REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
CITY COUNCIL CHAMBERS, 10TH FLOOR
LANSING CITY HALL
124 W. MICHIGAN AVENUE

REVISED AGENDA FOR MARCH 12, 2018

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, March 12, 2018 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of February 26, 2018

IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

1. Recognition of City of Lansing Retirees
2. Recognition of the Michigan Recreation and Parks Association Award Winners Emily Stevens, Jodi Ackerman, and Marcus Wells

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS

XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. *Speakers must sign up on white form.*)

A. SCHEDULED PUBLIC HEARINGS

1. In consideration of the Ordinance to Amend Chapter 656.05; Park Hours

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY, WASHINGTON, AND WOOD
   a. Tribute; in recognition of Reachout Christian Center Church 32nd Anniversary Celebration "A Worthy Shepherd"
2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
   a. Confirmation of Appointment; Paul G. Connors as an At-Large Member of the Historic District
   b. Confirmation of Appointment; Kurt F. Berryman as an At-Large Member of the Board of Zoning Appeals
   c. Setting a Public Hearing in consideration of Amending Resolution 0145 of 1981 for SLU-1-2016; 2101 E. Mt. Hope Avenue; Petition for the construction of a mobile cell tower
   d. Setting a Public Hearing in consideration of Act-4-2017; Easement for Consumers Energy's North Lansing Pipeline Project
   e. Setting a Public Hearing in consideration of Act-5-2017; 1620 Sunset Avenue; Consumers Energy North Lansing Pipeline Project
3. BY THE COMMITTEE ON GENERAL SERVICES
   a. Community Funding; Native American Arts & Crafts Council for the Riverbank Traditional Pow Wow
   b. Recognition of Non-Profit Status; IMAGIN of 416 S Cedar Street Suite C
   c. Claim Disposition; Claim #1439, Benjamin Koche at 819 Riverview for trash fees, $523
   d. Claim Disposition; Claim #1505, Larry Ball at 4615 Ora for trash removal fee, $823.50
   e. Claim Denial; Claim #1470, Leola Watts at a Vacant Lot on W. Kalamazoo for grass and trash removal fees, $1,632

4. BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

   a. Confirmation of Appointment; Jordan Leaming as a City of Lansing Member of the Capital Regional International Airport Authority

5. BY THE COMMITTEE ON PUBLIC SERVICES

   a. Setting a Public Hearing in consideration of the Assessment Roll GB-2017 for the removal of trash and grass in Glenburne Commons

6. BY THE COMMITTEE OF THE WHOLE

   a. Setting a Public Hearing in consideration of the Community Development Block Grant (CDBG) 2018-2019 Action Plan

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE OF THE WHOLE

   a. Payment in Lieu of Taxes (PILOT) Camelot Hills; 601 Sadie Court

   b. Re-Adoption and Re-Codification of Codified Ordinances

XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:

   a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk’s Office

   b. Amended and Restated Real Estate Purchase and Development Agreement between the City of Lansing and Continental/Ferguson Lansing, LLC for the Red Cedar Property

   c. Non-Exclusive Easement Agreement for Consumers Energy’s North Lansing Pipeline Project, Act-4-2017 & Act-5-2017

2. Letter(s) from the Mayor re:

a. IFT-01-18; Industrial Facilities Exemption Certificate for Tecomet Inc. at 5858 Enterprise Drive

b. ACT 51 Funding Street Administrator Designation

c. Public Improvement I/II; Repair and Reconstruction of public sidewalks excepting all public streets and alleys and other land deemed not benefited in areas bounded by; All lands fronting Stabler Street between Holmes Road and Willard Avenue

d. Land Acquisition Grant Application; Authorizing Michigan Natural Resources Trust Fund (MNRTF) Acquisition of Willard Avenue Parcel 33-01-01-27-426-001

e. Land Acquisition Grant Application; Authorizing Michigan Natural Resources Trust Fund (MNRTF) for Acquisition of 4000 Hunter's Ridge Drive, Parcel 23-50-40-25-451-022

f. Grant Application; Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding to develop the River Trail connection of Cambridge Road to Frances Park River Trail

g. Grant Application; Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding to fund concession and restroom additions at Risdale Park Sports Field

h. Grant Application; Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding to develop a one mile walking path within the Rudolph and Dorothy Wilson Park

i. Grant Application; Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding to acquire Wise Road Parcel 33-01-05-06-202-021

j. Grant Acceptance; FY17 Technology Innovation for Public Safety (TIPS) Grant

k. Grant Acceptance; Michigan Economic Development Corporation Grant

l. Appointment of Darlene J. Fancher, as a City of Lansing Member of the Capitol Area Transportation Authority for a term to expire September 30, 2020

m. Appointment of Jennie M. Gies, as a City of Lansing Member of the Capitol Area Transportation Authority for a term to expire September 30, 2020

n. Appointment of Zoe Ahlstrom, as an At-Large Member of the Park Board as an At-Large Member for a term to expire June 30, 2019

o. Public Act 202 Waiver Application for the City's Employee's Retirement System, the Employee's Retirement System Other Post Employment Benefit (OPEB) Plan, and the Police and Fire Other Post Employment Benefit (OPEB) Plan

p. Appointment of Cynthia J. Lockington, as an At-Large Member of the Board of Public Service

3. Communication from Dick Peffley, General Manager of Lansing Board of Water and Light, 2017 Settlement Agreement with the Sierra Club

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Letter from the Michigan Liquor Control Commission:

   a. Transfer Ownership Class C & SDM license from Singh Pub and Grill, Inc. to Binni's Bar & Grill, Inc. at 820 W. Miller Rd.

   b. Transfer of Ownership 2017 Class C and SDM licensed business with (2) bars, Sunday sales permit (PM), Sunday sales permit (AM), entertainment permit, outdoor service (1 area), and specific purpose permit (golf) from MJE3202, INC to LPT Holdings LLC at 1149 S Washington Ave.

   c. Issuing a New SDM License Issued under MCL 436.1533(5) and Sunday Sales Permit (AM) to be located at 400 E. Saginaw St. by New Lansing 333, Inc.

2. Claim Appeal; Claim #1497, Alvino and Rafaela Trevino for Code Compliance at 1012 N. Cedar St.

3. Claim Appeal; Claim #1536, Kodeen Sowers for Code Compliance at 528 Lincoln Ave.

4. Communication from Kathy Miles regarding the Red Cedar Development

5. Non-Profit Recognition Request, Lansing Area Safety Council

6. Non-Profit Recognition Request, Michigan American Legion Foundation

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. *Speakers must sign up on yellow form*.)

XX. ADJOURNMENT

Chris Swope

CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on March 12, 2018 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to amend Chapter 656.05 of the Lansing Codified Ordinances by providing for the times city parks are closed.

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

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

ORDINANCE NO. ___________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 656.05 OF THE LANSING CODIFIED ORDINANCES BY PROVIDING FOR THE TIMES CITY PARKS ARE CLOSED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 656.05, Sections (a) and (b), of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

656.05. Persons in closed park prohibited; exception.

(a) Except as otherwise provided in this section, all City parks ~~and~~,INCLUDING all parking lots that serve City parks WITHIN THE CITY, shall ~~close at 10:00 p.m.~~BE CLOSED FROM DUSK TO DAWN UNLESS A CITY SPONSORED OR APPROVED ACTIVITY AT A LIGHTED PARK IS OCCURRING.

(b) If the closing time ~~in~~OF a City park is ~~set at a time earlier than 10:00 p.m.~~DIFFERENT THAN DUSK TO DAWN, notice of the closing time of that park shall be posted at the regular entrance to the park. If no regular entrance to the park exists, the notice of the DIFFERENT closing time of that park shall be posted at such other places which, in the sole discretion of the Director of Parks and Recreation, are likely to inform persons coming into the park of the park's closing time.

(c) No person or vehicle shall enter or be within any park or portion thereof or any parking lot or portion thereof which serves any City park when it is closed, except City or other public officials or employees in the course of their duties, unless such person has written permission to do so from the Director of Parks and Recreation or an authorized representative thereof.

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

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

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

Approved as to form:

____
City Attorney
Dated: ________________________

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RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in March of 1986, Pastor David Foreman accepted the commission from God to create a local church and an outreach ministry, founding the Reachout Baptist Church. The name would later change to Reachout Christian Center Church; and

WHEREAS, God continued to bless Reachout Christian Center Church as they grew from a ten-member congregation to a membership large enough that they purchased 66 acres of land in 1992 and built a new 8,000 square feet sanctuary in 1995. In 2003, Reachout Christian Center Church was able to further expand its church and build a 10,800 square feet addition; and

WHEREAS, the goals of Reachout Christian Center Church are to establish a strong local church; provide a world outreach ministry; to worship and praise God freely, without shame, in spirit and in truth according to the principles of the Word of God; to grow up spiritually and edify each other; to apply the principles of successful Christian living and apply God's Word in day-to-day experiences; and to reach out to the lost, sick, and oppressed world, clearly communicating the promises in God's Word; and

WHEREAS, Pastor David and Evangelist Annie C. Foreman have been married for over 40 years and have five children, 19 grandchildren and twenty-four great-grandchildren. They are both active members of the Lansing community; David currently serves as the treasurer for the Clergy Forum of Greater Lansing and Annie sits on many committees in the community and is active in the Sixty Plus Elderlaw Clinic of Cooley Law School; and

WHEREAS, Reachout Christian Center Church is hosting its 32nd anniversary celebration March 11, 2018 themed, "A Worthy Shepherd."

BE IT RESOLVED that the Lansing City Council wishes to congratulate Reachout Christian Center Church on its 32nd year anniversary. May you continue on in your journey and service for many more years to come. "Let the elders that rule well be counted WORTHY of double honour, especially they who labour in the Word and doctrine."
1 Timothy 5:*17*

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

WHEREAS, the Mayor made the appointment of Paul G. Connors of 1727 Canterbury Place, Lansing, MI, 48910, as an At-Large Member of the Historic District Commission for a term to expire June 30, 2019; 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 Development & Planning Committee met on March 5, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Paul G. Connors of 1727 Canterbury Place in Lansing, MI, 48910, as an At-Large Member of the Historic District Commission for a term to expire June 30, 2019.

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

WHEREAS, the Mayor made the appointment of Kurt F. Berryman of 804 W. Ottawa Street in Lansing, MI, 48915, as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2020 ; 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 Development & Planning Committee met on March 5, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Kurt F. Berryman of 804 W. Ottawa Street in Lansing, MI, 48915, as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2020

By the Committee on Development and Planning
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Verizon Wireless has offered to lease space in Crego Park to construct and operate a wireless communication tower; and

WHEREAS, a public hearing was previously held regarding permitting a special use within the zoning classification, but no public hearing was set or held regarding undedicating said space in Crego Park for non-park use; and

WHEREAS, a public hearing is not required by the Lansing Charter or its Ordinances, the Council feels the undedication of a portion of a park is a matter of general public interest, and worthy of public hearing;

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing be held on March 26, 2018, at 7:00 p.m. in the City Council Chambers, Tenth Floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, to receive public comment on and to consider the Resolution to Undedicate a Portion of the Crego Park Parcel to Allow Construction and Operation of a Wireless Communication Tower.

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BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 9, 2018, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing:

Act-4-2017, Easement for Consumers Energy’s North Lansing Pipeline Project.

