

AGENDA

Committee of the Whole AGENDA FOR JUNE 26, 2023 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.

UPDATED 6/23/2023 3:30 P.M.

Council Member Wood, Chairperson
Council Member Garza, Vice Chairperson

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. June 12, 2023
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Presentations:**
 - B. Office of the City Attorney SIMTOB Settlement Update
6. **Discussion/Action:**
 - C. ORDINANCE - Re-Adopting the Codified Ordinances
 - D. RESOLUTION - Fiscal Year End 2022-2023 Budget Amendment

Closed Session

- E. Pursuant to MCL 15.268(e), 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.
Charter Township of Lansing v. Barb Byrum, Ingham County Clerk, and City of Lansing
City of Lansing v. OCOF Nonprofit Housing Corp
City of Lansing, et al. v. Purdue Pharma, et al.
DePrekel v. City of Lansing, et al.
Freeman v. City of Lansing
Hardy, Gregory v. City of Lansing, et al.
Hulon v. City of Lansing, et al.
Khorrami v. City of Lansing, et al.
Legacy Five LLC v. City of Lansing
Lugo-Estok v. City of Lansing
Lynn v. City of Lansing
Phillips v. City of Lansing, et al.
Stewart, G. v. City of Lansing, et al.
Stewart, S. v. City of Lansing, et al.
Taft v. City of Lansing, et al.

Reconvene

7. **Other**
 - F. DISCUSSION - Resolution to Support Funding for Moores Park Pool

G. Ordinance Amendments

H. Update by the Administration- South Washington Complex (SWOC) Current City Department(s) Relocations (Temporary and Permanent) & Financial Impact

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.

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MINUTES **Committee of the Whole** **Monday, June 12, 2023 @ 5:30 p.m.** **Tony Benavides Lansing City Council Chambers**

CALL TO ORDER

Council President Wood called the meeting to order at 5:30 p.m.

PRESENT

Council Member Carol Wood
Council Member Jeremy Garza
Councilmember Adam Hussain
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Brian T. Jackson
Councilmember Jeffrey Brown
Councilmember Ryan Kost

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Joseph Abood, City Attorney
Lisa Hagen-Lawrence, City Attorney
Emily Linden, Internal Auditor
Desiree Kirkland, Finance Director
Jackson Mills, Finance
Shelbi Frayer, Chief Strategy Officer
Cynthia Gill, Finance
Michael Lynn
Loretta Stanaway
Kim Coleman, HRCS

Minutes

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM MAY 22, 2023.
MOTION CARRIED 8-0.

Public Comment

Ms. Stanaway spoke on the FY 2023/2024 budget cuts in Parks and Recreation, asking Council consider funds for that department. Ms. Stanaway spoke on the funding for the new public safety that the constituents voted on, with a concern on relocating Fire Station #9.

Mr. Lynn asked about the budget allocation of \$1.8 million and reallocating to departments that had operating budget cuts. Mr. Lynn then spoke on the spending in the Mayor's office, including the creation of the Chief Strategy Officer position funded in that office. He asked Council to look into their spending and role of the Chief Strategy Officer.

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Presentations

Chief Strategy Officer City Update

Council President Wood briefly noted for Council that this position was created in the FY2019/2022 budget, under recommendation from the Financial Health Team. Council at the time was looking at hiring a legal liaison for \$60,000. At that time City Council decided the CSO was more important for the City, and \$60,000 at the time would cover half a year by the time was created, posted and filled. At the time the position was placed in the Mayor's office and an ordinance was created. When discussed at Council they were looking for a person to look at all the departments to look for savings, look at redundancies, and ways for departments to raise revenue. Unfortunately the ordinance does not outline the "charge", so the duties the CSO is currently doing is what the ordinance has listed. Council can consider later on making amendments to the ordinance adding tasks and "charges". Tonight Ms. Frayer will be updating the Council on the Public Safety building, and speak to the strategic plan for the City.

Council Member Spadafore stepped away at 5:39 p.m.

Ms. Frayer acknowledged the overview of the role of the CSO. The role now, after the public safety passed in November, 2022, she is providing an update on that.

Council Member Spadafore returned to the meeting at 5:41 p.m.

Ms. Frayer distributed materials which outlined a map, memo from March from River Caddis, and they plan to update Council every few months. The Council reviewed the site concept which depicted the new court house, water quality, fire station 9, parking and new police headquarters. Currently they are working on contracts for construction and architects.

Council Member Spitzley asked for clarification on the map, and if the new footprint is part of the current SWOC. Ms. Frayer the City did purchase the McLaren parcel, and SWOC will be torn down. Council Member Spitzley asked for an overview of the current layout, and Ms. Frayer stated she could look into a current overlay. Council Member Spitzley asked if this overlays the park, and Ms. Frayer stated no, it butts up to it.

Council President Wood asked about the status of City TV and the Clerk Elections when SWOC is demolished. Ms. Frayer stated there are items in the building on retention or destroyed, and they are working with the Clerk's office and City TV on temporary and permanent locations, depending on which department. Council President Wood noted that the City Clerk would need to accommodate the voters.

Council Member Spadafore asked since demolition was not part of the bid, but is now, is this still within the financial, and Ms. Frayer stated it is cheaper to demolish. Council Member Spadafore asked if this is closest to the street, and Ms. Frayer stated this does allow enough parking in front and then secured parking for the courts, police, etc.

Council Member Spitzley asked about them reviewing the records retention schedule and Ms. Frayer confirmed they are following that.

Council Member Hussain stated that if they did a ramp would be \$20-\$30 million and what is demolition, and Ms. Frayer stated demolition is \$329,000 for demolition. Council Member Hussain asked for a plan to consider for elections to stay there because of central locations, along with the 311. Ms. Frayer stated they have met with public service, and the contractor. Right now there is no plan for permanent, but hope to have everyone out by November and December.

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Council Member Garza asked if the parking up front meets the Form Based Code. Ms. Frayer stated the concept has been through zoning and EDP for approval and vetted. Council Member Garza asked if Fire Station 9 was part of the original plan, and Ms. Frayer confirmed it was.

Council Member Spadafore stated the Fire Chief stated this location was a good spot for call time. Council Member Spitzley confirmed that same statement, and the current location is in need of repair, and she recalled also the Fire Chief being adamant that this be part of the master plan. Ms. Frayer stated they are also looking at Station 2 and 8 because they have significant repairs, and consider build.

Council Member Frayer asked if Council is interested on a quarterly report unless there is something significant, and Council concurred.

Ms. Frayer then referenced the handout on financing handout for the rating agencies. The City met with them, the City had a A- which was typical with many communities, and there was a positive rating to a stable outlook. Ms. Frayer then touched on highlights in the handout, on the Budget Financial Overview for taxable valuation and taxable value by tax year. The Committee was then referred to page 22 which was the City Tax Levies and Collections on property taxes. The Committee then reviewed the Michigan Local Pension Grant Program details, which stated the City expects to receive a grant of \$11-\$12 millions assuming the States \$750 million cap is not exceeded. Council President Wood clarified that those funds will not go into the City, but into the retirement fund.

Council President Wood asked for clarification that the City will get prevailing wage and local bidding. Ms. Frayer it is specified in all the bidding documents, as for local labor that has not gone out, and the City will follow the ordinances on that. Council Member Garza asked them to make sure the prevailing wages are up to date.

Council Member Spitzley asked the Administration to look at a position to monitor the development agreements to make sure there are compliance, and if they are not there are tools in place to address. Council President Wood reiterated the concerns from Unions earlier, that development agreements are self-monitored and that is a concern.

Council Member Garza asked how much time she devotes to the CSO position. Ms. Frayer, in a role of CSO, daily is on economic growth, and development is about 60-70% on contracts currently. There is a focus on the growth side. Council Member Garza asked about the unfunded liability, and when positions are contracted out there are not as many people putting into it, and asked if there are talks of putting more people into the department. Ms. Frayer stated both systems are 80% funded to 2035, and OPEB is different. There has not been a focus, but there have been talks about it.

Council President Wood asked Ms. Frayer if she has been working in with Finance on the plan that Finance stated they were working on during the budget. Ms. Frayer confirmed the Finance team has met a handful of times, but the focus was for this budget, before multi year. During the budget process, they budget for positions to be budgeted for the entire year. If spend time on what the structural deficit is, before talking about what to cut. The ideas need to be put on paper and then the Mayor shall share with Council. Council Member Spitzley acknowledged the work on contracts and development but as the CSO, she asked if she is involved in the budget negotiations and discussions looking for those efficiencies and looking at departments. Council Member Spitzley asked Council to look at the recommendations from the Mayor on how are the departments doing their part in addressing the structural deficit, and positions if need to be redefined. She then asked Ms. Frayer what her role has been in the budget, and Ms. Frayer in this current role she has not been involved but in her first time here she was Finance Director and CSO, but this time there is a Finance Director who has been in lead of the budget.

