timely manner not in excess of ten (10) business days to the MSRB through EMMA, notice of the occurrence of any of the following events listed in (b)(5)(i)(C) of the Rule with respect to the Bonds, if applicable, if material (each a "Material Event"):

(1) principal and interest payment delinquencies;
(2) non-payment related defaults;
(3) unscheduled draws on debt service reserves reflecting financial difficulties;
(4) unscheduled draws on credit enhancements reflecting financial difficulties;
(5) substitution of credit or liquidity providers, or their failure to perform;
(6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
(7) modifications to rights of holders of the Bonds;
(8) Bond calls;
(9) defeasances;
(10) release, substitution, or sale of property securing repayment of the Bonds; and
(11) rating changes;
(12) bankruptcy, insolvency, receivership or similar event of the Issuer, which is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other

proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer;

(13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

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

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

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

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

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

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

(i) Amendments to the Undertaking. Amendments may be made in the specific types of information provided or the format of the presentation of such information to the extent deemed necessary or appropriate in the judgment of the Disclosure

Representative on behalf of the City, provided that the City agrees that any such amendment will be adopted procedurally and substantively in a manner consistent with the Rule, including, any interpretations thereof by the SEC, which, to the extent applicable, are incorporated herein by reference. Such interpretations currently include the requirements that (a) the amendment may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the City or the type of activities conducted thereby, (b) the undertaking, as amended, would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, and (c) the amendment does not materially impair the interests of Bondholders, as determined by parties unaffiliated with the City (such as independent legal counsel), but such interpretations may be changed in the future. If the accounting principles to be followed by the City in preparing the Audited Financial Statements are modified, the Annual Financial Information for the year in which the change is made shall present a comparison between the financial statements as prepared on the prior basis and the statements as prepared on the new basis, and otherwise shall comply with the requirements of the Rule, in order to provide information to investors to enable them to evaluate the ability of the City to meet its obligations. A notice of the change in accounting principles shall be sent to the MSRB through EMMA.

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

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

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

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

By____________________________________

Its

Dated: ______________________

EXHIBIT B

FORM OF OFFICIAL NOTICE OF SALE

$__________

CITY OF LANSING

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

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

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

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

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

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

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

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

Year	Principal Amount		Year	Principal Amount
2023			2028	
2024			2029	
2025			2030	
2026			2031	
2027			2032	

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

INTEREST RATE AND BIDDING DETAILS: The Bonds shall bear interest at a rate or rates such that the net interest cost shall not exceed 8.00% per annum, if issued on a tax-exempt basis, or 10.00% per annum, if issued on a taxable basis, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one Bond shall be at one rate only and all Bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the Bonds shall not exceed 1.00% per annum. THE INTEREST RATE BORNE BY BONDS MATURING IN ANY ONE YEAR SHALL NOT BE LESS THAN THE INTEREST RATE BORNE BY BONDS MATURING IN THE RESPECTIVE PRECEDING YEAR. No proposal for the purchase of less than all of the Bonds or at a price less than 97% or more than 120% of their par value will be considered. In submitting a bid for the Bonds, the bidder agrees to the representation of the City by Dykema Gossett PLLC as bond counsel.

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

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

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

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

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

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

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

PURPOSE AND SECURITY: The Bonds are issued pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution of the City Council for the purpose of erecting, acquiring and equipping new public safety buildings and the sites for such buildings, including but not limited to, police department facilities and fire department stations and training centers, court(s), detention and other related facilities; rehabilitating and updating existing such public safety buildings; acquiring and installing instructional/public safety technology and instructional/public safety technology equipment for new and existing public safety buildings; equipping and re-equipping existing public safety buildings; and developing, equipping and improving facilities, parking areas, driveways, infrastructure and sites. The Bonds will pledge the unlimited tax full faith and credit of the City for payment of the principal and interest thereon. Commencing with the fiscal year beginning July 1, 2023, it shall be the duty of the City to levy a tax annually in an amount sufficient so that the estimated collections therefrom will be sufficient to pay promptly when due the principal of and interest becoming due on the Bonds, which tax levies shall not be subject to limitation as to rate or amount. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally, now existing or hereafter enacted, and by the application of general principles of equity including those relating to equitable subordination.