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BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 9, 2018, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing:

Act-5-2017, Easement for Consumers Energy's North Lansing Pipeline Project; 1620 Sunset Avenue.

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

WHEREAS, Native American Arts and Crafts Council requested $650.00 to defray costs associated with facility rental for their “Riverbank Traditional POW WOW” to be held on June 1st – June 4th, 2018; and

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

WHEREAS, the Committee on General Services met on February 27, 2018, reviewed the request and approved $650.00.

THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from Community Funding Account to Native American Arts and Crafts Council in the amount of $650.00 to defray costs associated with facility rental for their “Riverbank Traditional POW WOW” to be held on June 1st – June 4th, 2018.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging $650.00 to the Council Community Promotion Account – 101.112101.741289.0.

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

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

WHEREAS, IMAGIN has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the IMAGIN as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to the IMAGIN of 416 S. Cedar Street, Suite C

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

WHEREAS, Benjamin Koche sought to eliminate a special assessment of $673.00 for debris removal fees, and all associated penalties and interest, on the property tax bill for 819 Riverview (Tax ID #33-01-01-20-131-041); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of $673.00 was reduced to $440.00 and that new amount was denied on February 27, 2018.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Benjamin Koche in the amount of $440.00 for debris removal fees, and all associated penalties and interest on the property tax bill for 819 Riverview (Tax ID #33-01-01-20-131-041).

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

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

WHEREAS, Larry Ball sought to eliminate a special assessment of $1,070.00 for debris removal fees, and all associated penalties and interest, on the property tax bill for 4615 Ora (Tax ID #33-01-01-33-378-011); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of $1,070.00 was reduced to $823.50 and that new amount was denied on February 27, 2018.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Larry Ball in the amount of $823.50 for debris removal fees, and all associated penalties and interest on the property tax bill for 4615 Ora (Tax ID #33-01-01-33-378-011).

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

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

WHEREAS, Leola Watts sought to eliminate a special assessment of $1,632.00 for tall grass and debris removal fees, and all associated penalties and interest, on the property tax bill for a vacant parcel on W. Kalamazoo (Tax ID #33-01-01-17-405-201); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of $1,632.00 was denied on February 27, 2018.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Leola Watts in the amount of $1,632.000 for tall grass and debris removal fees, and all associated penalties and interest on the property tax bill for the vacant parcel on W. Kalamazoo (Tax ID #33-01-01-17-405-201).

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

BY THE ____________________
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Jordan Leaming of 1650 Nottingham Road in Lansing, MI, 48911, as a City of Lansing Member of the Capital Region Airport Authority for a term to expire September 30, 2020; and

WHEREAS, The nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the ____________________ Committee met on __________ and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jordan Leaming of 1650 Nottingham Road in Lansing, MI, 48911, as a City of Lansing Member of the Capital Region Airport Authority for a term to expire September 30, 2020.

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

GLENBURNE ASSESSMENT ROLL GB-2017

WHEREAS, pursuant to **Chapter 1020.06**, Grass and Trash abatement, adopted by this Council, the City Assessor has completed the assessment roll for removal of grass and or trash in the Glenburne Commons area in the City of Lansing

WHEREAS, the owners of these properties were given proper notice in accordance with Chapter 1020.06(c) (1) to remove grass and trash from the commons area of the Glenburne Commons.

WHEREAS, the City incurred costs for the removal of grass and trash, which it is required to recover in accordance with Chapter 1020.06(c)(2).

WHEREAS, pursuant to Chapter 1020.06, the fees for those costs were adopted by Council.

WHEREAS, those costs incurred between April 25, 2017 and November 6, 2017, by the City total $34,256.50.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, March 26, 2018, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby requested to give due notice of this public hearing as provided by Chapter 1026, Section 1026.06(b) and (c), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. In addition, the Clerk shall give notice of hearings in special assessment proceedings to each owner of, or party in interest in, property to be assessed, whose name appears upon the last local tax assessment records, by first class mail addressed to such owner or party at the address shown on the tax records, at least ten days before the date of such hearing. Said notices shall include the time and place of the hearing; a description of the properties determined by the Director of Public Service to have violated Chapter 1020.06 which are contained in the special assessment roll; where the special assessment roll is on file with the City Clerk and may be examined at the City Clerk's office;

BE IT FURTHER RESOLVED, that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the removal of grass and trash, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or

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written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal;

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, a written appeal of the Special Assessment may be made to the Michigan Tax Tribunal, 611 West Ottawa St., P.O. Box 30232, Lansing, MI 48909; if filed within thirty days after confirmation of the special assessment roll and if the Special Assessment was protested at this hearing.

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

RESOLUTION TO SET A PUBLIC HEARING FOR ACTION PLAN FY 2018-2019

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 26, 2018 at t 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed CDBG resources for the Annual Action Plan submission to HUD for FY 2018-2019.

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INTRODUCTION OF ORDINANCE

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new Section 888.33 for the purposes of providing for a service charge in lieu of taxes for one hundred two (102) low income multi-family dwelling units in a project known as Camelot Hills, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 26, 2018, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance amending the Payment in Lieu of Taxes (PILOT) for Camelot Hills, f/k/a Hickory Woods, located at 601 Sadie Court, Lansing, Michigan.

ORDINANCE NO. _____________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 888.___ FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR ONE HUNDRED TWO (102) LOW INCOME MULTI-FAMILY DWELLING UNITS IN A PROJECT KNOWN AS CAMELOT HILLS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

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

888.___ CAMELOT HILLS

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

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

(B) *DEFINITIONS.*

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

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

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

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

HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS CAMELOT HILLS, AND CONSISTS OF ONE HUNDRED TWO (102) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT ALL OF BRISHBIN PARK, EXCEPT LOTS 1, 2, AND 3, A SUBDIVISION OF A PART OF THE SOUTHWEST ¼ OF SECTION 4, TOWN 4 NORTH, RANGE 2 WEST, AND THE NORTHWEST ¼ OF SECTION 9, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF AS RECORDED IN LIBER 36, PAGES 19 AND 20, INGHAM COUNTY RECORDS.

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

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

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

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

(9) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR OF CAMELOT HILLS IS MHT HOUSING, INC., OR ITS SUCCESSORS OR ASSIGNS.

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

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

(1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF CAMELOT HILLS IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE ONE HUNDRED TWO (102) UNITS OF HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS SECTION.

(2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND THE ACT, THE ONE HUNDRED TWO (102) UNITS IN THE HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS CAMELOT HILLS AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY-FIVE (35) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2019.

(3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE ONE HUNDRED TWO (102) UNITS IN THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

(4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.415A(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

(5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE

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

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

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

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

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

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

1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

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

(G) *DURATION*. THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR THIRTY-FIVE (35) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2019, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2054. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE ONE HUNDRED TWO (102) UNITS OF HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE

LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

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

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

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

Approved as to form:

____
James D. Smiertka, City Attorney
Dated: ________________________

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INTRODUCTION OF ORDINANCE

The Committee of the Whole introduced:

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

The Ordinance is read a first time and referred to the Committee of the Whole

RESOLUTION SETTING PUBLIC HEARING
By the Committee of the Whole

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, March 26, 2018 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering An Ordinance of the City of Lansing, Michigan, Re-Adopting the Codified Ordinances of The City Of Lansing, and setting a Public Hearing.

Interested Persons are invited to attend this Public Hearing

DRAFT

ORDINANCE No. _______

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, RE-ADOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING,

WHEREAS, THE READOPTION AND RECODIFICATION OF CODIFIED ORDINANCES, PURSUANT TO CHARTER SECTIONS 3-307 AND 3-309, IS BEFORE THE CITY COUNCIL; AND NOW THEREFORE

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 47, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH DECEMBER 31, 2017, EXCEPT AN ORDINANCE REPEALED BY REPLACEMENT AND 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 2017, COMPLETE TO DECEMBER 31, 2017.

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 THEREFOR. 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 ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 5. THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE TEN YEARS FROM THE DATE OF READOPTION.

SECTION 6. THIS ORDINANCE AND READOPTION SHALL INCLUDE ALL ORDINANCES IN EFFECT ON NOVEMBER 25, 2017.

SECTION 7. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY CITY COUNCIL.

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XV A.1.a

Chris Swope
Lansing City Clerk

March 9, 2018

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website: http://lansingmi.gov/AgendaCenter

BOARD NAME	**DATE OF MEETING**
Board of Ethics	August 15, 2017 October 10, 2017 December 12, 2017
Memorial Review Board	September 12, 2017
Board of Zoning Appeals	March 13, 2003 April 10, 2003 May 8, 2003 June 12, 2003 July 10, 2003 August 14, 2003 September 11, 2003 October 9, 2003 November 13, 2003 December 11, 2003

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

Chris Swope

Chris Swope, CMC, CMMC
Lansing City Clerk

Chris Swope
Lansing City Clerk

March 2, 2018

City Council President Wood and Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear President Wood and Council Members:

Pursuant to Article 8, Chapter 4, Section 8-403.3 of the Lansing City Charter, on February 27, 2018 the Mayor's Office placed on file in my office an Amended and Restated Real Estate Purchase and Development Agreement between the City of Lansing and Continental/Ferguson Lansing, LLC for the Red Cedar Property. Under the Charter, a public hearing may be held on this matter on or after March 29, 2018.

This document is available for review at the office of the City Clerk or at http://www.lansingmi.gov/clerk under the heading of Documents Placed on File.

Sincerely,

Chris Swope

Chris Swope, MMC/CMMC
Lansing City Clerk

Chris Swope
Lansing City Clerk

March 9, 2018

City Council President Wood and Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear President Wood and Council Members:

Pursuant to Article 8, Chapter 4, Section 8-403.3 of the Lansing City Charter, on March 8, 2018 the Mayor's Office placed on file in my office an Non-Exclusive Easement Agreement for the Consumers Energy's North Lansing Pipeline Project, Act-4-2017 & Act-5-2017, a public hearing may be held on this matter on or after April 7, 2018.

This document is available for review at the office of the City Clerk or at http://www.lansingmi.gov/clerk under the heading of Documents Placed on File.