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Discussion/Action

RESOLUTION – Fiscal Year 2023-2024 Budget Amendment

Council President Wood recapped the discussion during passage of the budget, there was \$1.9 million that was not allocated, and there were some departments that had operational budgets cut to \$0. Council President Wood then referenced the Internal Auditor cover memo in the packet outlining the departments. Per Charter, there needs to be a balanced budget, so Council needs to utilize and make sure those funds are allocated.

Ms. Linden had nothing to add to the explanation.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE AMENDMENT TO THE FISCAL YEAR 2023-2024 BUDGET TO REALLOCATE THE FUNDS FOR THOSE DEPARTMENTS THAT HAD THE OPERATING CUTS.

Council Member Spitzley asked where the Parks and Recreation budget will get restored. Council President Wood stated there is not, but there are funds that they will have July 1st, and after the first quarter the administration will bring forward an allocation to address. The only departments that did not take cuts were Police and Fire. Council Member Spitzley reiterated a discussion during the budget about a plan to address the deficit and asked the Finance Director for updates, and if there are external meetings with experts. Ms. Kirkland stated they have had meetings with departments, the CSO and the Mayor, but no outside groups. Council Member Spadafore state that the plan from Ways and Means is to work with departments, and bring back in members of the Financial Health Team. The plan would be to add recommendations to the Budget Priorities.

Council President Wood stated that since this is an amendment, it can be divided for EDP and HRCS.

Council Member Spadafore noted the Clerk's, the Courts and along with Parks and Recreation have significant operating changes.

Council Member Jackson voiced his concern that Parks and Recreation is not on this list for adoption as part of this resolution. Council President Wood clarified that this is from the Mayor's, so Council cannot change where the funds go. This has to be done before end of June because the budget has to be balanced then. It was relayed to Council leadership, that there is potential of carry forwards, by the Mayor there will be funds put back in Parks and Recreation from the vacancy factor in the 1st and 2nd quarter. Ms. Linden stated the goal of the administration was to have every department operational in the first two quarters, and with the adopted budget Parks and Recreation operation has the funds.

Council Member Spitzley concurred with Council Member Jackson on the impact of Parks and Recreation and concern with how the budget came forward.

Council Member Spadafore supported this resolution for a good step forward, and some of the departments on the resolution took cuts in the Budget Resolution to \$0 in operating.

Council Member Hussain asked about Treasury and IT and asked if they were good in first two quarters, and Ms. Kirkland confirmed. Council Member Hussain noted that there is an idea that "the sky is falling", and when the budget was passed the plan was put forth by the Mayor and Council leadership, that funds would be put back.

Ms. Kirkland concurred with statements by the Internal Auditor, they looked at what departments had funds for the first two quarters, and the plan is for the Administration to come forward to Council with more amendments.

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Council Member Garza asked for an update on a list of unfilled vacant positions, and if those positions have been increased so they can be filled. Ms. Kirkland confirmed, and since not 100% full staffed, they are looking at full staffed budgeting to make sure not large vacancy factors, they are looking at those strategies. Council President Wood encouraged them to look at the positions, and even if there is a position, that means either job is not getting done, or paying someone over time, so positions should not be cut since it has not been filled. Ms. Kirkland stated they are not cutting, but looking at actual costs, including OT and contractual, over the last 5 years. Mr. Mills stated the quarterly vacancy report has the list. Council Member Garza stated Council wants to know that vacant positions are comparable to other municipalities.

Council Member Jackson asked why some departments are fully restored now and Parks and Recreation are not fully restored.

Council Member Kost asked if there is a vacancy number. Mr. Mills stated he estimated 80 vacant positions in the 3rd quarter report. Council Member Kost stated he found there are only 27 vacancies and they are seasonal. Council Member Kost stated he was provided an amount of \$10-\$20 million in vacancy funds. Ms. Kirkland stated that is not correct.

Council Member Hussain asked for the exact number the City UAL is, and Ms. Frayer referred to page 26. Were at \$1 billion and now \$600 million.

Council President Wood divided the question.

COUNCIL MEMBER WOOD ASKED TO BE RECUSED FROM THE HRCS BUDGET WITH A CONFLICT DUE TO HER JOB. MOTION CARRIED 7-0.

MOTION ON THE HRCS BUDGET AMENDMENT CARRIED 7-0, 1 RECUSAL.

COUNCIL MEMBER SPITZLEY ASKED TO BE RECUSED FROM THE ECONOMIC DEVELOPMENT AND PLANNING BUDGET WITH A CONFLICT DUE TO HER JOB. MOTION CARRIED 6-1.

MOTION ON THE ECONOMIC DEVELOPMENT AND PLANNING BUDGET AMENDMENT CARRIED 6-1, 1 RECUSAL.

DISCUSSION– Fiscal Year 2023-2024 City Council Operating Budget

Council President Wood referenced the handout in the packet that was informational only outlining the original Council operating budget proposed for \$250,910, with the adopted amount, this would address breakdown in funding. She expanded that this was proposed for the new budget for that starts July 1, 2023 and if there are carry forwards that will add another \$15,000. The consideration for carry forward for City Council would be adding to community funding \$6,000, council member's accounts, and promotions \$7,000. It was extremely important for Council to have telephones and computers so funds in the attached document increased those.

Council Member Spitzley clarified the proposed for Council operating was \$250,910 but adopted at \$115,609 with a proposed \$15,000 in carry forwards. That was confirmed for the Council operating budget.

Adjourn

The meeting adjourned at 6:37 p.m.

Respectfully Submitted by,

Sherrie Boak, Recording Secretary, Lansing City Council

Approved by the Committee

MEMO

To: City Council, Mayor, EDP

From: Amanda O'Boyle

Re: City of Lansing v. Holmes Apartments, Simtob Management & Investment, Good Life Apartments, Richard Simtob, and Bradley Simtob

Date: June 9, 2023

Please be advised that the City of Lansing reached a settlement in the matter of City of Lansing v. Simtob, et al. today. As you may recall the City initiated this lawsuit after the property located at 2222 W. Holmes was ordered vacated by the Building Safety Office due to significant safety issues. The settlement reached today encompasses all 21 properties owned and managed by Simtob. It is notable that this lawsuit was filed on March 27, 2023, and reached a resolution by June 9, 2023, meaning that the City successfully resolved numerous violations stemming for 21 different properties in approximately 2 ½ months.

Below is a brief summary of some of the key terms:

- Simtob agreed to correct all violations cited in inspection reports, safety letters, and correction notices by Lansing's Code Enforcement, Building Safety, and Fire Department.
- Simtob agreed to pull all necessary permits within 30 days and complete all permitted work within 60 days of the issuance of the permit.
- All code violations not subject to a permit will be completed within 45 days.

- Simtob will continue to provide alternative housing for any tenant displaced due to pink or red tags.
- Simtob will pay the City of Lansing \$10,091.78 as reimbursement for hoteling expenses expended by the City of Lansing for tenants of 2222 W. Holmes.
- Simtob remains responsible for compliance even if they sell the property unless they execute an agreement includes financial security assuring complete compliance and is approved by the City of Lansing.
- The City reserved the right to bring this matter back before the Court should the terms of the agreement not be met.
- In exchange, the City agreed to (1) complete an inspection of 1317 E. Kalamazoo within two weeks, (2) complete other rental inspections within 40 days unless there is good cause for an extension, and (3) dismiss the pending litigation and resolve the matter via Settlement Agreement.

SETTLEMENT AGREEMENT AND RELEASE

This is a Full and Final Settlement and Release Agreement (hereinafter “Agreement”), effective as of June __, 2023, by and between HOLMES APARTMENTS, LLC (“Holmes”), SIMTOB MANAGEMENT & INVESTMENT, LLC (“Simtob”), GOOD LIFE APARTMENTS, LLC (“Good Life”), RICHARD SIMTOB, BRADLEY SIMTOB (Holmes, Simtob, Good Life, Richard Simtob, and Bradley Simtob are, collectively, “Defendants”) and the CITY OF LANSING (“Lansing”), a Michigan municipal corporation (collectively “Parties”).

WITNESSETH

WHEREAS, Defendants own and operate multi-unit apartment complexes located within the City of Lansing; and

WHEREAS, after completion of rental unit inspections by Lansing a dispute arose as to the results of the inspections and timeliness of corrections to be made; and

WHEREAS, on March 22, 2023, Lansing vacated the premises of 2222 W. Holmes Street, owned by Holmes Apartments, LLC; and

WHEREAS, Lansing initiated a lawsuit against Defendants regarding code and building violations at 2222 W. Holmes; and

WHEREAS, the Parties now wish to resolve all pending lawsuits and potential claims regarding properties owned and operated by Defendants.