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

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

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

[ISSUE PRICE CERTIFICATE: The successful bidder will be required to furnish, prior to the delivery of the Bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the Bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended. Such certificate will include (i) for those maturities where 10% of each such maturity of the Bonds has been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the Bonds, the price at which the first 10% of each such maturity was sold to members of the general public, and (ii) for those maturities where 10% of such maturity has not been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the Bonds, an agreement by the successful bidder to provide bond counsel with the prices at which the first 10% of each such maturity is ultimately sold to members of the general public. THIS FORM WILL BE EXPANDED TO INCLUDE HOLD-THE-OFFERING PRICE RULE PROVISIONS RELATING TO COMPETITIVE SALES]

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

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

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the City has requested and received a rating on the Bonds from a rating agency, the City will pay for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser of the insurance. FAILURE OF

THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.

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

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

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

BIDDER CERTIFICATION: NOT "IRAN-LINKED BUSINESS": By submitting a bid, the bidder shall be deemed to have certified that it is not an "Iran-Linked Business" as defined in Act 517, Public Acts of Michigan, 2012, as amended, being MCL 129.311 et. seq.

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

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for [2022/2023] Capital Improvement Bonds (Unlimited Tax General Obligation)."

Chris Swope, City Clerk
City of Lansing, Michigan

076492.000041 4862-6114-6428.4

Department of Economic Development and Planning
Brian McGrain, Director

Andy Schor, Mayor

Planning and Zoning Office
316 N. Capitol Avenue, Suite D-1
Lansing, Michigan 48933
PH: 517.483.4066 – FAX: 517.483.6036
www.lansingmi.gov

MEMO

FROM: Sue Stachowiak, Zoning Administrator

DATE: August 19, 2022

RE: Amendments to the Marijuana Ordinance

At a special meeting held on August 8, 2022, the Planning Board voted unanimously to recommend approval of amendments to the Marijuana Ordinance (Chapter 1300) summarized as follows:

1300.02: add definitions for Marihuana Educational Research License (new license type) and expand definition of Marihuana Microbusiness to include Class A (new license type).

1300.04: amend definition of applicant to reflect current state practice.

-Amend insurance requirements to expand access to coverage.

1300.09: add drive thru as a permissible accessory use for marijuana sales with zoning approval.

1300.11: assigns Educational Research Facilities to same zoning as Safety Compliance, Processors, and Secure Transporters (Industrial, Mixed Use, and Urban Flex).

1300.17: codifies Mayor's 2020-01 Executive Order and adds licensing fee.

No comments were received at the public hearing held by the Planning Board.

ORDINANCE NO.______________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1300, SECTIONS 1300.02, 1300.04, 1300.09, AND 1300.11 TO UPDATE THE ORDINANCE TO REFLECT CHANGES IN LAWS AND RULES BY THE CANNABIS REGULATORY AGENCY, FORMERLY KNOWN AS THE MARIJUANA REGULATORY AGENCY, AND ADDING SECTION 1300.17 TO CODIFY THE PROCESS FOR TEMPORARY MARIHUANA EVENTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1300, Sections 1300.02, 1300.04, 1300.09, and 1300.11 of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended and Section 1300.17 is added to read as follows:

1300.02. Definitions, interpretation and conflicts.

For the purposes of this chapter:

(a) Any term defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq., as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. (MMFLA), as amended, the Marihuana Tracking Act ("MTA"), MCL 333.27901 et seq., the Michigan Regulation and Taxation of Marihuana Act (MRTMA"), MCL 333.27951 et seq., shall have the definition given in those acts; if the definition of a word or phrase set forth in this chapter conflicts with the definition in the MMMA, MMFLA or MTA, or if a term is not defined but is defined in the MMMA, MMFLA MTA, or MRTMA then the definition in the MMMA, MMFLA, MTA, or MRTMA shall apply.