Sincerely,

Chris Swope

Chris Swope, MMC/CMMC
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 • TDD 517-483-4479 • 517-377-0068 FAX
www.lansingmi.gov/clerk • clerk@lansingmi.gov

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

WHEREAS, the Lansing City Council has previously established an Industrial Development District (IDD-03-00) on October 9, 2000, that included the property commonly known as 5858 Enterprise Drive, Lansing MI; and

WHEREAS, the City of Lansing received and filed an application from Tecomet, Inc. requesting an Industrial Facilities Exemption Certificate (IFT-01-18) for personal and real property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held (INSERT DATE), on the Industrial Facilities Exemption Certificate (IFT-01-18) filed by Tecomet, Inc., at which all owners of real and personal property within IDD-03-00 and, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-03-00 had the opportunity to appear and be heard; and

WHEREAS, Tecomet, Inc. has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Lansing, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted, and

WHEREAS, the Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of five (5) years after completion of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of Tecomet, Inc. for an Industrial Facilities Exemption Certificate (IFT-01-18), for real and personal property investments in the areas of IDD-03-00 legally described as:

LOT 16 EXC COM SW COR LOT 16, TH S 89DEG 35MIN 10SCD E 118.66 FT ON S LINE LOT 16, N 24DEG 03MIN 40SCD W 376.87 FT, S 65DEG 56MIN 20SCD W 108 FT, S 24DEG 03MIN 40SCD E 327.71 FT TO BEG; MIDWAY INDUSTRIAL CENTER,

for a period of 5 years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate

Agreement between Tecomet, Inc. and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

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

WHEREAS, the City of Lansing received and filed an application from Tecomet, Inc. requesting an Industrial Facilities Exemption Certificate (IFT-01-18) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on the Tecomet, Inc. application for an Industrial Facilities Exemption Certificate (IFT-01-18), to allow for any resident or taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the (**INSERT DATE**) at 7:00 p.m., on the Tecomet, Inc. application for an Industrial Facilities Exemption Certificate (IFT-01-18) located at 5858 Enterprise Drive, Lansing, MI within the boundary more particularly described as:

LOT 16 EXC COM SW COR LOT 16, TH S 89DEG 35MIN 10SCD E 118.66 FT ON S LINE LOT 16, N 24DEG 03MIN 40SCD W 376.87 FT, S 65DEG 56MIN 20SCD W 108 FT, S 24DEG 03MIN 40SCD E 327.71 FT TO BEG; MIDWAY INDUSTRIAL CENTER,

and that the City Clerk cause the legislative body of each taxing unit levying ad valorem taxes on this property, as well as the owners of real property located within the stated boundary, be notified of this application and the scheduled public hearing.

RESOLUTION #2018-XX
BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

ACT 51 FUNDING STREET ADMINISTRATOR DESIGNATION

WHEREAS, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act”.

THEREFORE BE IT RESOLVED that the City Council hereby designates Andrew Kilpatrick, Public Service Director, as the single Street Administrator for the City of Lansing in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Adopted by the Committee
on Public Services:

Approved for Placement on
the City Council Agenda:

Jim Smiertka
City Attorney

Date:

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

PUBLIC IMPROVEMENT I/II

WHEREAS, the Public Service Department has established the need to repair and reconstruct the public sidewalk in the following location:

> PROPERTIES BENEFITED: All lands fronting Stabler Street between Holmes Road and Willard Avenue, excepting all public streets and alleys and other land deemed not benefited; and

WHEREAS, the Public Service Department will complete this work as part of the Stabler Street Crush and Shape Project, and

WHEREAS, the Public Service Department requests, pursuant to Chapter 1024.03 of the Code of Ordinances that the repair and reconstruction of these public sidewalks be determined by City Council to be a necessary public improvement, and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: Sidewalk repair on Stabler Street between Holmes Road and Willard Avenue, excepting all public streets and alleys and other land deemed not benefited.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefited property owners, and the City's public share of the project shall be paid from the Sidewalk Repair Account 410.933690.974200.13026.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

Adopted by the Committee
on Public Services:

Approved for Placement on
the City Council Agenda:

Jim Smiertka
City Attorney

Date:

RESOLUTION # ________

BY THE COMMITTEE ON

Authorizing Michigan Natural Resources Trust Fund (MNRTF)

Land Acquisition Grant

Acquisition of Parcel 33-01-01-27-426-001

WHEREAS, on March 23, 2015 the City Council adopted Resolution #2015-077 the City of Lansing Parks and Recreation Five Year Master Plan for 2015 - 2020 which states as a goal to identify current natural areas throughout the city for acquisition; and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2018; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to acquire parcel #33-01-01-27-426-001, currently owned by John G. Sutherland, for park purposes; and

WHEREAS, the amounts and sources of the project funding are as follows:

Total Project Cost	$23,100
Amount Requested from the MNRTF (75% grant)	$17,300
Amount Requested from local sources (25%)	$5,800

WHEREAS, sufficient funds for the local match are currently available in the Park Acquisition and Development account; and

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council approves the submission of the grant to the Michigan Natural Resources Trust Fund (MNRTF)

BE IT FINALLY RESOLVED the City of Lansing, Michigan, will accept the terms of the grant as received from the MNRTF

Approved for Placement on
City Council Agenda:

City Attorney
Date:

RESOLUTION # ________

BY THE COMMITTEE ON

Authorizing Michigan Natural Resources Trust Fund (MNRTF)

Land Acquisition Grant

Acquisition of Parcel 23-50-40-25-451-022

WHEREAS, on March 23, 2015 the City Council adopted Resolution #2015-077 the City of Lansing Parks and Recreation Five Year Master Plan for 2015 - 2020 which states as a goal to acquire land adjacent to and along the river; and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2018; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to acquire parcel #23-50-40-25-451-022, 4000 Hunter's Ridge Drive, Lansing, MI 48911 currently owned by Shawn Batt, for park purposes; and

WHEREAS, the amounts and sources of the project funding are as follows:

Total Project Cost	$121,900
Amount Requested from the MNRTF (75% grant)	$91,425
Amount Requested from local sources (25%)	$30,475

WHEREAS, sufficient funds for the local match are currently available in the Park Acquisition and Development account; and

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council approves the submission of the grant application to the Michigan Natural Resources Trust Fund (MNRTF); and

BE IT FINALLY RESOLVED the City of Lansing, Michigan, will accept the terms of the grant as received from the MNRTF.

Approved for Placement on
City Council Agenda:

City Attorney

Date:

RESOLUTION # _________

BY THE COMMITTEE ON

Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding

WHEREAS, the Parks and Recreation Department is applying for grant funding through Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2018; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to develop River Trail connection; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to develop the River Trail connection of Cambridge Road to Frances Park River Trail,

Total Project Cost	$660,000
Amount Requested from the MNRTF (45% grant)	$297,000
Amount Requested from local sources (55%)	$363,000

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the submission of a grant application to the Michigan Natural Resources Trust Fund for the above project; and

BE IT FINALLY RESOLVED that the City of Lansing, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City of Lansing Parks and Recreation Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Three Hundred Sixty Three Thousand ($363,000.00) Dollars to match the grant authorized by the DEPARTMENT.

2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.

3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

4. To comply with any and all terms of said Agreement included all terms not specifically set forth in the foregoing portions of this Resolution.

Approved for Placement on

City Council Agenda:

City Attorney

Date:

RESOLUTION # _________

BY THE COMMITTEE ON

Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding

WHEREAS, the Parks and Recreation Department is applying for grant funding through Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2018; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to proceed with phase two of Risdale Park Development; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding concession and restroom additions at Risdale Park Sports Field,

Total Project Cost	$500,000
Amount Requested from the MNRTF (60% grant)	$300,000
Amount Requested from local sources (40%)	$200,000

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the submission of a grant application to the Michigan Natural Resources Trust Fund for the above project; and

BE IT FINALLY RESOLVED that the City of Lansing, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City of Lansing Parks and Recreation Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Two Hundred Thousand ($200,000.00) Dollars to match the grant authorized by the DEPARTMENT.

2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.

3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

4. To comply with any and all terms of said Agreement included all terms not specifically set forth in the foregoing portions of this Resolution.

Approved for Placement on

City Council Agenda:

City Attorney

Date:

RESOLUTION # _________

XV A 2 h

BY THE COMMITTEE ON

Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding

WHEREAS, the Parks and Recreation Department is applying for grant funding through Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2018; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to develop a one mile walking path; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to develop a one mile walking path within the Rudolph and Dorothy Wilson Park,

Total Project Cost	$375,000
Amount Requested from the MNRTF (74% grant)	$277,500
Amount Requested from local sources (26%)	$ 97,500

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the submission of a grant application to the Michigan Natural Resources Trust Fund for the above project; and

BE IT FINALLY RESOLVED that the City of Lansing, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City of Lansing Parks and Recreation Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Ninety Seven Thousand Five Hundred ($97,500.00) Dollars to match the grant authorized by the DEPARTMENT.

2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.

3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

4. To comply with any and all terms of said Agreement included all terms not specifically set forth in the foregoing portions of this Resolution.

Approved for Placement on

City Council Agenda:

City Attorney

Date:

RESOLUTION # ________

BY THE COMMITTEE ON

Authorizing Michigan Natural Resources Trust Fund (MNRTF)

Acquisition of Parcel 33-01-05-06-202-021

WHEREAS, on March 23, 2015 the City Council adopted Resolution #2015-077 the City of Lansing Parks and Recreation Five Year Master Plan for 2015 - 2020 which states as a goal to identify current natural areas throughout the city for acquisition; and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2018; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to acquire parcel #33-01-05-06-202-021, currently owned by Frederick L. and Lola M. Harmon, for park purposes; and

WHEREAS, the amounts and sources of the project funding are as follows:

Total Project Cost	$27,400
Amount Requested from the MNRTF (75% grant)	$20,500
Amount Requested from local sources (25%)	$6,900

WHEREAS, sufficient funds for the local match are currently available in the Park Acquisition and Development account; and

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council approves the submission of the grant to the Michigan Natural Resources Trust Fund (MNRTF)

BE IT FINALLY RESOLVED the City of Lansing, Michigan, will accept the terms of the grant as received from the MNRTF

Approved for Placement on
City Council Agenda:

City Attorney
Date:

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

WHEREAS, the Lansing Police Department (LPD) applied for a FY17 Technology Innovation for Public Safety (TIPS) Grant, a limited competition grant program that will provide funding to improve functioning of the criminal justice system; and

WHEREAS, the United States Department of Justice, Office of Civil Rights, has awarded $ 343,050 to the City of Lansing with no required “match”; and

WHEREAS, this award will pay for the purchase and management of the NC4 Street Smart Program for a 2 year period from implementation date. This program will directly assist road patrol Officers in sharing real time intelligence with each other as well as offering an information hub where intelligence can be shared between the department’s patrol officers and the investigating detectives. The NC4 Street Smart Program can facilitate the transfer of intel and media to allow responding officers to request information from other officers regarding an identity of a suspect thru use of real time electronic bulletins; and

NOW, THEREFORE, BE IT RESOLVED, that he Lansing City Council approves acceptance BJA FY17 Technology Innovation for Public Safety (TIPS) grant in the amount of $343,050 for the grant period beginning October 1, 2017 and ending September 30, 2019; and

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

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

WHEREAS, The City of Lansing was selected to receive a Michigan Economic Development Corporation grant to help support the fabrication and implementation of Phase II: Pedestrian Signage of our new downtown wayfinding system; and

WHEREAS, the Michigan Economic Development Corporation grant was the result of a competitive proposal process by Michigan Main Street communities, and a proposal was submitted by Downtown Lansing Inc. on June 15, 2017 and was approved on January 17, 2018; and

WHEREAS, the Michigan Economic Development grant supports the fabrication and installation of nine new pedestrian kiosks, a portion of Phase II of our downtown wayfinding program implementation for this spring/summer; and

WHEREAS, the Michigan Economic Development Corporation awarded $50,000 to Downtown Lasing Inc.; and

WHEREAS, the award of $50,000 does not require a local match; and

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the Michigan Economic Development Corporation Grant on behalf of Downtown Lansing Inc. in the total amount of $50,000 for the City of Lansing.

BE IT FINALLY RESOLVED, The Administration is authorized to make the necessary operating transfers for the expenditure.