NOW, THEREFORE,

In consideration of the mutual covenants undertaken herein, and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties enter into this Settlement Agreement and Release, and each hereby covenants and agrees as follows:

1. **Incorporation of Recitals.** The foregoing recitals are incorporated by reference into, and made a part of, this Agreement.

2. **No Admission of Liability.** This Settlement Agreement and Release shall not constitute an admission of liability on behalf of any party.

3. **Full Authority.** Each Party warrants and represents to the other Parties that the person signing this Agreement on such Party’s behalf has full authority and power to execute this Agreement on behalf of the Party.

4. **Settlement of Litigation.** In full and final settlement of all of the claims asserted in Ingham County Circuit Court case no. 23-194-CZ, the Parties agree to the following:

- a. Lansing shall dismiss case 23-194-CZ with prejudice and without costs. The parties shall execute and file a Stipulation for Entry of Order of Dismissal.
- b. Defendants agree to take the following steps:
 - i. Defendants own and operate the following properties in the City of Lansing:
 - 1. MLK Apartments, 4620 S. Martin Luther King Blvd.
 - 2. Holmes Apartments, 2222 W. Holmes St.
 - 3. Simken Apartments, 3501 Simken Dr.
 - 4. Walnut Living Apartments, 826 N. Walnut St.
 - 5. Chestnut Living Apartments, 1216 N. Chestnut St.
 - 6. Jolly Ridge Apartments, 645 E. Jolly Rd.
 - 7. Hiland Apartments, 2901 Mersey Ln.
 - 8. Aspen Hollow, 1300 Georgetown Blvd.
 - 9. Pennsylvania Apartments, 1420 S. Pennsylvania Ave.
 - 10. Fred Apartments, 828 Fred St.
 - 11. Louisa Apartments, 814 Louisa St.
 - 12. Atlantic Apartments, 909 E. Jolly Rd.
 - 13. Cavanaugh Apartments, 911 W. Cavanaugh Rd.
 - 14. Marvin Gardens, 1001 W. Cavanaugh Rd.
 - 15. Ventnor Apartments, 1115 Dorchester Cir.
 - 16. Pacific Apartments, 1401 E. Kalamazoo St.
 - 17. Pacific Apartments, 1317 E. Kalamazoo St.
 - 18. Pacific Apartments, 1331 E. Kalamazoo St.
 - 19. Pacific Apartments, 1415 E. Kalamazoo St.
 - 20. Pacific Apartments, 1421 E. Kalamazoo St.
 - 21. Carolina Apartments, 2411 Risdale Ave.
 - ii. For the properties listed above that are currently not in compliance with the City of Lansing's Housing Code, Building Code, and/or Fire Code, as determined by the City of Lansing, the Defendants agree to bring those properties into compliance by correcting any items cited in the attached rental inspection reports, correction notices, or safety letters. **(Exhibit A: Inspection Reports, Correction notices, Safety letters)**
 - iii. Defendants will obtain any necessary permit within 30 days of execution of this agreement. The City will review permit applications as soon as is practicable. Any permit application denied will state a basis for denial. The 30 day timeframe specified in this subsection is tolled from the date Defendants submit a permit application and/or revised application until the date Lansing reviews the permit and either approves or denies the permit.
 - iv. Thereafter, Defendants will complete all permitted work within 60 days after the permit is issued by the City of Lansing, and will schedule an inspection with the corresponding City of Lansing trades inspector.

- v. Defendants agree to correct all violations cited in the inspection reports that are not subject to permitting within 45 days of execution of this agreement.
- vi. Upon completion of all items cited and completion of any permitted work, Defendants shall inform the City of Lansing of the completion and schedule re-inspections with the City of Lansing if the City of Lansing determines an inspection is necessary. The City of Lansing shall inspect the property as soon as is practicable and not to exceed 40 days of the inspection request unless there is good cause.
- vii. Inspections will be completed on a building-by-building basis and a building is deemed complete and ready for inspection if all necessary permits are pulled; all work necessary to bring the interior and exterior of the building into compliance with the Michigan Building Code, Plumbing Code, Electrical Code, Mechanical Code, Fire Code, and International Property Maintenance Code, as adopted by the City of Lansing, is complete.
- viii. Defendants will provide timely notice to the Office of Code Compliance that a building is ready for inspection and will ensure key access to all units for any scheduled inspection.
- ix. Defendants consent to all necessary inspections to confirm compliance and should any tenant object to inspection Defendants will cooperate with any administrative search warrant properly obtained to execute such inspections.
- x. Any units red-tagged by the City of Lansing pursuant to Sections 108.1 – 108.3 of the International Property Maintenance Code, as adopted by the City of Lansing, shall remain on the property and shall be corrected within 14 days of execution of this Agreement unless otherwise agreed to between the parties or a different timeline is stated in Exhibit A. This subsection does not apply to units currently undergoing eviction for which evictions are necessary to perform the requisite repairs. Defendants will provide Lansing a list of such units with the eviction case number within 14 days of execution of this Agreement.
- xi. Certificates of Compliance shall be issued in good faith in accordance with the Lansing Housing Code and current practice. Certificates shall not be unreasonably withheld.
- c. Any interim orders entered in case 23-194-CZ, including any injunctive or similar relief, shall be dissolved by entry of the order of dismissal.
- d. Defendants further agree to provide or pay for alternative housing for any tenants whose unit is pink or red tagged until such tag(s) are removed.
- e. Defendants agree to reimburse the City of Lansing for costs spent on housing tenants in hotels in the amount of \$10,091.78, which shall be paid to the City of Lansing within 14 days of execution of this Agreement and the City of Lansing will confirm receipt of payment in writing.
- f. Should Defendants sell, transfer, mortgage, lease or otherwise dispose of any of the properties listed in 4(b)(i) before such property is brought into

compliance under the terms of this Agreement, Defendants agree that any sale is conditioned upon the execution of a signed and notarized statement from the grantee, transferee, mortgagee, or lessee acknowledging receipt of this Agreement and accepting responsibility for making all corrections or repairs required by this Agreement and IPMC 107.6. Further any disposition of the subject properties does not release the Defendants from their obligations set forth under this Agreement unless the disposition includes financial security that assures complete compliance and is approved by the City of Lansing.

- g. Upon completion of the terms of this Agreement, Lansing agrees to fully and finally release and discharge Defendants Holmes, Simtob, and Good Life and each of their past and present shareholders, officers, directors, managers, agents, employers, employees, insurance adjusters, insurers, reinsurers, claims administrators, third-party administrators, plan administrators, plan sponsors, policyholders, policy owners, attorneys, successors, assigns and any past or present parent, subsidiary or affiliated corporations or entities, and any predecessor corporations, proprietorships or entities, separately and collectively, from any and all contractual obligations, fiduciary obligations, claims, liens, demands, sums of money, lawsuits, rights, claims for relief, causes of action, debts, obligations, damages and liabilities of any kind, decisional, statutory or regulatory, as it relates to issues raised in Circuit Court case no. 23-194-CZ.
- h. Lansing agrees to immediately dismiss with prejudice civil infraction ticket no. 0561 issued to Richard Simtob on May 18, 2023. Lansing further agrees to dismiss with prejudice and without costs Defendants Richard Simtob and Bradley Simtob as parties to Ingham County Circuit Court case no. 23-194-CZ.
- i. Defendants represent that 1317 E. Kalamazoo Street meets the requirements described under section 4(b)(vii) and is or will be ready for inspection within two weeks of execution of this Agreement. Lansing agrees to inspect 1317 E. Kalamazoo St. within two weeks of the execution of this Agreement.

5. **No Precedent.** All actions taken or statements made, whether orally or in writing, by the Parties or their representatives relating to their participation in this Agreement, including the development and implementation of this Agreement, shall be without prejudice or value as precedent and shall not be construed as a standard by which other matters may be judged. This Agreement represents a compromise of disputed claims.

6. **Headings.** The headings and captions inserted into this Agreement are for convenience only and in no way define, limit, or otherwise describe the scope or intent of this Agreement, or any provision hereof, or in any way affect the interpretation of this Agreement.

7. **Mutual Drafting.** This Agreement was drafted cooperatively by the Parties and no party will be entitled to claim the benefit of any ambiguity in the drafting of this Agreement as a result of who drafted the same.

8. **Governing Law.** This Agreement shall be deemed to have been executed and delivered within the State of Michigan and the rights and obligations of the parties shall be construed and enforced in accordance with, and governed by, the laws of the State of Michigan without regard to the principle of conflict of laws. The Parties agree that any action arising out of this Agreement, (including but not limited to an action seeking to enforce or interest this Agreement, or an action for breach), shall be brought exclusively in a federal or state court of competent jurisdiction with the State of Michigan, to the exclusion of any other court, and the Parties voluntarily and expressly agree to submit to the jurisdiction of such court.