(b) Any term defined by 21 USC 860(e) referenced in this chapter shall have the definition given by 21 USC 860(e).

(c) This chapter shall not limit an individual or entity's rights under the MMMA, MMFLA, MTA, or MRTMA and these acts supersede this chapter where there is a conflict between them and the immunities and protections established in the MMMA and MRTMA unless superseded or preempted by the MMFLA and/or MRTMA.

(d) All activities related to medical marihuana, including those related to a Medical Marihuana Provisioning Center, a Medical Marihuana Grower Facility, a Medical Marihuana Secure Transporter, a Medical Marihuana Processor or a Medical Marihuana Safety Compliance Facility shall be in compliance with the rules of the Marihuana Regulatory Agency, the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City, the MMMA, MMFLA and the MTA.

(e) All activities related to non-medical marihuana shall be in compliance with the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City and MRTMA.

(f) Any use which purports to have engaged in the cultivation or processing of marihuana into a usable form, or the distribution of marihuana, or the testing of marihuana either prior to or after enactment of this chapter without obtaining the required licensing set forth in this chapter shall be deemed to be an illegally established use and therefore not entitled to legal nonconforming status under the provisions of this chapter, and/or State law. Any license granted pursuant to this chapter shall be exclusive to the licensee, and is a revocable privilege. Granting a license does not create or vest any right, title, franchise, or other property right.

(g) The following terms shall have the definitions given:

Application/License Application means an application for a license pursuant to the terms and conditions set forth in Sections 1300.04 and 1300.05.

Application for a License Renewal means an application for a license renewal pursuant to the terms and conditions of Section 1300.07.

Buffered Use means a use subject to the buffering and dispersion requirements of Sections 1300.10 and 1300.11.

Building means an independent, enclosed structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is completely separated from every other part by dividing walls from the ground up, and without openings, each portion of such structure shall be deemed a separate structure, regardless of whether the portions of such structure share common pipes, ducts, boilers, tanks, furnaces, or other such systems. This definition refers only to permanent structures, and does not include tents, sheds, greenhouses and private garages on residential property, stables, or other accessory structures not in compliance with MMMA or MRTMA. A building does not include such structures with interior areas not normally accessible for human use, such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers or similar structures.

Chapter means this Chapter 1300.

Church means an entire space set apart primarily for purposes of public worship, and which is tax exempt under the laws of this state, and in which religious services are held, and the entire building structure of which is kept for that use and not put to any other use inconsistent with that use.

City means the City of Lansing, Michigan.

Clerk shall mean the City Clerk of Lansing, Michigan.

Council or *City Council* means the City Council of Lansing, Michigan.

Employee means any individual who is employed by an employer in return for the payment of direct or indirect monetary wages or profit, under contract, and any individual who volunteers his or her services to an employer for no monetary compensation, or any individual who performs work or renders services, for any period of time, at the direction of an owner, lessee, of other person in charge of a place.

License means a license issued for the operation of a medical marihuana facility or marihuana establishment pursuant to the terms and conditions of this chapter and includes a license which has been renewed pursuant to Section 1300.07.

Licensee means a person issued a license for a medical marihuana facility or marihuana establishment pursuant to this chapter.

Limit means a competitive application process by which the municipality selects applicants who are best suited to operate in compliance with the Michigan Regulation and Taxation of Marihuana Act and this chapter and prevents the Department of Licensing and Regulatory Affairs from issuing a State license within the municipality's jurisdiction if the applicant is not selected, in compliance with MCL § 333.27956(1) and MCL § 333.27959(4).