BY THE _________________

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Darlene J. Fancher of 1319 Chester Road in Lansing, MI, 48912, as a City of Lansing Member of the Capitol Area Transportation Authority for a term to expire September 30, 2020; and

WHEREAS, The nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the _________________ Committee met on _________ and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Darlene J. Fancher of 1319 Chester Road in Lansing, MI, 48912, as a Member of the Capitol Area Transportation Authority for a term to expire September 30, 2020;

BY THE _________________
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Jennie M. Gies of 220 Ferguson Street in Lansing, MI, 48912, as a City of Lansing Member of the Capitol Area Transportation Authority for a term to expire September 30, 2020; and

WHEREAS, The nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the _________________ Committee met on _________ and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jennie M. Gies of 220 Ferguson Street in Lansing, MI, 48912, as a Member of the Capitol Area Transportation Authority for a term to expire September 30, 2020.

BY THE _________________

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Zoe Ahlstrom of 740 Stanley Street in Lansing, MI, 48915, as an At-Large Member of the Park Board as an At-Large Member for a term to expire June 30, 2019; and

WHEREAS, The nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the __________________ Committee met on _________ and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Zoe Ahlstrom of 740 Stanley Street in Lansing, **MI,** 48915, as an At-Large Member of the Park Board for a term to expire June 30, 2019.

Andy Schor, Mayor

City of Lansing
Finance Department
Interoffice Communication

TO: Andy Schor, Mayor

FROM: Angela Bennett, Finance Director

DATE: March 8, 2018

SUBJECT: Public Act 202 Pension and OPEB Funding Status Treasury Notification

Public Act 202 of 2017, signed into law December, 2017, established funding thresholds for defined benefit pension and defined benefit retiree healthcare (also referred to as Other Post Employment Benefit, "OPEB") plans for municipalities in the State of Michigan. As anticipated when the legislation was passed, the City's ERS Retirement System and both the City's ERS and Police and Fire OPEB plans fall below the State's threshold, as described below.

<u>Pension</u>
The State-defined threshold for defined benefit pension plans is a 60% funding ratio, with a total employer pension contribution of less than 10% of governmental revenues. Lansing's defined benefit pension systems had funding ratios of 57.6% for the Employee's Retirement System (ERS) and 69.4% for the Police and Fire Retirement System, with combined City contributions totaling 14.9% of governmental revenues, as of June 30, 2017.

<u>Retiree Healthcare (OPEB)</u>
The state-defined threshold for defined benefit OPEB plans is a 40% funding ratio, with a total employer pension contribution of less than 12% of governmental revenues. Lansing's defined benefit pension systems had funding ratios of 23.6% for the Employee's Retirement System (ERS) and 11.6% for the Police and Fire Retirement System, with combined City contributions totaling 19.8% of governmental revenues, as of June 30, 2017.

In light of the State-defined underfunded status of the three plans, the City can apply for waivers from the State Department of Treasury, one required for each plan, which must be approved by you and by City Council and filed with the State no later than April 16, 2018. As specified in the legislation, each plan must demonstrate that "the underfunded status is being addressed." Accordingly, attached, please find waiver applications for the City's ERS Retirement System, ERS OPEB plan, and Police and Fire

OPEB plan.

Please note, the waiver information states that the waiver “shall not include prospective plans or solutions (e.g. future CBA amendments, upcoming millage proposals, potential budget changes, etc.). [The] plan must demonstrate prior actions that [the] local unit has already implemented to adequately address its underfunded status. However, Treasury may consider additional ongoing funding dedicated to [its] retirement system if those commitments have been formally enacted by the governing body and can be documented.”

In the event that any of the waiver applications are not approved by the State, Public Act 202 of 2017, prescribes that the State Department of Treasury “shall undertake an individualized and comprehensive internal review of the [City’s] retirement system.” The City will then be required to file corrective action plan(s) within one-hundred eighty (180) days of the determination of underfunded status.

Accordingly, enclosed, please find waiver applications for the City’s Employee’s Retirement System, ERS OPEB plan, and Police and Fire OPEB plan.

Michigan Department of Treasury
5584 (02-18)

Protecting Local Government Retirement and Benefits Act Application for Waiver and Plan: Retirement Health Benefit Systems

Issued under authority of Public Act 202 of 2017.

1. MUNICIPALITY INFORMATION

Local Unit Name: City of Lansing Six-Digit Muni Code: 332020

Retirement Health Benefit System Name: Lansing Police and Fire Retirement System OPEB Plan

Contact Name (Administrative Officer): Angela Bennett

Title if not Administrative Officer: Finance Director

Email: angela.bennett@lansingmi.gov Telephone: (517) 483-4511

2. GENERAL INFORMATION

Application for Waiver and Plan: This Application for Waiver and Plan may be filed by any local unit of government with at least one retirement health benefit system that has triggered a preliminary review of underfunded status. In accordance with Public Act 202 of 2017 (the Act), if the state treasurer determines that the underfunded status is adequately being addressed by the local unit of government, the state treasurer shall issue a waiver of the determination of underfunded status. If requesting a waiver, you must submit a separate and unique application for each underfunded retirement system as determined by the *2017 Retirement System Annual Report (*Form 5572).

Due Date: The local unit of government has **45 days from the date of notification** to complete and file the Application for Waiver and Plan. Failure to file within 45 days will result in a determination of underfunded status for your local unit of government as defined by the Act, and your local unit of government will be required to submit a corrective action plan to the Municipal Stability Board for approval.

Filing: This Application for Waiver and Plan must be approved by the local government's administrative officer and its governing body. ***You must provide proof of your governing body approving this Application for Waiver and Plan and attach the documentation as a separate PDF document.*** Failure to provide documentation that demonstrates approval from your governing body will automatically result in a denial of the waiver application.

The completed application must be submitted via email to LocalRetirementReporting@michigan.gov. **If you have multiple underfunded retirement systems, you are required to complete separate applications and send a separate email for each underfunded system.** Please attach each application as a separate PDF document in addition to all applicable supporting documentation.

The subject line of the email(s) should be in the following format: **Waiver-2017, Local Unit Name, Retirement System Name** (e.g. Waiver-2017, City of Lansing, Employees' Retirement System OPEB Plan). Treasury will send an automatic reply acknowledging receipt of the email. Your individual email settings must allow for receipt of Treasury's automatic reply. This will be the only notification confirming receipt of the application(s).

Considerations for Waiver: A successful Application for Waiver and Plan will demonstrate what your local unit **has already done** to adequately address its underfunded status. Prospective solutions will not be granted merit in determining the outcome of the waiver application (e.g. future amendments to collective bargaining agreements, upcoming millage proposals, potential budget changes, etc.). However, Treasury may consider additional ongoing funding dedicated to your retirement system if those commitments have been formally enacted by the governing body and can be documented. Section three of this waiver application allows the local unit of government to enter a brief description

of prior actions that have already been implemented to adequately address its underfunded status. For purposes of Sec. 6.(1) of the Act, this application will also be considered the plan.

Underfunded status for a retirement health system is defined as being less than 40% funded according to the most recent audited financial statements, and, if the local unit of government is a city, village, township, or county, the annual required contribution for all of the retirement health systems of the local unit of government is greater than 12% of the local unit of government's annual governmental fund revenues, based on the most recent fiscal year.

3. DESCRIPTION OF PRIOR ACTIONS

Prior actions are separated into three categories below: System Design Changes, Additional Funding, and Other Considerations. Please provide a brief description of the prior actions implemented by the local government to address the retirement system's underfunded status within the appropriate category section. Within each category are sample statements that you may choose to use to indicate the changes to your system that will positively affect your funded status. For retirement systems that have multiple divisions, departments, or plans within the same retirement system, please indicate how these changes impact the retirement **system** as a whole.

Please indicate where in the attached supporting documentation these changes are described and the impact of those changes (i.e. what has the local unit of government done to improve its underfunded status, and where can we find the proof of these changes in the supporting documentation?).

Note: Please provide the name of the system impacted, the date you made the change, the relevant page number(s) within the supporting documentation, and the resulting change to the system's funded ratio.

Category of Prior Actions:

☒ **System Design Changes -** System design changes may include the following: Changes to coverage levels (including retiree co-payments, deductibles, and Medicare eligibility), changes to premium cost-sharing, eligibility changes, switch to defined contribution retiree health care plan, changes to retiree health care coverage for new hires, etc.

Sample Statement: *Benefit levels of the retired membership mirrors the current collective bargaining agreement for each class of employee. On **January 1, 2017**, the local unit entered into new collective bargaining agreements with the **Command Officers Association** and **Internal Association of Firefighters** that increased employee co-payments and deductibles for healthcare. These coverage changes resulted in an improvement to the retirement system's funded ratio. Please see page **12** of the attached actuarial analysis that indicates the system is **40%** funded as of **June 30, 2017**.*

Enter System Design Statement here:

(1) Reduction of eligibility and funding period for sworn Police (Capitol City Labor Program Inc.) and Fire (International Association of Firefighters) positions from full family coverage to retiree-only coverage for new hires after 8/1/14 and 5/19/14, respectively.

(2) Change to $500/$1000 deductible plans from no-deductible plans for sworn Police (Capitol City Labor Program Inc.) and Fire (International Association of Firefighters) positions for current and future hires, effective 7/1/14 and 5/19/14, respectively.

(3) Decrease in Plan's assumed rate of return from 8.0% to 7.25% between X and 2017.

☐ **Additional Funding –** Additional funding may include the following: voluntary contributions above the annual required contribution, bonding, millage increases, restricted funds, etc.

Sample Statement: *The local unit created a qualified trust to receive, invest, and accumulate assets for retirement healthcare on **June 23, 2016**. The local unit of government has adopted a policy to change its funding methodology from Pay-*

*Go to full funding of the Annual Required Contribution (ARC). Additionally, the local unit has committed to contributing **$500,000** annually, in addition to the ARC for the next five fiscal years. The additional contributions will increase the retirement system's funded ratio to **40%** by **2022.** Please see page **10** of the attached resolution from our governing body demonstrating the commitment to contribute the ARC and additional **$500,000** for the next five years.*

Enter Additional Funding Statement here:

☒ **Other Considerations** – Other considerations may include the following: outdated Form 5572 information, enterprise fund revenue considerations, actuarial assumption changes, amortization policy changes, etc.

Sample Statement: *The information provided on the Form 5572 from the audit used actuarial data from **2015**. Attached is an updated actuarial valuation for **2017** that shows our funded ratio has improved to **62%** as indicated on page **13**.*

Sample Statement: 50% *of our retirement liabilities are attributable to employees within our enterprise divisions as shown in the attached analysis, yet we could not include enterprise revenue as part of our governmental funds. The attached analysis shows that our revenue ratio (ARC / Total Governmental Funds) would only be **5%** when including enterprise funds within the calculation.*

Enter Other Considerations Statement here:

A study of the impact on collective bargaining changes on future City contribution requirements for retiree healthcare was performed in 2015, the result of which is displayed graphically in attachment 2a.

The City had a study of its retiree healthcare systems conducted in 2017 (attachment 7a) and is in the process of evaluating additional measures to address the underfunded status of the Plan.

4. DOCUMENTATION ATTACHED TO THIS WAIVER APPLICATION AND PLAN

Documentation must be attached as a .pdf to this waiver application. The documentation must demonstrate the prior actions that have already been implemented to adequately address the local unit of government's underfunded status. Please ensure this documentation directly supports and highlights the systems funded ratio as entered in section three of the waiver application above. Please check all documents that are included as part of this application and attach in successive order as provided below:

Naming Convention: When attaching documents please use the naming convention shown below. If there is more than one document in a specific category that needs to be submitted, include a, b, or c for each document. For example, if you are submitting two supplemental valuations, you would name the first document "Attachment 2a" and the second document "Attachment 2b".