9. **Controlling Agreement.** The parties further declare and represent that they fully understand the terms of this Agreement; that no promise, inducement, or agreement not herein expressed has been made; that this Agreement contains the entire agreement between the parties as to the subject matter hereof; and that the terms of this Agreement are contractual and not a mere recital. The parties expressly waive any applicable local, state, federal, or foreign law, statute or judicial decision allowing verbal modifications, amendments, or additions to a contract notwithstanding an express provision requiring a writing signed by the parties.

10. **Severability.** If any provision, section, subsection or other portion of this Agreement shall be determined by any court of competent jurisdiction to be invalid, illegal, or unenforceable in whole or in part, and such determination shall become final, such provision, section, subsection, or portion shall be deemed to be severed or limited, but (1) only provided that any such provision, section, subsection, or portion does not negate any of the primary purposes of the Agreement relating to the release of claims and the confidentiality of this Agreement; and (2) only to the extent required to render the remaining provisions and portion of this Agreement enforceable. This Agreement as thus amended shall be enforced so as to give effect to the intention of the parties insofar as that is possible.

11. **Amendments.** No amendments or variations of the terms of this Agreement shall be valid unless in writing and signed by all of the Parties. The parties expressly waive any applicable local, state, federal, or foreign law, statute or judicial decision allowing verbal modifications, amendments, or additions to a contract notwithstanding an express provision requiring a writing signed by the parties.

12. **Binding Effect.** This Agreement shall bind and benefit the heirs, personal representatives, successor's and assigns of the parties.

13. **Waiver.** No part of this Agreement, or any provision, is waived unless the waiver is written in this Agreement or other instrument and signed by the party making the waiver. No valid waiver of any provision of the Agreement waives any other provision of this Agreement or waives such provision at any other time.

14. **Notices.** Any notice required to be provided under this Agreement shall be effective only if provided in writing by registered or certified mail, return receipt requested, addressed as follows:

TO LANSING:

City of Lansing
City Attorney's Office
124 W. Michigan Avenue, 5th Floor
Lansing, MI 48933

TO DEFENDANTS:

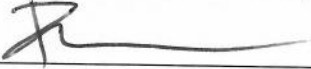
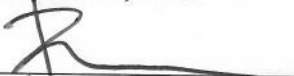
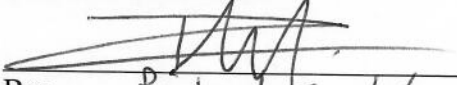
1414 S. Pennsylvania Ave
Lansing, MI 48910

15. **Enforceability.** Either Party may make a motion before the Ingham County Circuit Court to enforce the terms of this Settlement Agreement.

16. **Counterparts and Electronic Signatures.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. A copy of a signature received through telefax transmission or other electronic means (including files in Adobe .PDF or similar format) shall bind the Party whose signature is so received, and shall be considered for all purposes, as if such signature were an original. Once all counterpart signatures are executed and delivered, this Agreement shall be deemed binding.

[Signatures on following page]

WE, THE BELOW SIGNED, HEREBY ACKNOWLEDGE THAT WE HAVE READ ALL OF THIS SETTLEMENT AGREEMENT AND RELEASE, FULLY UNDERSTAND ALL THE TERMS USED AND THEIR SIGNIFICANCE, HAVE HAD THE OPPORTUNITY TO CONSULT WITH COUNSEL AND VOLUNTARILY AGREE TO THE ABOVE TERMS:

HOLMES APARTMENTS, LLC  By: <u>Bradley Simtob</u> Its: <u>manager</u> Dated: <u>June 9</u> , 2023	SIMTOB MANAGEMENT & INVESTMENT, LLC  By: <u>Bradley Simtob</u> Its: <u>manager</u> Dated: <u>June 9</u> , 2023
GOOD LIFE APARTMENTS, LLC  By: <u>Bradley Simtob</u> Its: <u>manager</u> Dated: <u>June 9</u> , 2023	RICHARD SIMTOB  By: <u>Richard Simtob</u> Its: _____ Dated: <u>June 9</u> , 2023
BRADLEY SIMTOB  By: <u>Bradley Simtob</u> Its: <u>Individual</u> Dated: <u>June 9</u> , 2023	CITY OF LANSING By: _____ Its: _____ Dated: _____, 2023

**STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM**

CITY OF LANSING,

Plaintiff,

Case No. 23-194-CZ

v.

Hon. James S. Jamo

HOLMES APARTMENTS, LLC;
SIMTOB MANAGEMENT &
INVESTMENT, LLC; GOOD LIFE
APARTMENTS, LLC;
RICHARD SIMTOB; and
BRADLEY SIMTOB,

Defendants.

James D. Smiertka (P20608)
F. Joseph Abood (P42307)
Amanda O'Boyle (P81925)
Matthew Staples (P84571)
Attorneys for Plaintiff City of Lansing
124 W. Michigan Avenue, 5th Floor
Lansing MI 48933
(517) 483-4320
cityatty@lansingmi.gov

Neil J. Marchand (P73118)
Jacob L. Carlton (P84859)
MILLER JOHNSON
Attorneys for Defendants
45 Ottawa Avenue SW, Suite 1100
Grand Rapids, MI 49503
(616) 831-1700
carltonj@millerjohnson.com

**STIPULATION AND ORDER
TO DISMISS**

At a session said Court held in the City
of Lansing, County of Ingham, State of
Michigan on: _____

PRESENT: _____
CIRCUIT COURT JUDGE

This matter having come to the Court upon a stipulation of the parties and the Court
being otherwise fully and duly advised on the premises;

NOW, THEREFORE, upon stipulation of the parties;

IT IS HEREBY ORDERED that, Defendants Richard Simtob and Bradley Simtob are dismissed with prejudice and without costs as parties to this case.

IT IS FURTHER ORDERED THAT, pursuant to a Settlement Agreement entered into between the parties and except for purposes of enforcing the Settlement Agreement, all claims raised in this matter, shall be, and hereby are, dismissed with prejudice as to all parties and without costs assessed against any party, subject to the terms of the parties' Settlement Agreement.

IT IS FURTHER ORDERED that any interim orders entered into in this matter are hereby dissolved and no further proceedings shall be had in this matter.

IT IS FINALLY ORDERED that entry of this Order resolves all remaining claims and closes this case, except that this Court retains jurisdiction for the limited purpose of enforcing the terms of the Settlement Agreement.

Date: _____

HON. James S. Jamo
Circuit Court Judge

Stipulated as to form and content:

/s/Amanda O'Boyle
James D. Smiertka (P20608)
F. Joseph Abood (P42307)
Amanda O'Boyle (P81925)
Matthew Staples (P84571)
Attorneys for Plaintiff City of Lansing
124 W. Michigan Avenue, 5th Floor
Lansing MI 48933
(517) 483-4320
cityatty@lansingmi.gov

Dated: June 9, 2023

/s/Neil J. Marchand
Neil J. Marchand (P73118)
Jacob L. Carlton (P84859)
MILLER JOHNSON
Attorneys for Defendants
45 Ottawa Avenue SW, Suite 1100
Grand Rapids, MI 49503
(616) 831-1700
carltonj@millerjohnson.com

Dated: June 9, 2023

ORDINANCE No. _____

An Ordinance of the City of Lansing, Michigan, Re-Adopting the Codified Ordinances of the City of Lansing.

THE CITY OF LANSING ORDAINS:

SECTION 1. That the Code of Ordinances of the City of Lansing, Michigan, as amended and republished by municipal code corporation through Supplement 58, and all general and permanent legislation of the City from the date of entry through December 31, 2022, except any ordinance repealed as provided by law, as revised, codified, arranged, numbered, edited, and consolidated into component codes, titles, chapters, and sections are hereby approved and readopted as the Codified Ordinances of Lansing, Michigan 2022, complete to December 31, 2022.

SECTION 2. The readoption of Codified Ordinances shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such readoption or an action or proceeding for the enforcement of such right or liability. Such readoption shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution thereof. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

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 other than the part so declared to be invalid.

Section 4. All ordinance or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

24 Section 5. This ordinance shall take effect on the 30th day after enactment unless given
25 immediate effect by City Council and shall expire December 31, 2032.



CITY OF LANSING

INTERNAL AUDITOR

124 W MICHIGAN AVE FL 10

LANSING MI 48933-1605

(517) 483-4159

Date: June 20th, 2023
To: Lansing City Council
From: Emily Linden, Internal Auditor
Re: FY22/FY23, FY23/FY24 Carryforward Resolution
Subject: Carryforward Resolution

Overview

The administration combined FY22/23 and FY23/24 carryforwards into one resolution.