Marihuana Educational Research License **means any person or entity licensed by the United States Drug Enforcement Administration (DEA) and in affiliation with a degree or certificate program offered by an institution of higher learning accredited by the Higher Learning Commission and subject to the requirements outlined under State of Michigan Rule 420.27a, as may be updated or amended from time to time.**

Marihuana Establishment means any marihuana operation that is required to be licensed under this chapter and possesses a license or approval to operate under the MRTMA, including a Marihuana Microbusiness, a Marihuana Retailer, a Marihuana Grower, a Marihuana Processor, a Marihuana Secure Transporter, a Marihuana Safety Compliance Facility, and a Designated Consumption Establishment.

Marihuana Grower means a licensee that is a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to terms and conditions of this chapter that cultivates, dries, trims or cures and packages marihuana in accordance with State law.

Marihuana Microbusiness means a person or entity licensed **as a marihuana microbusiness or class A microbusiness, as defined by State of Michigan Rules 420.105 and 420.105a which may be updated or amended from time to time,** ~~to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a Marihuana Safety Compliance Facility, but not to other marihuana establishments,~~ located in the City that is licensed or approved to operate by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter.

Marihuana Operation/Operator means all types of medical and non-medical marihuana establishments and facilities operating in the City of Lansing that are required to be licensed under this chapter and possess a license or approval to operate under State law.

Marihuana Processor or *Medical Marihuana Processor Facility* means a commercial entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter, that extracts resin from the marihuana or creates a marihuana-infused product, processes and packages marihuana, and sells or otherwise transfers marihuana to marihuana operations, to the extent permitted by State law and rules.

Marijuana Regulatory Agency or *MRA* means the agency within the State of Michigan Department of Licensing and Regulatory Affairs created pursuant to Executive Order 2019-07 to regulate medical and recreational marihuana.

Marihuana Retailer means a licensee located in the City that is licensed or approved to operate by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to a marihuana establishment and to individuals who are 21 years of age or older.

Marihuana Safety Compliance Facility or *Medical Marihuana Safety Compliance Facility* means a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter, that tests marihuana, including certification for potency, the presence of contaminants, and tetrahydrocannabinol and other cannabinoids.

Medical Marihuana Facility means any facility or center that is required to be licensed under this chapter and possesses a license or approval to operate from the State under the MMFLA, including: A Medical Marihuana Provisioning Center, a Medical Marihuana Processor, a Medical Marihuana Grower Facility, a Marihuana Secure Transporter, and a Medical Marihuana Safety Compliance Facility.

Medical Marihuana Provisioning Center means a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed by the City pursuant to the terms and conditions of this chapter, that sells, supplies, or provides marihuana to registered qualifying patients only as permitted by State law. Medical Marihuana Provisioning Center, as defined in the MMMA, MMFLA and MTA, includes any commercial property or business where marihuana is sold in conformance with State law and regulation. A noncommercial or nonbusiness location used by a primary caregiver to assist a qualifying patient, as defined in the MMMA, MMFLA or MTA connected to the caregiver through the State's marihuana registration process in accordance with the MMMA, MMFLA or MTA is not a Medical Marihuana Provisioning Center for purposes of this chapter.

MMFLA means the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. as amended from time to time.

MMMA means the Michigan Medical Marihuana Act, MCL 333.26421 et seq. as amended from time to time.

MRTMA means the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 et seq., as amended from time to time.

MTA means the Marihuana Tracking Act, MCL 333.27901 et seq., as amended from time to time.

Ordinance means the ordinance adopting this Chapter 1300.

Park means an area of land designated by the City as a park on its master plan or on a Council-approved list of City parks.

Person means an individual, partnership, firm, company, corporation, association, sole proprietorship, limited liability company, joint venture, estate, trust, or other legal entity.

School means and includes buildings used for school purposes to provide instruction to children and youth in grades pre-kindergarten through 12, and headstart when that instruction is provided by a public, private, denominational, or parochial school.