Continued on page 4

Naming Convention	Type of Document
☒ Attachment – 1	**This Waiver Application and Plan (Required)**
☒ Attachment – 1a	**Documentation from the governing body approving the Waiver Application and Plan (Required)**
☒ Attachment – 2a	Actuarial Analysis (annual valuation, supplemental valuation, projection)
☐ Attachment – 3a	Internally Developed Projection Study
☐ Attachment – 4a	Documentation of additional payments in past years that is not reflected in your audited financial statements (e.g. enacted budget, system provided information).
☐ Attachment – 5a	Documentation of commitment to additional payments in future years (e.g. resolution, ordinance)
☐ Attachment – 6a	A plan that the local unit has already approved to address its underfunded status, which includes documentation of prior actions and the positive impact on the system's funded ratio
☒ Attachment – 7a	Other documentation, not categorized above

5. LOCAL UNIT OF GOVERNMENT'S ADMINISTRATIVE OFFICER APPROVAL OF WAIVER APPLICATION AND PLAN

I Andy Schor, as the government's administrative officer (*enter title*) Mayor (Ex: City/Township Manager, Executive director, Chief Executive Officer, etc.) approve this Application for Waiver and Plan. We are requesting a waiver of underfunded status, because we have already implemented substantial changes to our retirement system as described above.

I confirm to the best of my knowledge that because of the changes listed above the following statement will occur:

The **Retirement Health Benefit System listed below** will achieve a funded status of at least 40% by the Fiscal Year listed below.

Retirement Health Benefit System Name: Lansing Police & Fire OPEB Plan Fiscal Year: 2017

Signature:______________________ Date:______________________

Protecting Local Government Retirement and Benefits Act
Application for Waiver and Plan:
Defined Benefit Pension Retirement Systems

Issued under authority of Public Act 202 of 2017.

1. MUNICIPALITY INFORMATION

Local Unit Name: City of Lansing Six-Digit Muni Code: 332020

Defined Benefit Pension System Name: Lansing Employee's Retirement System

Contact Name (Administrative Officer): Angela Bennett

Title if not Administrative Officer: Finance Director

Email: angela.bennett@lansingmi.gov Telephone: (517) 483-4511

2. GENERAL INFORMATION

Application for Waiver and Plan: This Application for Waiver and Plan may be filed by any local unit of government with at least one defined benefit pension retirement system that has triggered a preliminary review of underfunded status. In accordance with Public Act 202 of 2017 (the Act), if the state treasurer determines that the underfunded status is adequately being addressed by the local unit of government, the state treasurer shall issue a waiver of the determination of underfunded status. If requesting a waiver, you must submit a separate and unique application for each underfunded retirement system as determined by the *2017 Retirement System Annual Report* (Form 5572).

Due Date: The local unit of government has **45 days from the date of notification** to complete and file the Application for Waiver and Plan. Failure to file within 45 days will result in a determination of underfunded status for your local unit of government as defined by the Act, and your local unit of government will be required to submit a corrective action plan to the Municipal Stability Board for approval.

Filing: This Application for Waiver and Plan must be approved by the local government's administrative officer and its governing body. ***You must provide proof of your governing body approving this Application for Waiver and Plan and attach the documentation as a separate PDF document.*** Failure to provide documentation that demonstrates approval from your governing body will automatically result in a denial of the waiver application.

The completed application must be submitted via email to LocalRetirementReporting@michigan.gov. **If you have multiple underfunded retirement systems, you are required to complete separate applications and send a separate email for each underfunded system.** Please attach each application as a separate PDF document in addition to all applicable supporting documentation.

The subject line of the email(s) should be in the following format: **Waiver-2017, Local Unit Name, Retirement System Name** (e.g. Waiver-2017, City of Lansing, Employees' Retirement System Pension Plan). Treasury will send an automatic reply acknowledging receipt of the email. Your individual email settings must allow for receipt of Treasury's automatic reply. This will be the only notification confirming receipt of the application(s).

Considerations for Waiver: A successful Application for Waiver and Plan will demonstrate what your local unit **has already done** to adequately address its underfunded status. Prospective solutions will not be granted merit in determining the outcome of the waiver application (e.g. future amendments to collective bargaining agreements, upcoming millage proposals, potential budget changes, etc.). However, Treasury may consider additional ongoing funding dedicated to your retirement system if those commitments have been formally enacted by the governing body and can be documented. Section three of this waiver application allows the local unit of government to enter a brief description

of prior actions that have already been implemented to adequately address its underfunded status. For purposes of Sec. 6.(1) of the Act, this application will also be considered the plan.

Underfunded status for a defined benefit pension system is defined as being less than 60% funded according to the most recent audited financial statements, and, if the local unit of government is a city, village, township, or county, the actuarially determined contribution for all of the defined benefit pension retirement systems of the local unit of government is greater than 10% of the local unit of government's annual governmental fund revenues, based on the most recent fiscal year.

3. DESCRIPTION OF PRIOR ACTIONS

Prior actions are separated into three categories below: System Design Changes, Additional Funding, and Other Considerations. Please provide a brief description of the prior actions implemented by the local government to address the retirement system's underfunded status within the appropriate category section. Within each category are sample statements that you may choose to use to indicate the changes to your system that will positively affect your funded status. For retirement systems that have multiple divisions, departments, or plans within the same retirement system, please indicate how these changes impact the retirement **system** as a whole.

Please indicate where in the attached supporting documentation these changes are described and the impact of those changes (i.e. what has the local unit of government done to improve its underfunded status, and where can we find the proof of these changes in the supporting documentation?).

Note: Please provide the name of the system impacted, the date you made the change, the relevant page number(s) within the supporting documentation, and the resulting change to the system's funded ratio.

Category of Prior Actions:

☒ **System Design Changes -** System design changes may include the following: Lower tier of benefits for new hires, final average compensation limitations, freeze future benefit accruals for active employees in the defined benefit system, defined contribution system for new hires, hybrid system for new hires, bridged multiplier for active employees, etc.

Sample Statement: *The system's multiplier for current employees was lowered from 2.5X to 2X for the **General Employees' Retirement System** on **January 1, 2017**. On page **8** of the attached actuarial supplemental valuation, it shows our funded ratio will be **60%** by fiscal year **2020.***

Enter System Design Statement here:

(1) Hybrid System for New Hires: Decrease in DB multipliers from 1.6%/1.8% to 1.25% with supplemental DC program for clerical and professional positions (non-bargained, Teamsters 243, and Teamsters 214) and from 2.75% to 1.5% with supplemental DC program for laborer positions (UAW). These changes took effect 2012-2017, depending on the bargaining group.
(2) Pension benefit cap (previously none) of 110% of base wages for all ERS employees. This changes took effect 2014-2016, depending on the bargaining group.
(3) Increase in employee contribution from 1.3% to 3.0% for laborers (UAW), effective X.
(4) Decrease in System's assumed rate of return from 8.0% to 7.25% between X and 2018.
(5) Change from open amortization to closed period of thirty years, decreasing by 1 year to ultimate period of 10 yrs.
(6) Updates of mortality tables

☒ **Additional Funding –** Additional funding may include the following: voluntary contributions above the actuarially determined contribution, bonding, millage increases, restricted funds, etc.

Sample Statement: *The local unit provided a lump sum payment of **$1 million** to the **General Employees' Retirement System** on **January 1, 2017**. This lump sum payment was in addition to the actuarially determined contribution (ADC) of the* *system. The additional contribution will increase the retirement system's funded ratio to **61% by 2025**. Please see page **10** of the attached enacted budget, which highlights this contribution of **$1 million**.*

Enter Additional Funding Statement here:

The City provided a lump sum payment of $658k in excess of the the actuarially-determined contribution (ADC) of the on December 1, 2017.

☒ **Other Considerations** – Other considerations may include the following: outdated Form 5572 information, enterprise fund revenue considerations, actuarial assumption changes, amortization policy changes, etc.

Sample Statement: *The information provided on the Form 5572 from the audit used actuarial data from **2015**. Attached is an updated actuarial valuation for **2017** that shows our funded ratio has improved to **62%** as indicated on page **13**.*

Sample Statement: 50% *of our retirement liabilities are attributable to employees within our enterprise divisions as shown in the attached analysis, yet we could not include enterprise revenue as part of our governmental funds. The attached analysis shows that our revenue ratio (ADC / Total Governmental Funds) would only be **5%** when including enterprise funds within the calculation.*

Enter Other Considerations Statement here:

(1) As of the 6/30/16 actuarial valuation, the Employee's Retirement System was projected to reach a 60% funding ratio in 2030. A preliminary update of the valuation using calendar-year 2017 investment returns (12/31/17 valuation not yet complete) indicates it could reach a 60% funding ratio by 2025. Please see attachments 2a.
(2) The City had a study of its pension systems conducted in 2017 (attachment 7a) and is in the process of evaluating additional measures to address the underfunded status of the Employee's Retirement System.

4. DOCUMENTATION ATTACHED TO THIS WAIVER APPLICATION AND PLAN

Documentation must be attached as a .pdf to this waiver application. The documentation must demonstrate the prior actions that have already been implemented to adequately address the local unit of government's underfunded status. Please ensure this documentation directly supports and highlights the systems funded ratio as entered in section three of the waiver application above. Please check all documents that are included as part of this application and attach in successive order as provided below:

Naming convention: when attaching documents please use the naming convention shown below. If there is more than one document in a specific category that needs to be submitted, include a, b, or c for each document. For example, if you are submitting two supplemental valuations, you would name the first document "Attachment 2a" and the second document "Attachment 2b".

Continued on Page 4.

Naming Convention	**Type of Document**
☒ Attachment – 1	**This Waiver Application and Plan (Required)**
☒ Attachment – 1a	**Documentation from the governing body approving the Waiver Application and Plan (Required)**
☒ Attachment – 2a	Actuarial Analysis (annual valuation, supplemental valuation, projection)
☐ Attachment – 3a	Internally Developed Projection Study
☒ Attachment – 4a	Documentation of additional payments in past years that is not reflected in your audited financial statements (e.g. enacted budget, system provided information).
☐ Attachment – 5a	Documentation of commitment to additional payments in future years (e.g. resolution, ordinance)
☐ Attachment – 6a	A plan that the local unit has already approved to address its underfunded status, which includes documentation of prior actions and the positive impact on the system's funded ratio
☒ Attachment – 7a	Other documentation, not categorized above

5. LOCAL UNIT OF GOVERNMENT'S ADMINISTRATIVE OFFICER APPROVAL OF WAIVER APPLICATION AND PLAN

I Andy Schor, as the government's administrative officer (*enter title*) Mayor (Ex: City/Township Manager, Executive director, Chief Executive Officer, etc.) approve this Application for Waiver and Plan. We are requesting a waiver of underfunded status, because we have already implemented substantial changes to our retirement system as described above.

I confirm to the best of my knowledge that because of the changes listed above the following statement will occur:

The Retirement Pension System listed below will achieve a funded status of at least 60% by the Fiscal Year listed below.

Retirement Pension System Name: Lansing Employee's Retirement System Fiscal Year: 2017

Signature:______________________ Date:______________________

Protecting Local Government Retirement and Benefits Act Application for Waiver and Plan: Retirement Health Benefit Systems

Issued under authority of Public Act 202 of 2017.