FY 2022/2023 Budget Policies

- **Carryforwards:** Authority is granted to reappropriate available capital project balances as of June 30, 2022 into the FY 2022/2023 budget. All non-capital balances require City Council approval to carryforward, except for encumbered (purchase order) obligations less than \$5,000 and not more than 8 months old.
- **Human Services and Community Supported Agencies Funding:** The plan for funding Agencies submitted to Council designate particular Agencies. If any agency does not apply for or use their funding, all funds will remain in their respective account(s) for additional appropriation and approval by Council for Human Services and Community Supported Agencies use pursuant to the Charter transfer authority. The Administration/Human Relations Community Services Department is requested to submit to Council a quarterly report on the status of the Human Services and Community Supported Agencies' funding. This report should include the accounting level detail appropriation; amount spent, balance, and a notation as to whether the balance of funds is expected to be spent by the end of the Fiscal Year; if not, why.

FY22/FY23 Carryforwards

Opioid Settlement Funds: The opioid settlement funds have been distributed evenly among the Police, Fire, and HRCS departments. Each department is receiving \$122,748.48 to make up the \$368,245.43 total.

Remaining General Fund Revenue Appropriation: The remaining \$1,126,686 use of (contribution to) fund balance carryforward in the general fund breakdown is as follows:

- \$863,521 from Human Services (unused FY22 money)

- \$728,521 - Human Service Agencies operating
- \$135,000 - Racial Justice operating
- \$262,165 from City Supported Agencies (unused FY22 money)
- \$1,000 from Library Rental

HRCS Carryforward Breakdown:

Description	<u>FY 2022 Amended Budget</u>	<u>FY 2022 Actuals</u>	<u>Balance</u>	<u>Carryforward</u>
HUMAN SERVICES DISCRETIONARY	805,356.00	319,694.00	485,662.00	485,662.00
GRANT MATCH FUND	10,000.00	(73,312.68)	83,312.68	83,312.68
	815,356.00	246,381.32	568,974.68	568,974.68
COMMUNITY PROBLEM SOLVING	15,000.00	1,932.00	13,068.00	13,068.00
LOVEJOY	15,000.00	-	15,000.00	15,000.00
	30,000.00	1,932.00	28,068.00	28,068.00
GLOBAL INSTITUTE OF LANSING	13,725.00	(4,000.00)	17,725.00	17,725.00
GIRL SCOUTS HEART OF MI	7,000.00	6,290.00	710.00	710.00
YOUTH RFP 14-19	15,000.00	-	15,000.00	15,000.00
KIDS CAFE AFTER SCHOOL NUTRITI	20,000.00	-	20,000.00	20,000.00
PARKS & RECREATION (LHC)	12,000.00	-	12,000.00	12,000.00
STUDENT STATESMANSHIP INSTITUT	8,000.00	-	8,000.00	8,000.00
	75,725.00	2,290.00	73,435.00	73,435.00
CHRONIC HOMELESS OUTREACH	12,000.00	-	12,000.00	12,000.00
PROJECT HOMELESS CONNECT	10,000.00	6,956.21	3,043.79	3,043.79
MOBILE FOOD PANTRY	25,000.00	-	25,000.00	25,000.00
SUBSIDIZED EVICTION PREVENTION	18,000.00	-	18,000.00	18,000.00
	65,000.00	6,956.21	58,043.79	58,043.79
HUMAN SERVICES AGENCIES TOTAL			728,521.47	728,521.47
RACIAL JUSTICE DISCRETIONARY	-	-	-	-
RACIAL JUSTICE DISCRETIONARY	67,500.00	-	67,500.00	67,500.00
RACIAL JUSTICE DISCRETIONARY	67,500.00	-	67,500.00	67,500.00
RACIAL JUSTICE TOTAL	135,000.00	-	135,000.00	135,000.00
			-	-
TOTAL	1,121,081.00	257,559.53	863,521.47	863,521.47

HRCS is planning to use the human services agencies carryforwards to provide the following services:

- **Community Problem Solving** – To address urgent community crises. These services may include temporary shelters when shelters are full or when unhoused persons cannot be accommodated in existing shelters due to a disability, very large families, or vulnerable seniors who are medically fragile.
- **Chronic Homeless Outreach** –allows for increased street outreach. Funds are intended to locate and assist unhoused people living on the streets. Support includes funds for Police and Fire emergencies to house people overnight.

- **Subsidized Eviction Prevention**— allows for rental assistance to help people maintain their Section 8 voucher or continue living in subsidized housing who risk losing their subsidy if evicted.
- **Rapid Rehousing** – Rapid Rehousing Services may include utilities, rent, security deposits, application fees, as well as assistance to occupants of red-tag properties. These services are intended for those who may not qualify for other programs.
- **Landlord Incentive Program** – This program aims to increase Section 8 housing options by increasing the number of landlords willing to accept Section 8.

HRCS is planning to use the \$135,000 Racial and Equity carryforward money to contract with the Michigan Public Health Institute (MPHI) to research and develop community-specific programming to advance racial equity in two selected wards in the City of Lansing. MPH I will lead collaboration with residents and businesses in Wards 1 and 4 to assess the degree of disparities related to workforce development. The outcomes of the work above will include a thorough report and program recommendations for addressing racial-ethnic disparities in workforce development and other priority/significant issues in the study for the City. HRCS hopes to contract for the same services in Wards 2 and 3.

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DLI Fund: This appropriation is due to DLI receiving a \$2.5 million grant. They have started expending the grant money so this change will ensure it does not appear they went over budget for FY23.

FY23/FY24 Carryforwards

City Council is carrying forward \$15,000 in unused operating expenses from FY23 to fill in some of the line items that were cut in the FY24 budget. See below for a breakdown of what the carryforward money will be used for:

Account	GL Desc	Object Desc	FY24 Proposed	FY24 Adopted	FY23 Carryforward	FY24 Amended
101.112101.741000.00000	CITY COUNCIL - GENERAL	MISCELLANEOUS OPERATING	75,000.00	25,154.00	-	25,154.00
101.112101.741001.00000	CITY COUNCIL - GENERAL	CORONAVIRUS MISC EXP	-	-	-	-
101.112101.741200.00000	CITY COUNCIL - GENERAL	PROMOTION	8,000.00	1,000.00	6,000.00	7,000.00
101.112101.741209.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER BETZ	-	-	-	-
101.112101.741216.00000	CITY COUNCIL - GENERAL	COUNCIL MEMBER BROWN	1,500.00	750.00	750.00	1,500.00
101.112101.741217.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER TBD WARD 1	-	-	-	-
101.112101.741223.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER WOOD	1,500.00	750.00	750.00	1,500.00
101.112101.741229.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER DUNBAR	-	-	-	-
101.112101.741235.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER YORKO	-	-	-	-
101.112101.741237.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER WASHINGTON	-	-	-	-
101.112101.741238.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER BROWN-CLARKE	-	-	-	-
101.112101.741240.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER SPITZLEY	1,500.00	750.00	750.00	1,500.00
101.112101.741241.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER HUSSAIN	1,500.00	750.00	750.00	1,500.00
101.112101.741242.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER SPADAFORÉ	1,500.00	750.00	750.00	1,500.00
101.112101.741243.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER JACKSON	1,500.00	750.00	750.00	1,500.00
101.112101.741244.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER GARZA	1,500.00	750.00	750.00	1,500.00
101.112101.741260.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER KOST	1,500.00	750.00	750.00	1,500.00
101.112101.741246.00000	CITY COUNCIL - GENERAL	MARTIN LUTHER KING JR DAY	1,000.00	-	-	-
101.112101.741247.00000	CITY COUNCIL - GENERAL	CESAR CHAVEZ EVENT	1,000.00	-	-	-
101.112101.741256.00000	CITY COUNCIL - GENERAL	BEA CRISTY AWARDS DINNER	-	-	-	-
101.112101.741289.00000	CITY COUNCIL - GENERAL	COMMUNITY FUNDING	5,000.00	1,000.00	3,000.00	4,000.00
101.112101.742000.00000	CITY COUNCIL - GENERAL	SUPPLIES	-	-	-	-
101.112101.743000.00000	CITY COUNCIL - GENERAL	CONTRACTUAL SERVICES	-	-	-	-
101.112101.743050.00000	CITY COUNCIL - GENERAL	TEMPORARY HELP-CONTRACTUAL	-	-	-	-
101.112101.743311.00000	CITY COUNCIL - GENERAL	CITY 311 ALLOC	-	-	-	-
101.112101.743720.00000	CITY COUNCIL - GENERAL	INFORMATION TECHNOLOGY ALLOC	78,690.00	43,595.00	-	43,595.00
101.112101.744110.00000	CITY COUNCIL - GENERAL	UTILITIES - CITY HALL	50,000.00	25,000.00	-	25,000.00
101.112101.744200.00000	CITY COUNCIL - GENERAL	TELEPHONE	8,000.00	8,000.00	-	8,000.00
101.112101.747000.00000	CITY COUNCIL - GENERAL	TRAINING	500.00	-	-	-
101.112101.748000.00000	CITY COUNCIL - GENERAL	INSURANCE & BONDS	11,720.00	5,860.00	-	5,860.00
101.112101.977000.00000	CITY COUNCIL - GENERAL	EQUIPMENT	-	-	-	-
			250,910.00	115,609.00	15,000.00	130,609.00