Secure Transporter or *Medical Marihuana Secure Transporter* means a commercial or business entity that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed to operate by the City pursuant to the terms and conditions of this chapter, that stores marihuana and transports marihuana between medical marihuana facilities or marihuana establishments for a fee and in accordance with State law.

Stakeholder means, with respect to a trust, the trustee and beneficiaries; with respect to a limited liability company, the managers and members; with respect to a corporation, whether profit or non-profit, the officers, directors, or shareholders; and with respect to a partnership or limited liability partnership, the partners, both general and limited.

State means the State of Michigan.

Ward means the four wards of the City of Lansing as outlined in 2-203 of the Lansing City Charter.

(h) Any term defined by the MMMA, the MMFLA, MTA, or MRTMA and not defined in this chapter shall have the definition given in the MMMA, MMFLA, MTA, or MRTMA as applicable.

1300.04. License application submission.

(a) Each marihuana operation must be licensed by the City. Applications for a license shall be made in writing to the City Clerk.

All applications submitted to the City Clerk in accordance with the provisions of this chapter shall be considered for the issuance of a license. An applicant may apply for multiple licenses under this chapter of the same or different natures simultaneously, as permitted by law.

(b) A complete application for a license or licenses required by this chapter shall be made under oath on forms provided by the City Clerk, and shall contain all of the following:

(1) If the applicant is an individual, the applicant's name, date of birth, physical address, email address, one or more phone numbers, including emergency contact information, and a copy of a government-issued photo identification card of the applicant.

(2) If the applicant is not an individual, the names, dates of birth, physical addresses, email addresses, and one or more phone numbers of each stakeholder of the applicant including designation of a stakeholder as an emergency contact person and contact information for the emergency contact person, articles of incorporation or organization, internal revenue service SS-4 EIN confirmation letter, and the operating agreement or bylaws of the applicant, if a limited liability company.

(3) Any applicant who meets any of the follow criteria must provide the necessary disclosure information outlined in 1300.04(b)(1) and (2):

(A) For an individual or sole proprietorship: the proprietor and spouse.

(B) For a partnership and limited liability partnership: all partners and their spouses.

(C) For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the partnership, and their spouses.

(D) For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the company, and their spouses.

(E) For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(F) For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(G) For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.

(H) For a nonprofit corporation: all individuals and entities with membership or shareholder rights in accordance with the articles of incorporation or the bylaws and their spouses.

(I) For a trust: trustees, any individual or body able to control and direct the affairs of the trust, and any beneficiary who receives or has the right to receive more than 10% of the gross or net profit of the trust during any full or partial calendar or fiscal year and their spouses.

~~(3)~~**(4)** The name, date of birth, physical address, copy of photo identification, and email address for any operator or employee if other than the applicant.

~~(4)~~**(5)** The name and address of the proposed marihuana operation and any additional contact information deemed necessary by the City Clerk.

~~(5)~~**(6)** Applicant or licensee shall keep records of the results of the criminal history background checks performed pursuant to MMFLA and/or MRTMA requirements and shall provide copies for every applicant, licensee, stakeholder, and employee to the City Clerk within five business days of receipt.

~~(6)~~**(7)** An affirmation under oath as to whether the applicant or operator has had a business license revoked or suspended, and if revoked or suspended, then the reason for such revocation or suspension.

~~(7)~~**(8)** A copy of the proposed business plan for the marihuana operation, including, but not limited to, the following:

i. The proposed ownership structure of the marihuana operation, including percentage ownership of each person; and

ii. A current organization chart that includes position descriptions and the names of each person holding each position.

~~(8)~~**(9)** One of the following: (a) proof of ownership of the entire premises wherein the marihuana operation is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring licensure under this chapter along with a copy of any lease for the premises.