1. MUNICIPALITY INFORMATION

Local Unit Name: City of Lansing Six-Digit Muni Code: 332020

Retirement Health Benefit System Name: Lansing Employee's Retirement System OPEB Plan

Contact Name (Administrative Officer): Angela Bennett

Title if not Administrative Officer: Finance Director

Email: angela.bennett@lansingmi.gov Telephone: (517) 483-4511

2. GENERAL INFORMATION

Application for Waiver and Plan: This Application for Waiver and Plan may be filed by any local unit of government with at least one retirement health benefit system that has triggered a preliminary review of underfunded status. In accordance with Public Act 202 of 2017 (the Act), if the state treasurer determines that the underfunded status is adequately being addressed by the local unit of government, the state treasurer shall issue a waiver of the determination of underfunded status. If requesting a waiver, you must submit a separate and unique application for each underfunded retirement system as determined by the *2017 Retirement System Annual Report (*Form 5572).

Due Date: The local unit of government has **45 days from the date of notification** to complete and file the Application for Waiver and Plan. Failure to file within 45 days will result in a determination of underfunded status for your local unit of government as defined by the Act, and your local unit of government will be required to submit a corrective action plan to the Municipal Stability Board for approval.

Filing: This Application for Waiver and Plan must be approved by the local government's administrative officer and its governing body. ***You must provide proof of your governing body approving this Application for Waiver and Plan and attach the documentation as a separate PDF document.*** Failure to provide documentation that demonstrates approval from your governing body will automatically result in a denial of the waiver application.

The completed application must be submitted via email to LocalRetirementReporting@michigan.gov. **If you have multiple underfunded retirement systems, you are required to complete separate applications and send a separate email for each underfunded system.** Please attach each application as a separate PDF document in addition to all applicable supporting documentation.

The subject line of the email(s) should be in the following format: **Waiver-2017, Local Unit Name, Retirement System Name** (e.g. Waiver-2017, City of Lansing, Employees' Retirement System OPEB Plan). Treasury will send an automatic reply acknowledging receipt of the email. Your individual email settings must allow for receipt of Treasury's automatic reply. This will be the only notification confirming receipt of the application(s).

Considerations for Waiver: A successful Application for Waiver and Plan will demonstrate what your local unit **has already done** to adequately address its underfunded status. Prospective solutions will not be granted merit in determining the outcome of the waiver application (e.g. future amendments to collective bargaining agreements, upcoming millage proposals, potential budget changes, etc.). However, Treasury may consider additional ongoing funding dedicated to your retirement system if those commitments have been formally enacted by the governing body and can be documented. Section three of this waiver application allows the local unit of government to enter a brief description

of prior actions that have already been implemented to adequately address its underfunded status. For purposes of Sec. 6.(1) of the Act, this application will also be considered the plan.

Underfunded status for a retirement health system is defined as being less than 40% funded according to the most recent audited financial statements, and, if the local unit of government is a city, village, township, or county, the annual required contribution for all of the retirement health systems of the local unit of government is greater than 12% of the local unit of government's annual governmental fund revenues, based on the most recent fiscal year.

3. DESCRIPTION OF PRIOR ACTIONS

Prior actions are separated into three categories below: System Design Changes, Additional Funding, and Other Considerations. Please provide a brief description of the prior actions implemented by the local government to address the retirement system's underfunded status within the appropriate category section. Within each category are sample statements that you may choose to use to indicate the changes to your system that will positively affect your funded status. For retirement systems that have multiple divisions, departments, or plans within the same retirement system, please indicate how these changes impact the retirement **system** as a whole.

Please indicate where in the attached supporting documentation these changes are described and the impact of those changes (i.e. what has the local unit of government done to improve its underfunded status, and where can we find the proof of these changes in the supporting documentation?).

Note: Please provide the name of the system impacted, the date you made the change, the relevant page number(s) within the supporting documentation, and the resulting change to the system's funded ratio.

Category of Prior Actions:

☒ **System Design Changes -** System design changes may include the following: Changes to coverage levels (including retiree co-payments, deductibles, and Medicare eligibility), changes to premium cost-sharing, eligibility changes, switch to defined contribution retiree health care plan, changes to retiree health care coverage for new hires, etc.

Sample Statement: *Benefit levels of the retired membership mirrors the current collective bargaining agreement for each class of employee. On **January 1, 2017**, the local unit entered into new collective bargaining agreements with the **Command Officers Association** and **Internal Association of Firefighters** that increased employee co-payments and deductibles for healthcare. These coverage changes resulted in an improvement to the retirement system's funded ratio. Please see page **12** of the attached actuarial analysis that indicates the system is **40%** funded as of **June 30, 2017**.*

Enter System Design Statement here:

(1) Elimination of defined benefit retiree healthcare for New Hires for clerical and professional positions (Teamsters 214, Teamsters 214, and non-bargained), effective X, X and 7/1/16, respectively.
(2) Reduction of eligibility and funding period for laborer (UAW) positions from full family coverage for life to retiree-only coverage up to Medicare eligibility for employees retiring after 10/21/13.
(3) Retiree healthcare plans to follow active healthcare plans for laborer (UAW) employees retiring after 10/1/14 (already in place for clerical and professional positions). Healthcare plans were changed from no-deductible plans to $500/$1000 deductible plans for all ERS OPEB groups in 2014.
(4) Decrease in Plan's assumed rate of return from 8.0% to 7.25% between X and 2017.

☐ **Additional Funding –** Additional funding may include the following: voluntary contributions above the annual required contribution, bonding, millage increases, restricted funds, etc.

Sample Statement: *The local unit created a qualified trust to receive, invest, and accumulate assets for retirement healthcare on **June 23, 2016**. The local unit of government has adopted a policy to change its funding methodology from Pay-*

*Go to full funding of the Annual Required Contribution (ARC). Additionally, the local unit has committed to contributing **$500,000** annually, in addition to the ARC for the next five fiscal years. The additional contributions will increase the retirement system's funded ratio to **40%** by **2022.** Please see page **10** of the attached resolution from our governing body demonstrating the commitment to contribute the ARC and additional **$500,000** for the next five years.*

Enter Additional Funding Statement here:

☒ **Other Considerations** – Other considerations may include the following: outdated Form 5572 information, enterprise fund revenue considerations, actuarial assumption changes, amortization policy changes, etc.

Sample Statement: *The information provided on the Form 5572 from the audit used actuarial data from **2015**. Attached is an updated actuarial valuation for **2017** that shows our funded ratio has improved to **62%** as indicated on page **13**.*

Sample Statement: 50% *of our retirement liabilities are attributable to employees within our enterprise divisions as shown in the attached analysis, yet we could not include enterprise revenue as part of our governmental funds. The attached analysis shows that our revenue ratio (ARC / Total Governmental Funds) would only be **5%** when including enterprise funds within the calculation.*

Enter Other Considerations Statement here:

A study of the impact on collective bargaining changes on future City contribution requirements for retiree healthcare was performed in 2015, the result of which is displayed graphically in attachment 2a.

The City had a study of its retiree healthcare systems conducted in 2017 (attachment 7a) and is in the process of evaluating additional measures to address the underfunded status of the Plan.

4. DOCUMENTATION ATTACHED TO THIS WAIVER APPLICATION AND PLAN

Documentation must be attached as a .pdf to this waiver application. The documentation must demonstrate the prior actions that have already been implemented to adequately address the local unit of government's underfunded status. Please ensure this documentation directly supports and highlights the systems funded ratio as entered in section three of the waiver application above. Please check all documents that are included as part of this application and attach in successive order as provided below:

Naming Convention: When attaching documents please use the naming convention shown below. If there is more than one document in a specific category that needs to be submitted, include a, b, or c for each document. For example, if you are submitting two supplemental valuations, you would name the first document "Attachment 2a" and the second document "Attachment 2b".

Continued on page 4

Naming Convention	Type of Document
☒ Attachment – 1	**This Waiver Application and Plan (Required)**
☒ Attachment – 1a	**Documentation from the governing body approving the Waiver Application and Plan (Required)**
☒ Attachment – 2a	Actuarial Analysis (annual valuation, supplemental valuation, projection)
☐ Attachment – 3a	Internally Developed Projection Study
☐ Attachment – 4a	Documentation of additional payments in past years that is not reflected in your audited financial statements (e.g. enacted budget, system provided information).
☐ Attachment – 5a	Documentation of commitment to additional payments in future years (e.g. resolution, ordinance)
☐ Attachment – 6a	A plan that the local unit has already approved to address its underfunded status, which includes documentation of prior actions and the positive impact on the system's funded ratio
☒ Attachment – 7a	Other documentation, not categorized above

5. LOCAL UNIT OF GOVERNMENT'S ADMINISTRATIVE OFFICER APPROVAL OF WAIVER APPLICATION AND PLAN

I Andy Schor, as the government's administrative officer (*enter title*) Mayor (Ex: City/Township Manager, Executive director, Chief Executive Officer, etc.) approve this Application for Waiver and Plan. We are requesting a waiver of underfunded status, because we have already implemented substantial changes to our retirement system as described above.

I confirm to the best of my knowledge that because of the changes listed above the following statement will occur:

The **Retirement Health Benefit System listed below** will achieve a funded status of at least 40% by the Fiscal Year listed below.

Retirement Health Benefit System Name: Lansing ERS OPEB Plan Fiscal Year: 2017

Signature:______________________ Date:______________________

BY THE _________________

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Cynthia J. Lockington of 1818 Sunnyside Avenue in Lansing, MI, 48910, as an At-Large Member of the Board of Public Service for a term to expire June 30, 2019 ; and

WHEREAS, The nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the __________________ Committee met on _________ and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Cynthia J. Lockington of 1818 Sunnyside Avenue in Lansing, MI, 48910, as an At-Large Member of the Board of Public Service for a term to expire June 30, 2019

Jackson, Brian

From: Boak, Sherrie
Sent: Monday, March 05, 2018 10:23 AM
To: Jackson, Brian; Swope, Chris
Subject: For Referral - FW: BWL and Sierra Club Communication

From: Smiljana Lazic [mailto:Smiljana.Lazic@LBWL.COM]
Sent: Friday, March 2, 2018 1:10 PM
To: Boak, Sherrie
Cc: Wood, Carol; Dick Peffley
Subject: Sierra Club Communication

Communication on behalf of General Manager Peffley:

Dear Council Members,

I understand you recently received a communication from the Sierra Club's Director of Michigan's Beyond Coal Campaign. A similar communication was sent to the Board of Commissioners. Both communications attempt to disavow any knowledge of an understanding between the BWL and Sierra Club regarding the BWL's new natural gas power plant to replace its aging coal plants. The Sierra Club's representation is inaccurate and misrepresents the nature of the discussions that preceded the BWL's execution of the Settlement Agreement.

I suspect that what initiated the communications to the City Council and BWL Commissioners was the Sierra Club's recent voicing of opposition to the BWL's new natural gas power plant, and the BWL's subsequent assertion that such statements were in breach of the mutual understandings reached during the lengthy settlement process. A copy of all communications is included below.

I spent almost two years negotiating a settlement that was in the best interest of BWL rate payers. Although the BWL remained confident about its ability to prevail in litigation, a collegial relationship prevailed. The Sierra Club openly acknowledged during negotiations that the BWL could not move to 100% renewables overnight, and I openly shared the expected size and life-span of the future natural gas plant.