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

WHEREAS, at any time during the fiscal year, the City Council may consider appropriations which modify the previously adopted annual appropriation to transfer an unencumbered balance in whole or in part from any account; provide for the expenditure of revenues in excess of those in the budget; or meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, the City of Lansing has received additional revenue from the Opioid settlement; and

WHEREAS, these additional revenues will be set aside by the administration for the Police, Fire, and Human Relations and Community Services (HRCS) departments; and

WHEREAS, the revised appropriations below result in a targeted unrestricted fund balance that falls within the minimum 12% and maximum of 15% of general fund expenditures as required by the City's General Fund Reserve Policy such that combined reserves of the General Fund are not projected to exceed 15% of General Fund revenues or fall below 12% of General Fund expenditures;

NOW, THEREFORE, BE IT RESOLVED that the following FY 2022/2023 and FY 2023/2024 budget amendment is approved:

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

FY2022/2023

<u>Appropriation</u>	<u>Description</u>	<u>Amount</u>
General Fund	Opioid Settlement	\$368,245.43
General Fund	Use of (Contribution to) Fund Balance	\$1,126,686.00
Total General Fund Revenue Appropriation		<u>\$1,494,931.43</u>
Police	Operating	\$122,748.48
Fire Department	Operating	\$122,748.48
HRCS	Operating	<u>\$122,748.47</u>
Total Opioid Appropriation		<u>\$368,245.43</u>

Human Service Agencies	Operating	\$728,521.00
Racial Justice and Equity	Operating	\$135,000.00
Total Human Services Carryforward		<u>\$863,521.00</u>
City Supported Agencies	Operating	\$262,165.00
Total City Supported Agency Carryforward		<u>\$262,165.00</u>
Internal Audit	Personnel	(\$50,000)
Assessing	Personnel	(\$125,000)
Treasury	Personnel	(\$75,000)
Human Resources	Personnel	(\$150,000)
Human Resources	Operating	(\$100,000)
City Attorney	Personnel	(\$100,000)
Police	Personnel	(\$50,000)
Fire	Personnel	(\$50,000)
Vacancy Factor		\$700,000
Library Building Rental	Operating	\$1,000
Total General Fund Expenditure Appropriation		<u>\$1,494,931.43</u>
BUILDING DEPARTMENT FUND	FROM/(TO) FUND BALANCE	\$55,000
Total Building Safety Fund Revenue Appropriation		<u>\$55,000</u>
BLDG SAFETY / CODE COMPLIANCE	Operating	\$55,000
Total Building Safety Expenditure Appropriation		<u>\$55,000</u>
DLI Fund	GRANTS	\$2,500,000
DLI Fund	MISCELLANEOUS	\$500,000
DLI Fund	FROM/(TO) FUND BALANCE	(\$1,900,000)
Total DLI Revenue Appropriation		<u>\$1,100,000</u>
DLI Fund	Operating	\$1,000,000
DLI Fund	Personnel	\$100,000
Total DLI Expenditure Appropriation		<u>\$1,100,000</u>

FY2023/2024

<u>Appropriation</u>	<u>Description</u>	<u>Amount</u>
General Fund	Use of (Contribution to) Fund Balance	\$15,000
Total General Fund Revenue Appropriation		<u>\$15,000</u>
City Council	Operating	\$15,000
Total General Fund Expenditure Appropriation		<u>\$15,000</u>



CITY OF LANSING

INTERNAL AUDITOR

124 W MICHIGAN AVE FL 10

LANSING MI 48933-1605

(517) 483-4159

Date: June 26th, 2023
To: Lansing City Council
From: Emily Linden, Internal Auditor
Re: FY22/FY23, FY23/FY24 Carryforward Resolution
Subject: Carryforward Resolution

Overview

The administration combined FY22/23 and FY23/24 carryforwards into one resolution.

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- **Carryforwards:** Authority is granted to reappropriate available capital project balances as of June 30, 2022 into the FY 2022/2023 budget. All non-capital balances require City Council approval to carryforward, except for encumbered (purchase order) obligations less than \$5,000 and not more than 8 months old.
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HRCS Carryforward Breakdown:

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LOVEJOY	15,000.00	-	15,000.00	15,000.00
	30,000.00	1,932.00	28,068.00	28,068.00
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KIDS CAFE AFTER SCHOOL NUTRITI	20,000.00	-	20,000.00	20,000.00
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HUMAN SERVICES AGENCIES TOTAL			728,521.47	728,521.47
RACIAL JUSTICE DISCRETIONARY	-	-	-	-
RACIAL JUSTICE DISCRETIONARY	67,500.00	-	67,500.00	67,500.00
RACIAL JUSTICE DISCRETIONARY	67,500.00	-	67,500.00	67,500.00
RACIAL JUSTICE TOTAL	135,000.00	-	135,000.00	135,000.00
			-	-
TOTAL	1,121,081.00	257,559.53	863,521.47	863,521.47

A breakdown including narrative details is attached to this document.

HRCS is planning to use the human services agencies carryforwards to provide the following services:

- **Community Problem Solving** – To address urgent community crises. These services may include temporary shelters when shelters are full or when unhoused persons cannot be accommodated in existing shelters due to a disability, very large families, or vulnerable seniors who are medically fragile.
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Account	GL Desc	Object Desc	FY24 Proposed	FY24 Adopted	FY23 Carryforward	FY24 Amended
101.112101.741000.00000	CITY COUNCIL - GENERAL	MISCELLANEOUS OPERATING	75,000.00	25,154.00	-	25,154.00
101.112101.741001.00000	CITY COUNCIL - GENERAL	CORONAVIRUS MISC EXP	-	-	-	-
101.112101.741200.00000	CITY COUNCIL - GENERAL	PROMOTION	8,000.00	1,000.00	6,000.00	7,000.00
101.112101.741209.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER BETZ	-	-	-	-
101.112101.741216.00000	CITY COUNCIL - GENERAL	COUNCIL MEMBER BROWN	1,500.00	750.00	750.00	1,500.00
101.112101.741217.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER TBD WARD 1	-	-	-	-
101.112101.741223.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER WOOD	1,500.00	750.00	750.00	1,500.00
101.112101.741229.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER DUNBAR	-	-	-	-
101.112101.741235.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER YORKO	-	-	-	-
101.112101.741237.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER WASHINGTON	-	-	-	-
101.112101.741238.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER BROWN-CLARKE	-	-	-	-
101.112101.741240.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER SPITZLEY	1,500.00	750.00	750.00	1,500.00
101.112101.741241.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER HUSSAIN	1,500.00	750.00	750.00	1,500.00
101.112101.741242.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER SPADAFORÉ	1,500.00	750.00	750.00	1,500.00
101.112101.741243.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER JACKSON	1,500.00	750.00	750.00	1,500.00
101.112101.741244.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER GARZA	1,500.00	750.00	750.00	1,500.00
101.112101.741260.00000	CITY COUNCIL - GENERAL	COUNCILMEMBER KOST	1,500.00	750.00	750.00	1,500.00
101.112101.741246.00000	CITY COUNCIL - GENERAL	MARTIN LUTHER KING JR DAY	1,000.00	-	-	-
101.112101.741247.00000	CITY COUNCIL - GENERAL	CESAR CHAVEZ EVENT	1,000.00	-	-	-
101.112101.741256.00000	CITY COUNCIL - GENERAL	BEA CRISTY AWARDS DINNER	-	-	-	-
101.112101.741289.00000	CITY COUNCIL - GENERAL	COMMUNITY FUNDING	5,000.00	1,000.00	3,000.00	4,000.00
101.112101.742000.00000	CITY COUNCIL - GENERAL	SUPPLIES	-	-	-	-
101.112101.743000.00000	CITY COUNCIL - GENERAL	CONTRACTUAL SERVICES	-	-	-	-
101.112101.743050.00000	CITY COUNCIL - GENERAL	TEMPORARY HELP-CONTRACTUAL	-	-	-	-
101.112101.743311.00000	CITY COUNCIL - GENERAL	CITY 311 ALLOC	-	-	-	-
101.112101.743720.00000	CITY COUNCIL - GENERAL	INFORMATION TECHNOLOGY ALLOC	78,690.00	43,595.00	-	43,595.00
101.112101.744110.00000	CITY COUNCIL - GENERAL	UTILITIES - CITY HALL	50,000.00	25,000.00	-	25,000.00
101.112101.744200.00000	CITY COUNCIL - GENERAL	TELEPHONE	8,000.00	8,000.00	-	8,000.00
101.112101.747000.00000	CITY COUNCIL - GENERAL	TRAINING	500.00	-	-	-
101.112101.748000.00000	CITY COUNCIL - GENERAL	INSURANCE & BONDS	11,720.00	5,860.00	-	5,860.00
101.112101.977000.00000	CITY COUNCIL - GENERAL	EQUIPMENT	-	-	-	-
			250,910.00	115,609.00	15,000.00	130,609.00