~~(9)~~**(10)** Verify compliance with State-mandated security measures as outlined in Emergency Rule 35 of the Department of Licensing and Regulatory Affairs: Adult-Use Marihuana Establishments Emergency Rules of July 3, 2019, as may be updated or amended from time to time.

~~(10)~~ **(11)** A floor plan of the marihuana operation, as well as a scale diagram illustrating the property including all available parking spaces, all available handicapped accessible parking, and noting storage spaces for any flammable or combustible substances.

~~(11)~~ **(12)** Verify compliance with State-mandated marketing and advertising restrictions as outlined in Emergency Rule 52 of the Department of Licensing and Regulatory Affairs: Adult-Use

Marihuana Establishments Emergency Rules of July 3, 2019, as may be updated or amended from time to time.

~~(12)~~**(13)**A location area map, as measured pursuant to Section 1300.10, of the marihuana operation and surrounding area that identifies the relative locations and the distances, as measured pursuant to Section 1300.10(d), to the buffered uses set forth in Section 1300.10(a), and noting any residentially-zoned property within one-quarter mile of the marihuana operation.

~~(13)~~**(14)**An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the City. Specifically, that the applicant or stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligation to the City.

~~(14)~~**(15)**A signed acknowledgment that the applicant is aware and understands that all matters related to marihuana, growing, cultivation, possession, dispensing, testing, safety compliance, transporting, distribution, and use are currently subject to State and Federal laws, rules, and regulations, and that the approval or granting of a license hereunder does not exonerate or exculpate the applicant from abiding by the provisions and requirements and penalties associated with those laws, rules and regulations or exposure to any penalties associated therewith; and further the applicant waives and forever releases any claim, demand, action, legal redress, or recourse against the City, its elected and appointed officials and its employees and agents for any claims, damages, liabilities, causes of action, damages, and attorney fees the applicant may occur as a result of the violation by applicant, its officials, members, partners, shareholders, employees and agent of those laws, rules, and regulations and hereby waives, and assumes the risk of, any such claims and damages, and lack of recourse against the City, its elected and appointed officials, employees, attorneys, and agents.

~~(15)~~**(16)**Proof of an insurance policy covering each license and naming the City, its elected and appointed officials, employees, and agents, as additional insured parties, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors, in the amount of (a) at least $1,000,000.00 for property damage; (b) at least $1,000,000.00 for injury to one person; and (c) at least $2,000,000.00 for injury to two or more persons resulting from the same occurrence. The insurance policy underwriter must have a minimum A.M. Best Company insurance ranking of B~~+~~, **DemoTech**~~consistent with State law~~**, or similar rating from another credit rating agency for the insurance industry.** The policy shall provide that the City shall be notified by the insurance carrier 30 days in advance of any cancellation. The insurer must be licensed in the State of Michigan.

~~(16)~~**(17)** i. Proof of a surety bond in the amount of $50,000.00 with the City listed as the obligee to guarantee performance by applicant of the terms, conditions and obligations of this chapter in a manner and surety approved by the City Attorney; or, in the alternative,

ii. Creation of an escrow account as follows:

a. The account must be provided by a State or federally regulated financial institution or other financial institution; and

b. The account must be for the benefit of the City to guarantee performance by licensee in compliance with this chapter and applicable law; and

c. The account must be in the amount of $20,000.00 and in a form prescribed by the City Attorney.

~~(17)~~**(18)**Projected or actual annual budget and revenue based upon generally accepted accounting principles (GAAP standards) demonstrating sufficient financial resources to fund and execute the submitted business plans and building plans.

~~(18)~~**(19)**An estimate of the number and type of full-time equivalent jobs that the marihuana operation expects to create and the amount and type of compensation for each position, including but not limited to healthcare, retirement, and paid time off.

~~(19)~~**(20)**Submission of an odor plan to address any potential odors stemming from the use, storage, growing, or processing of marihuana.

~~(20)~~**(21)**Execution of the Financial Resources Litigation History form made available by the City Clerk.