The negotiations also covered their recommendation that the BWL rely on the "grid" for its energy instead of building a new plant. However, I was firm that the articulated wishes of the rate payers to maintain reliable and low-cost power generated locally would control the BWL's strategic plan, given its public ownership.

While the BWL understood that the Sierra Club could not openly support the plan for a natural gas plant, the discussions made clear that not openly opposing the new plant was essential to maintaining the productive relationship that had developed, and the BWL was induced to agree to the terms of the settlement agreement based on the Beyond Coal Campaign Manager's representation, albeit oral, that they would refrain from openly opposing the plant.

Please be assured that the BWL is already firmly committed to an energy portfolio that will rely heavily on renewable energy resources and exceed the State's standard of energy efficiency programs. By no later than 2025 the BWL will have dropped its coal consumption from a high of 2 Million Tons annually to ZERO, and reduced its greenhouse gas emissions by 80%. The BWL will supply its customers with 30% clean by 2020, and 40% by 2030. No other utility in the state has made such a commitment! My team is actively drafting a public-facing informational piece that will clarify the current state of our renewable commitment and future options, and I would be happy to speak with you and your constituents about the BWL's commitment to a clean energy future.

While we regret this unfortunate turn of events with the Sierra Club, we are optimistic that our ratepayers will appreciate the fact that their public utility is steadily moving towards an energy future that will no longer be dependent on fossil fuels.

Dick Peffley
General Manager
Corporate Headquarters, REO Town
517-702-6312
Dick.Peffley@lbwl.com

Hometown People. Hometown Power.

From: Smiljana Lazic
Sent: Tuesday, February 20, 2018 4:36 PM
To: 'regina.strong@sierraclub.org' <regina.strong@sierraclub.org>; Jodi Perras (jodi.perras@sierraclub.org) <jodi.perras@sierraclub.org>
Cc: Brandie Ekren <Brandie.Ekren@LBWL.COM>; 'Eldridge, Scott R.' <Eldridge@MillerCanfield.com>; 'collinsp@millercanfield.com' <collinsp@millercanfield.com>; Mark Matus <Mark.Matus@LBWL.COM>; George Stojic <George.Stojic@LBWL.COM>; 'georgehays@mindspring.com' <georgehays@mindspring.com>; Dick Peffley <Dick.Peffley@LBWL.COM>
Subject: Settlement Agreement Between BWL and Sierra Club

Good afternoon,

On behalf of George Stojic, please find a communication attached.

LANSING BWL
Hometown People. Hometown Power.

George Stojic
Executive Director of Planning and Development
517-702-6347

February 20, 2018

Regina Strong
Director, Michigan Beyond Coal Campaign
Sierra Club
2727 2nd Ave., Suite 112
Detroit, MI 48201-2657

Jodi Perras
Indiana Campaign Representative, Beyond Coal
Sierra Club
1100 W. 42nd Street, Suite 140
Indianapolis, IN 46208

Dear Ms. Strong and Ms. Perras,

Last week the Sierra Club Michigan Chapter endorsed an event designed to build support for opposition to the BWL's new natural gas plant. A copy of the Facebook posting is attached. Moreover, during a public meeting here at the BWL on February 15, 2018, the Michigan Chapter's political director spoke against "lock[ing] in a 500 MW [*sic*] natural gas plant."

During our lengthy settlement discussions leading to the August 2017 settlement agreement regarding Erickson Station, the Sierra Club agreed that although it would not voice support for the new natural gas plant, it would nonetheless refrain from opposing the plant. The BWL understood that the Sierra Club could not preclude its individual members from expressing their opinions, but the Sierra Club assured the BWL that the national entity and its Chapters would abide by the agreement.

These recent instances of Sierra Club opposition to the BWL's new natural gas plant are in direct contravention of the commitment you made to the BWL to induce the August 2017 settlement. Please take the actions necessary to prevent any further breach of the settlement.

Sincerely,

George Stojic

Cc: Brandie Ekren
Scott Eldridge
Paul Collins
Mark Matus
George Hays

XV B 1a

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

SHELLY EDGERTON
DIRECTOR

March 2, 2018

Binni's Bar & Grill, Inc.
Love Preet Singh
(singhlove1996@gmail.com)

RID # 1802-02313 Reference/Transaction: Transfer Ownership Class C & SDM license from Singh Pub and Grill, Inc.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Binni's Bar & Grill, Inc.

Business address and phone number: 820 W. Miller Rd, Lansing 48911

Home address and phone number of partner(s)/subordinates:
1. **Love Preet Singh: 2710 Maritime Dr, Lansing 48911** [redacted]

As part of the licensing process, an investigation is required by the Michigan Liquor Con[redacted]ol Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: City of Lansing (city.clerk@lansingmi.gov)

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

SHELLY EDGERTON
DIRECTOR

Thursday, March 01, 2018

Ellen E. Kleiman Ward, Attorney
C/O LPT HOLDINGS LLC
ekleiman@osklaw.com

RID # 1802-01465 **Reference/Transaction:** TRANSFER OWNERSHIP ESCROWED 2017 CLASS C AND SDM LICENSED BUSINESS WITH (2) BARS, SUNDAY SALES PERMIT (PM), SUNDAY SALES PERMIT (AM), ENTERTAINMENT PERMIT, OUTDOOR SERVICE (1 AREA), AND SPECIFIC PURPOSE PERMIT (GOLF) FROM MJE3202, INC.; TRANSFER LOCATION FROM 3202 HEENEY RD, STOCKBRIDGE TO 1149 S WASHINGTON AVE, LANSING; TRANSFER GOVERNMENTAL UNIT UNDER MCL 436.1531(1) FROM STOCKBRIGE TOWNSHIP TO LANSING CITY; REDEFINE LICENSED PREMISES LOCATED AT 1149 S WASHINGTON AVE LANSING MI 48910-1648 IN LANSING CITY IN INGHAM COUNTY

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: LPT HOLDINGS LLC

Business address and phone number: 1149 S WASHINGTON AVE LANSING MI 48910-1648 IN LANSING CITY IN INGHAM COUNTY

Home address and phone number of partner(s)/subordinates:
Nicholas Pope; 1717 Franklin Street SE East Grand Rapids MI 49506; Business phone: 517-346-5165; [redacted]

Reuben David Levinsohn; 805 Lantern Hill Drive East Lansing MI 48823; Business phone: 517-346-7999; [redacted]

Leo James Trumble; 737 Grovenburg Road Holt MI 48842; Business phone: 517-323-6449; [redacted]

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: NICHOLAS POPE nicholaspope15@gmail.com
REUBEN DAVID LEVINSOHN reublevinsohn@gmail.com
LEO JAMES TRUMBLE leo@trumblegroup.com
MJE3202, INC. mje119@hotmail.com
CITY OF LANSING city.clerk@lansingmi.gov

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

SHELLY EDGERTON
DIRECTOR

March 1, 2018

New Lansing 33, Inc.
c/o Gus Abro
gus@abrolaw.com

RID #1712-04194 **Reference/Transaction:** New SDM License Issued under MCL 436.1533(5) and Sunday Sales Permit (AM) to be located at 400 E. Saginaw St, Lansing MI 48906 Ingham County

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: New Lansing 33, Inc.

Business address and phone number: 400 E. Saginaw St, Lansing MI 48906 Ingham County

Home address and phone number of partner(s)/subordinates:
Andrew Marrogy, 4673 Woodbine Circle, West Bloomfield, MI 48323
Hani Marrogy, 442 Berry Lane Road, Commerce Township, MI 48390

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: City of Lansing (city.clerk@lansingmi.gov)

RECEIVED OCT 10 2017

XV B 2

City of Lansing

OFFICE OF THE CITY ATTORNEY

LANSING MICHIGAN

1497

Claim Form – Special Assessments

Please provide the following information so we can contact you regarding your claim.

NAME: Alvino and Rafaela Trevino **DATE:** 10/05/2017

MAILING ADDRESS: 2208 Marilyn Plaza

CITY: Lansing **STATE:** MI **ZIP CODE:** 48911

TELEPHONE: Home (517) 487-2972 **Work ( )**

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 1012 N. Cedar St. Lansing 48906 **PARCEL NO.** 33-01-01-09-430-141

DATE OF INCIDENT: 9/11 and 9/13/2017 **AMOUNT YOU WERE BILLED:** $675.00

TOTAL AMOUNT YOU ARE CONTESTING: $675.00

TYPE OF ASSESMENT: Code Compliance

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

The home on 1012 N. Cedar Street has been foreclosed as of 5/1/2017 and City of Lansing has approved to provide the home to us as of 9/1/2017. We have to pay the property taxes in order to receive the home. We have resided on Marilyn Plaza since 2014 and the home on 1012 N. Cedar St. has been unoccupied since 2014. We were not aware until Sept. 2017 that home had been vandalized and we are still in the process of cleaning up and dumping trash from the property. As senior citizens on low income and Social security (fixed income) we are unable to pay $675 of the invoice #00100497 and 0100498 and 00100607. However, we are cooperating with the

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp

city to get the property back into a good condition. Please help us with this invoice. Thank you. Alvino and Rafaela Trevino

Alvino & Rafaela Trevino
2208 Marilyn Plaza
Lansing, MI 48911
517-487-2972

October 5, 2017

City of Lansing
Claims Review Committee
316 N. Capitol Suite C2
Lansing, MI 48933

Dear Claims Review Committee,

We have received notice of Code of Compliance issues at out former home located at 1012 North Cedar Street Lansing, MI 48906 (Parcel# 33-01-01-07-430-141). As of May 2017, the home has been listed as a foreclosure. We have not resided at the home on North Cedar Street since 2014. Once the foreclosure had been filed (05/2017), the bank had decided to give the house to the City of Lansing (as of 9/2017) and the city decided to allow us to continue ownership once the property taxes are paid. We decided to keep the home in early September and are still in the process of cleaning, mowing grass and removing trash from the property. Due to the fact that the home had been abandoned, there were trespassers and vandals that dumped trash and other things during the past 2 years. At this time, we are continuing diligently getting the house up to code and we are still receiving code compliance notices with heavy fees.

As senior citizens on a fixed low income we are trying our best to get the house up to code and will like to appeal the $675 invoice fee from the City of Lansing. We are unable to pay the $675 invoice amount and if agreed, we will have the home up to compliance within the next 60 days.

Please help us with this as we are trying to fix up the home.

Thank you,

Alvino and Rafaela Trevino

CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

DUE DATE 10/11/2017

INVOICE

09/18/2017

Bill To:

TREVINO ALVINO & RAFAELA
2208 MARILYN PLZ
LANSING, MI 48911

TOTAL AMOUNT DUE
$ 675.00

Invoice Number	Record No.	Address	Amount Due
00100497 09/11/2017 Grass and Weeds 2nd Notice	E17-09676	1012 N CEDAR ST	$75.00
00100498 09/11/2017 Trash 2nd Notice	E17-09677	1012 N CEDAR ST	$75.00
00100607 09/13/2017 Title Search/Board-Up (Res) Ad Title Search/Board-Up (Res) Co	E17-09678	1012 N CEDAR ST	$525.00
		TOTAL DUE:	$675.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail

City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

January 18, 2018

Alvino & Rafaela Trevino
2208 Marilyn Plaza
Lansing, MI 48911

Re: Claim – 1012 N. Cedar St.