Account	GL Desc	Object Desc	FY 2022			Balance	Carryforward	Narrative
			FY 2022 Amended Budget	Actuals				
101.833710.960120.00000	HUMAN SERVICE AGENCIES	HUMAN SERVICES DISCRETIONARY	805,356.00	319,694.00		485,662.00	485,662.00	Includes C/F from prev years 2019-2021
101.833710.960205.00000	HUMAN SERVICE AGENCIES	GRANT MATCH FUND	10,000.00	(73,312.68)		83,312.68	83,312.68	Includes C/F from prev years 2019-2021
			815,356.00	246,381.32		568,974.68	568,974.68	
101.833715.960121.00000	HLTH, MENTAL HLTH & SUBS ABUSE	COMMUNITY PROBLEM SOLVING	15,000.00	1,932.00		13,068.00	13,068.00	Crisis funds unused due to CERA grants
101.833715.960346.00000	HLTH, MENTAL HLTH & SUBS ABUSE	LOVEJOY	15,000.00	-		15,000.00	15,000.00	Agency rescinded application due to their internal changes.
			30,000.00	1,932.00		28,068.00	28,068.00	
101.833720.960147.00000	CHILD AND FAMILY SERVICES	GLOBAL INSTITUTE OF LANSING	13,725.00	(4,000.00)		17,725.00	17,725.00	Agency ended the funded program (due to COVID)
101.833720.960233.00000	CHILD AND FAMILY SERVICES	GIRL SCOUTS HEART OF MI	7,000.00	6,290.00		710.00	710.00	Agency did not use all funding
101.833720.960237.00000	CHILD AND FAMILY SERVICES	YOUTH RFP 14-19	15,000.00	-		15,000.00	15,000.00	Unused youth response funds
101.833720.960304.00000	CHILD AND FAMILY SERVICES	KIDS CAFE AFTER SCHOOL NUTRITI	20,000.00	-		20,000.00	20,000.00	Other funding addressed need
101.833720.960339.00000	CHILD AND FAMILY SERVICES	PARKS & RECREATION (LHC)	12,000.00	-		12,000.00	12,000.00	Set aside funds for Parks & Rec
101.833720.960347.00000	CHILD AND FAMILY SERVICES	STUDENT STATESMANSHIP INSTITUT	8,000.00	-		8,000.00	8,000.00	Agency rescinded application due to Human Rights contract clause
			75,725.00	2,290.00		73,435.00	73,435.00	
101.833730.960062.00000	EMERGENCY SERVICES	CHRONIC HOMELESS OUTREACH	12,000.00	-		12,000.00	12,000.00	Crisis funds unused due to CERA grants
101.833730.960306.00000	EMERGENCY SERVICES	PROJECT HOMELESS CONNECT	10,000.00	6,956.21		3,043.79	3,043.79	PHC Event underspent funds allocated
101.833730.960315.00000	EMERGENCY SERVICES	MOBILE FOOD PANTRY- EMERG FOOD ASST	25,000.00	-		25,000.00	25,000.00	Unused as COVID funds in community supplemented food programs
101.833730.960325.00000	EMERGENCY SERVICES	SUBSIDIZED EVICTION PREVENTION	18,000.00	-		18,000.00	18,000.00	Crisis funds unused due to CERA grants
101.833740.960700.00000	RACIAL JUSTICE AND EQUITY	RACIAL JUSTICE DISCRETIONARY	65,000.00	6,956.21		58,043.79	58,043.79	
			-	-		-	-	
101.833740.960701.00000	RACIAL JUSTICE AND EQUITY	MSU HUMAN DEV & FAMILY	67,500.00	-		67,500.00	67,500.00	Agency rescinded application due to contractual copyright, real property req
101.833740.960702.00000	RACIAL JUSTICE AND EQUITY	MI PUBLIC HEALTH INSTITUTE	67,500.00	-		67,500.00	67,500.00	Started grant in July 2022 - new FY
			135,000.00	-		135,000.00	135,000.00	
			-	-		-	-	
		HS Total	1,121,081.00	257,559.53		863,521.47	863,521.47	
						960120:		728,521
						960700:		135,000

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

WHEREAS, the Lansing City Council Strongly urges the Michigan State Legislature to support appropriations that would fund Moores Park Pool restoration; and

WHEREAS, Moores Park Pool is 101 years old and was the prototype of the oval pool designed by Wesley Bintz; and

WHEREAS, Wesley Bintz pools were built all over the country, and Wesley was a City of Lansing Engineer in the early 1900s. There are fewer than a handful out of hundreds of pools left today, all bearing plaques with Lansing, Michigan at the bottom. Saving Moores Park Pool is a priority to save a National historical site; and

WHEREAS, generations of Lansing Residents spent their summers climbing the classic rock stairs, swimming in the pool, and making lifelong friends there. The pool has been closed since 2019 and must be repaired as it is in Lansing's DNA as much as the smokestacks or the Capitol are.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council urges the Michigan State Legislature to support appropriations that would save Moores Park Pool and our heritage.

BE IT FINALLY RESOLVED that the City Clerk transmit a copy of this Resolution to the State Legislature and the Governor's Office upon adoption by City Council.



The City of
LANSING
City Council

TO: City Clerk
FROM: Sherrie Boak, Council Office Manager
DATE: June 21, 2023
SUBJECT: REFERRAL - Council Meeting Date 6/26/2023

Council Member Wood is submitting the following draft ordinance amendments for referral on June 26, 2023.

- Amend Chapter 210, Section 210.02 -Use of Council Chambers and Conference Room
- Amend Chapter 288, Section 288.21 – Chief Strategy Officer
- Amend Chapter 1250, 1250.04.05 (f) - Collection Bins

Please place on the Council agenda June 26, 2023 for referral. Documents are attached along with placed in the LaserFische program.

ORDINANCE NO.

An ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 210, Section 210.02 of the Lansing Codified Ordinances to amend the uses of the tenth floor Council Chambers and Conference Room.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 210 Section 210.02 of the Codified Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

210.02- Use of **Tony Benavides Lansing City Council Chambers** council chambers and conference room.

The following comprehensive policy on the use of the **Tony Benavides Lansing City Council Chambers** Tenth Floor Council Chambers and Conference Room is hereby adopted:

(a) Priorities for Scheduling Use of Facilities.

(1) Council functions, including **CityTV Channel 28**;

(2) Other City functions, including citizen boards; and

(3) All outside functions, as approved in advance by Council **leadership in conjunction with the Council Office Manager.**

Scheduling the use of the Chambers and Conference Room shall be done in consultation with the Council Staff and shall include time for pre-event set-up and post-event clean-up. Council Staff shall maintain a master calendar, primarily based on a first-come, first-served schedule for the Chambers and Conference Room. However, in extraordinary circumstances, Council may need to pre-empt a scheduled use of **the Tony Benavides Lansing City Council Chambers and Conference Room** Tenth Floor facilities for Council business.

(b) Conditions for Use of Facilities by Non-City Groups.

(1) Any non-City individual or group desiring use of the Council Chambers or Conference Room for a governmental purpose shall request permission from

Council at least 30 days in advance of the event. Such request shall be considered as soon as possible by the Committee of the Whole. The Chambers and Conference Room shall not be made available to non-City individuals or groups for private, nongovernmental events.

(2) Non-City individuals or groups granted permission by Council **Leadership** for use of the Chambers or Conference Room shall sign a statement acknowledging responsibility for the conduct of their event within the following restrictions:

A. Councilmember and Staff offices, desks, telephones and supplies shall not be used by event organizers or participants, including media representatives.

B. Refreshments shall be the responsibility of event organizers.

C. Requests for use of the Tenth Floor sound system, audio recording equipment, video equipment or other logistical arrangements shall be made **directly with CityTV** at the time permission to schedule the facility is requested.

D. The movement of tables, chairs and other equipment shall be done by event organizers under the direction of the Council Staff.

E. No event shall be allowed to interfere with regular Tenth Floor activities.

F. No event shall be allowed during times when City Hall is closed unless the organizers receive written permission from the Mayor prior to Council consideration of the request to schedule use of Tenth Floor facilities.