~~(21)~~**(22)**Execution of the Morals, Good Order and General Welfare Litigation History form made available by the City Clerk.

~~(22)~~**(23)**Any other information requested by the City Clerk to assist in the review of the application. Failure to provide required or requested information may result in an incomplete application determination and may result in denial or revocation of licensure.

~~(23)~~**(24)**There is an ongoing obligation to provide updated information to the City Clerk. Should there be a change to any portion of an application, the applicant must advise the City Clerk within seven days from date of change and provide any documentation to support the change in application. Failure to provide documentation shall result in an incomplete application determination and is subject to denial of licensure.

(c) Each application shall be accompanied by a license application fee in an amount of $5,000.00.

(d) Upon receipt of a completed application meeting the requirements of this section and the appropriate license application fee, the City Clerk shall refer a copy of the application to each of the following for their approval: the City Attorney, the Building Safety Office, the Police Department, the Zoning Administrator, and the City Treasurer.

(e) No application shall be approved unless:

(1) The Building Safety Office has inspected the proposed location or approved proposed site plans for compliance with all laws for which they are charged with enforcement and for compliance with the requirements of this chapter.

(2) The Zoning Administrator has confirmed that the proposed location complies with the Zoning Code and this chapter.

(3) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant are not in default to the City, including but not limited to, non-payment of property taxes.

(4) The Police Department has reviewed the criminal history background checks for each applicant, stakeholder, and employees provided by the applicant.

(5) The City Attorney's office has reviewed and approved as to form the insurance and either the surety bond or escrow account documentation for compliance with State and local laws.

1300.07. License renewal application.

(a) Application for a license renewal required by this chapter shall be made in writing to the City Clerk at least 28 days prior to the expiration of an existing license.

(b) An application for a license renewal required by this chapter shall be made under oath on forms provided by the City, and shall contain all of the information required by Section 1300.04(b).

(c) An application for a license renewal shall be accompanied by a renewal fee in an amount of $5,000.00. The renewal fee is established to defray the costs of the administration and enforcement of this chapter expended by the City Clerk's Office, Police Department, City Attorney's Office, Treasury, Building Safety office, Zoning Administrator, and other relevant City departments.

(d) Upon receipt of a completed application for a license renewal meeting the requirements of this chapter and the license renewal fee, the City Clerk shall refer a copy of the renewal application to each of the following for their approval: The City Attorney's Office, the Building Safety Office, the Police Department, the Zoning Administrator, and the City Treasurer.

(e) No application for a license renewal shall be approved unless:

(1) The Building Safety Office has inspected the proposed location and/or approved proposed site plans for compliance with all laws for which they are charged with enforcement within the past calendar year.

(2) The Zoning Administrator has confirmed that the location complies with the Zoning Code and this chapter.

(3) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant and the location of the marihuana operation are not currently in default to the City, including but not limited to property taxes.

(4) The Police Department has reviewed the criminal history background checks for each applicant, stakeholder, and employee, as provided by the applicant.

(5) The City Attorney's Office has reviewed and approved as to form the insurance and either the surety bond or escrow account documentation for compliance with State and local laws.

(6) The applicant possesses the necessary State licenses or approvals.

(7) The applicant has operated the marihuana operation in accordance with the conditions and requirements of this chapter as well as Federal and State laws and regulations.

(8) The marihuana operation has not been declared a public nuisance.

(f) If written approval is given by each individual, department, or entity identified in subsection (e), the City Clerk confirms compliance with subsection (b) and receipt of the renewal fee, the City Clerk shall issue a license renewal to the applicant. The renewal shall be deemed approved if the City has not issued formal notice of denial within 60 days of the filing date of the application, unless the applicant is advised of non-compliance under Section 1300.07(e) during such period.