G. Event participants shall not congregate anywhere on the ~~Tenth Floor~~ outside the **Tony Benavides Lansing City Council** Chambers or Conference Room for the purpose of caucuses or continuation of event discussions.

H. Event organizers shall clean up the **Tony Benavides Lansing City Council** Chambers and/or Conference Room and move equipment to original locations after the event.

I. Event organizers shall be responsible for any City costs, including Staff overtime, **security and maintenance** incurred due to their event, as determined by Council.

J. Event organizers shall indemnify and hold the City harmless from all liability for any damage suffered by event participants.

K. Event organizers unable to conduct their event and control their participants within these restrictions and conditions shall be barred from future use of **the Tony Benavides Lansing City Council Chambers and Council Conference Room** Tenth Floor facilities.

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

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

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2032.

INTRODUCTION OF ORDINANCE

Council Member _____ introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending the Lansing Codified Ordinances Chapter 210, Section 210.02 of the Lansing Codified Ordinances to amend the uses of the tenth floor Council Chambers and Conference Room.

The Ordinance is referred to the Committee _____

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for _____, 2023 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of amending the Lansing Codified Ordinances Chapter 210, Section 210.02 of the Lansing Codified Ordinances to amend the uses of the tenth floor Council Chambers and Conference Room.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO.

An ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by amending Chapter 288 Section 288.21. Itemize duties and require bi- monthly in person reporting to the City Council at a public meeting.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 288, Section 288.21 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

(c) Duties. Included but no limited to reviewing departments for efficiencies, redundancy, and make recommendations on how to reduce cost and generate revenues, in addition to developing a five-year strategic plan for budgeting.

(d) Recommendations. In recognition of the provisions set forth in Charter Sections 3-207.1, 3-207.2, and 3-207.3 wherein the City Council is the policy making body for the City of Lansing and "shall have all of the rights appropriate to City legislators as established by this Charter or by statute, including the right to make inquiries of City officers and employees and receive specific information in response" and further that "the responsibilities and activities shall be to establish policy of the City and shall be legislative in nature," and, stating further, in recognition that the Mayor is the administrator of the City and employees and "except as may otherwise be provided by law or this Charter, the administrative activities of the City Council and its members shall be limited to its own staff and they shall give no direct orders to any other City officer or employee", the City Council and the Mayor, or mayoral designee, and the Chief Strategy Officer ~~shall conference on a mutually agreeable regular schedule to review any policy recommendations of the Chief Strategy Officer.~~ **will report in person bi-monthly to the City Council at a public meeting on but not limited to the City of Lansing financial forecast, investment of**

1 **public funds, strategic planning and execution efforts, in addition to**
2 **budgeting.**

3 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or
4 rules in consistent with the provisions are repealed.

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

8 Section 4. This ordinance shall take effect on the 30th day after enactment
9 unless given immediate effect by City Council, and shall expire December 31, 2032

10

INTRODUCTION OF ORDINANCE

Council Member _____ introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending the Lansing Codified Ordinances by amending Chapter 288 Section 288.21. Itemize duties and require bi- monthly in person reporting to the City Council at a public meeting.

The Ordinance is referred to the Committee _____

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for _____, 2023 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of amending the Lansing Codified Ordinances by amending Chapter 288 Section 288.21. Itemize duties and require bi- monthly in person reporting to the City Council at a public meeting.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO.

An ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1250; Section 1250.04 Site Development Regulations of the Lansing Codified Ordinances by prohibiting placement of collection bins on City owned property.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1250 Section 1250.04.05 of the Codified Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

(f) Permitted Locations

(1) Collection bins are allowed in all commercial and industrial districts.

(2) Collection bins shall not be located within 1,000 feet form another collection bin as measured along a straight line from one box to another.

(3) Collection bins shall not be located on City owned property or within 500 feet of the property lines of City owned property.

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

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

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2032.

INTRODUCTION OF ORDINANCE

Council Member _____ introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 1250; Section 1250.04 Site Development Regulations of the Lansing Codified Ordinances by prohibiting placement of collection bins on City owned property.

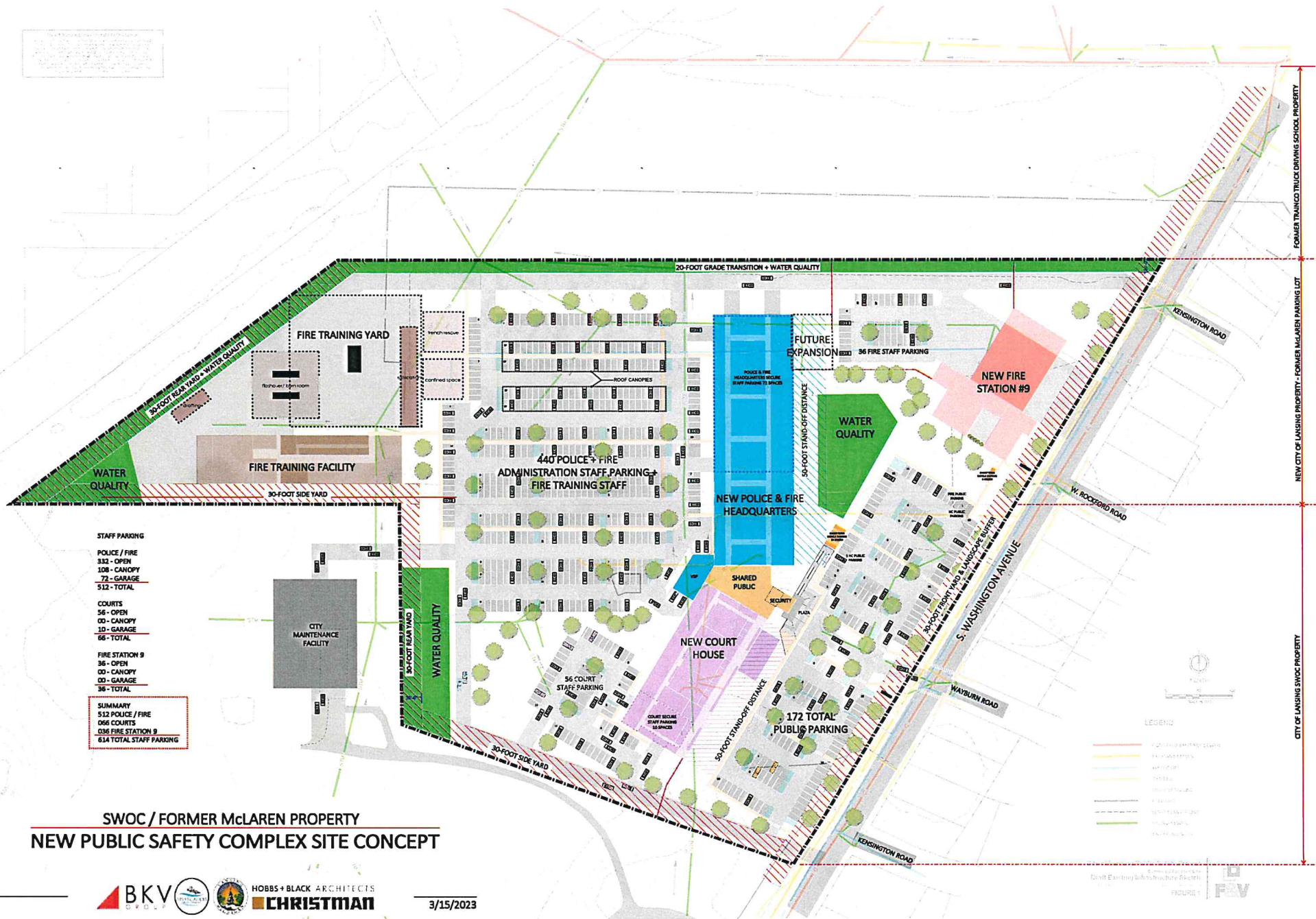
The Ordinance is referred to the Committee _____

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for _____, 2023 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of amending Chapter 1250; Section 1250.04 Site Development Regulations of the Lansing Codified Ordinances by prohibiting placement of collection bins on City owned property.

Interested Persons are invited to attend this Public Hearing

NOT TO SCALE
 1" = 100'-0"



STAFF PARKING

POLICE / FIRE
332 - OPEN
108 - CANOPY
72 - GARAGE
512 - TOTAL

COURTS

56 - OPEN
00 - CANOPY
10 - GARAGE
66 - TOTAL

FIRE STATION 9

36 - OPEN
00 - CANOPY
00 - GARAGE
36 - TOTAL

SUMMARY

512 POLICE / FIRE
066 COURTS
036 FIRE STATION 9
614 TOTAL STAFF PARKING

SWOC / FORMER McLaren PROPERTY
 NEW PUBLIC SAFETY COMPLEX SITE CONCEPT



3/15/2023