(g) If an applicant receives conditional approval to receive a license but fails to obtain that license within 24 months from the date of conditional approval, the City Clerk may revoke the conditional approval and deny licensure. conditional approval is not a license and in no way permits growing, processing, testing, transport, or sale of marihuana or marihuana product.

1300.09. Minimum operational standards of a marihuana operation.

Except as may be preempted by State law or regulation:

(a) Every Medical Marihuana Provisioning Center, Marihuana Retailer, and Designated Consumption Establishment must be located in a building, as defined under Section 1300.02.

(b) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or Designated Consumption Establishment shall be open between the hours of 10:00 p.m. and 9:00 a.m.

(c) Consumption of marihuana shall be prohibited on the premises of a marihuana operation except as permitted by City Charter Section 8-501, State law, and a designated consumption establishment license has been obtained.

(d) No marihuana operation shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the marihuana operation is operated; or any other nuisance that hinders the public health, safety and welfare of the residents of the City.

(e) The license required by this chapter shall be prominently displayed on the premises of a marihuana operation.

(f) The premises shall be open for inspection during the stated hours of operation and as such other times as anyone is present on the premises. Refusal to permit inspection may result in revocation or suspension of licensure.

(g) It shall be prohibited to display any signs that are inconsistent with local laws or regulations or State law.

(h) No other accessory uses are permitted within the same establishment or facility unless expressly permitted by State or local law.

(i) All processing activity shall be performed indoors in a building.

(j) All persons working in direct contact with marihuana shall conform to hygienic practices while on duty, including but not limited to:

(1) Maintaining adequate personal cleanliness;

(2) Washing hands thoroughly in adequate hand-washing areas before starting work and at any other time when the hands may have become soiled or contaminated;

(3) Refraining from having direct contact with medical marihuana if the person has or may have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

(k) Marihuana operations must be kept clean and in good repair, including proper disposal of all waste and litter.

(l) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or Designated Consumption Establishment shall permit the sale, consumption, or serving of alcohol.

(m) Any marihuana licensee engaged in the sale of marijuana must apply for and receive approval from the Zoning Administrator prior to operating a drive-through (drive-thru).

1300.11. Location of Marihuana Growers, Marihuana Safety Compliance Facilities, Marihuana Processors, Marihuana Secure Transporters, Marihuana Microbusinesses, and Designated Consumption Establishment.

(a) All Marihuana Growers and Marihuana Microbusinesses shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial) and Ind-3 (urban industrial) zoning districts as identified in this Code.

(b) All Marihuana Safety Compliance Facilities, Marihuana Processors, **Educational Research Facilities,** and Marihuana Secure Transporters shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.

(c) All Designated Consumption Establishments shall be limited to S-C (suburban corridor), MX-C (mixed use urban corridor), MX-2 (mixed use community center), MX-3 (mixed use district center), Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.

(d) No marihuana operation shall be located in an unzoned area or in an area subject to an agreement entered into pursuant to Public Act 425 of 1984.

1300.17. Temporary Marihuana Events

(a) Any temporary marihuana event occurring in the City of Lansing shall submit the following to the Office of the Mayor for municipal approval or denial:

(1) A full and complete copy of the application submitted to the State of Michigan;

(2) Proof of Marihuana Event Organizer License from the State of Michigan;

(3) A complete Special Event Permit Application if the event is to occur on City-owned property;

(4) Submission of a $5,000 license application fee;

(b) Upon receipt of a completed application meeting the requirements of this section and payment of the appropriate license application fee, the application shall be referred to the following departments for their approval: the City Attorney, the Police Department, the Fire Department, and the Department of Parks & Recreation if hosted on City-owned property.

(c) The Mayor is the final authority in the decision whether to approve, deny, or modify the application.

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

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

Section 4. This ordinance shall take effect on the 30th day after enactment by City Council and pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2031.

Resolution #2022-###

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

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

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

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

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

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

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

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

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

Approved for placement on the City Council Agenda:

____
Jim Smiertka, City Attorney

____
Date