Dear Mr. & Mrs. Trevino:

Please be advised that the Claims Review Committee reviewed your claim in the amount of $675.00 regarding a trash violation at the above address and GRANTED a portion of your claim, in amount of $75.00.

Enclosed please find a Release for your review and signature. If the decision of the committee meets with your approval, please sign the release in front of a witness and have the witness also sign the form, then return the signed Release to this office. Once our office receives the signed Release, we will request the amount be removed from the tax rolls, or a refund issued if the penalty has been paid.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

Thank you for your cooperation in this matter. If you should have any questions, please feel free to contact me.

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Enclosure

RELEASE

In consideration for the payment of $75.00, by the City of Lansing, which will be remitted to me upon receipt by the City of this signed Release, or said amount reduced from the tax roll if the assessment has not been paid, I, ALVINO & RAFAELA TREVINO (the "undersigned"), for myself, my heirs, executors, administrators, representatives and assigns hereby release and discharge the City of Lansing, its officers, officials, employees, agents, insurers and any other person, firm, or corporation charged or chargeable with any responsibility or liability, from all claims, demands, actions or causes of action regarding the special assessment for board up and trash second trash violation on property located at 1012 N. Cedar St., Lansing, Michigan.

The undersigned understands and agrees that this payment is the sole consideration for my release and is in full and complete settlement of all claims resulting from any damage. The undersigned warrants that no promise or inducement has been offered or made for my release, except as herein set forth; that this Release is executed without reliance upon any statement or representation by any of the parties released herein, or by their representatives concerning the nature and extent of any damage or injury or the legal liability therefore; and that the undersigned is of legal age and legally competent to execute this Release and accepts the full responsibility therefore.

The undersigned understands that none of the parties released admit liability of any kind and this payment and settlement in compromise is made to terminate further controversy respecting claims for damages that the undersigned has heretofore asserted or that the undersigned or his/her heirs, executors, administrators, representative or assigns might later assert.

In witness whereof, I have hereunto set my hand this _____ day of January, 2018.

WITNESS:

____

CLAIMANT:

____

ALVINO & RAFAELA TREVINO

City of Lansing
OFFICE OF THE CITY ATTORNEY
James D. Smiertka, City Attorney

December 15, 2017

Alvino & Rafaela Trevino
2208 Marilyn Plaza
Lansing, MI 48911

Re: Claims Review Committee
Claim for: 1012 N. Cedar St.

Dear Mr. and Mrs. Trevion:

Please be advised that your claim is scheduled to be heard by the Claims Review Committee. The Committee is scheduled to begin hearings at **9:15 a.m. on Thursday, January 11, 2018**. A copy of the appropriate Department's recommendation has already been sent to you for your review.

You are encouraged to attend the hearing and present your claim to the committee. The committee will meet in the **City Attorney Conference Room, 5th Floor, City Hall, 124 W. Michigan Avenue,** Lansing, Michigan. If you plan to attend, please come to the City Attorney's Office on the date of the hearing and sign in at the Receptionist counter.

Thank you.

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Enclosure

Claim No: 1497

RECEIVED DEC 07 2017

DATE: 12/01/2017

1497

PPN:	**33-01-01-09-430-141**
DATE SUBMITTED:	**10/10/2017**
ADDRESS OF VIOLATION:	**1012 N. Cedar Street**
LISTED TAXPAYER OF RECORD:	**Trevino, Alvino & Rafaela**
OTHER TAXPAYER OF RECORD:	
CLAIMANT:	**Trevino, Alvino & Rafaela**
CLAIMANT'S ADDRESS:	**2208 Marilyn Plaza Lansing, MI 48911**
TYPE OF ACTIONS CONTESTED:	**Board Up**
VIOLATION DATE:	**9/11/2017**
NOTIFICATION DATE:	**9/11/2017**
2ND NOTICE ASSESSMENT DATE:	
AMOUNT OF ASSESSMENT:	**$525.00**
CONTRACTOR NAME - INVOICE NO. - DATE:	**Lansing Teen Challenge LTC-1009 9/11/2017**
AMOUNT OF CLAIM:	**$525.00**
ADDITIONAL ACTIONS CONTESTED:	**2nd notice Trash & 2nd Notice Grass**
VIOLATION DATE:	**9/11/2017**
NOTIFICATION DATE:	
2ND NOTICE ASSESSMENT DATE:	
AMOUNT OF ASSESSMENT:	**$75.00 trash & $75.00 grass**
CONTRACTOR NAME - INVOICE NO. - DATE:	**City of Lansing Code Enforcement**
AMOUNT OF CLAIM:	
MEMO DATE – INVOICE NO.:	

HISTORY:	**Grass Violation 5/31/2017**	**Board Up 8/07/2017**	**Grass Violation 9/11/2017**	**Trash Violation 9/11/2017**
	Board Up 9/11/2017	**Failure to Register 12/1/2017**		
CITATIONS IN PREVIOUS YEAR:	**Trash Violation 2/15/2016**	**Grass Violation 5/11/2016**	**Grass Violation 9/20/2016**	**Trash Violation 9/20/2016**

CLAIMANT'S CIRCUMSTANCES: **See Attached**

CODE OFFICER'S NOTES: This property has been cited for multiple premise violations in the last 2 years (please see above. The home was found to be open and accessible on 9/11/2017 the board up crew was contacted and the property was secured. Mrs. Trevino has contacted our office on separate occasions regarding the notices and assessments and had indicated to the Premise Officer that they were going to give the property to their grandson and he was supposed to be maintaining the property. Each time a notice was sent notice was sent to the claimants at their 2208 Marilyn Plaza address and they had responded to several of them so they were aware of the condition of the property. This office has had to have the trash removed from this location twice in 2016 and we mowed the grass once in 2016 and once in 2017. Code Enforcement did waive invoice 0100498 due to a 2nd notice fee was applied to the grass and the trash but they were written on the same day. This office recommends denial of the board up assessments and the remaining 2nd notice fee of $75.00

RECEIVED OCT 10 2017

City of Lansing

OFFICE OF THE CITY ATTORNEY

1497

Claim Form – Special Assessments

Please provide the following information so we can contact you regarding your claim.

NAME: Alvino and Rafaela Trevino **DATE:** 10/05/2017

MAILING ADDRESS: 2208 Marilyn Plaza

CITY: Lansing **STATE:** MI **ZIP CODE:** 48911

TELEPHONE: Home (517) 487-2972 **Work** ( )

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 1012 N. Cedar St. Lansing 48906 **PARCEL NO.** 33-01-01-09-430-141

DATE OF INCIDENT: 9/11 and 9/13/2017 **AMOUNT YOU WERE BILLED:** $675.00

TOTAL AMOUNT YOU ARE CONTESTING: $675.00

TYPE OF ASSESMENT: Code Compliance

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

The home on 1012 N. Cedar Street has been foreclosed as of 5/1/2017 and City of Lansing has approved to provide the home to us as of 9/1/2017. We have to pay the property taxes in order to receive the home. We have resided on Marilyn Plaza since 2014 and the home on 1012 N. Cedar St. has been unoccupied since 2014. We were not aware until Sept. 2017 that home had been vandalized and we are still in the process of cleaning up and dumping trash from the property. As senior citizens on low income and Social Security (fixed income) we are unable to pay $675 of the invoice #00160497 and 0160498 and 00100607. However, we are cooperating with the city to get the property back into a good condition. Please help us with this invoice. Thank you. Alvino and Rafaela Trevino

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp

Alvino & Rafaela Trevino
2208 Marilyn Plaza
Lansing, MI 48911
517-487-2972

October 5, 2017

City of Lansing
Claims Review Committee
316 N. Capitol Suite C2
Lansing, MI 48933

Dear Claims Review Committee,

We have received notice of Code of Compliance issues at out former home located at 1012 North Cedar Street Lansing, MI 48906 (Parcel# 33-01-01-07-430-141). As of May 2017, the home has been listed as a foreclosure. We have not resided at the home on North Cedar Street since 2014. Once the foreclosure had been filed (05/2017), the bank had decided to give the house to the City of Lansing (as of 9/2017) and the city decided to allow us to continue ownership once the property taxes are paid. We decided to keep the home in early September and are still in the process of cleaning, mowing grass and removing trash from the property. Due to the fact that the home had been abandoned, there were trespassers and vandals that dumped trash and other things during the past 2 years. At this time, we are continuing diligently getting the house up to code and we are still receiving code compliance notices with heavy fees.

As senior citizens on a fixed low income we are trying our best to get the house up to code and will like to appeal the $675 invoice fee from the City of Lansing. We are unable to pay the $675 invoice amount and if agreed, we will have the home up to compliance within the next 60 days.

Please help us with this as we are trying to fix up the home.

Thank you,

Alvino and Rafaela Trevino

TEEN CHALLENGE INTERNATIONAL LANSING, MICHIGAN

LANSING TEEN CHALLENGE COUNCIL WORK ORDER
FOR ACCOUNTS RECEIVABLE

DATE: 9/11/17 TIME: 2:35PM DEPARTMENT REQUESTING CITY OF LANSING - PNDD INDIVIDUAL REQUESTING CODE COMPLIANCE

LOCATION: 1012 N. Cedar BUILDING: House

CONTACT PERSON: Meredith Johnson PHONE:

RECORD OF MATERIAL USED OUT OF STOCK

QUANTITY	DESCRIPTION	UNIT COST	AMOUNT	WORK REQUESTED
1	Sheet T1-11			Board up 1 Door
1	Rack of Nails			
				Arrive 2:41 PM
				Leave 2:47 PM

RECORD OF MATERIAL PURCHASED / PERSONNEL USED TO COMPLETE BOARD-UP

QUANTITY	DESCRIPTION	UNIT COST	AMOUNT	PERSONNEL	DATE	TIME TAKEN	PERSONNEL	DATE	TIME TAKEN
				Mike McGillivray	9/11/17	6 min.			
				Nate Rypma					

FORM COMPLITED BY: Mike McGillivray DATE COMPLITED: 9/11/17

Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 09/13/2017
Due Date: 10/13/2017
Pay Invoice In Full

TREVINO ALVINO & RAFAELA
2208 MARILYN PLZ
LANSING MI 48911

Inv Number: 00100607
Parcel: 33-01-01-09-430-141
Address: 1012 N CEDAR ST

Parcel: 33-01-01-09-430-141 **Bill Detail**

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00100607		E17-09678	1012 N CEDAR ST	$525.00

Fee Details:	Quantity	Description	Balance
	1.000	Title Search/Board-Up (Res) Admi	$ 265.00
	260.000	Title Search/Board-Up (Res) Cont	$ 260.00
Total Amount Due			$ 525.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:
If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:
- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail

Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 09/11/2017
Due Date: 10/11/2017
Pay Invoice In Full

TREVINO ALVINO & RAFAELA
2208 MARILYN PLZ
LANSING MI 48911

Inv Number: 00100498
Parcel: 33-01-01-09-430-141
Address: 1012 N CEDAR ST

Parcel: 33-01-01-09-430-141

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00100498		E17-09677	1012 N CEDAR ST	$75.00

Fee Details:	Quantity	Description	Balance
	1.000	Trash 2nd Notice	$ 75.00

Total Amount Due	$ 75.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
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Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 09/11/2017
Due Date: 10/11/2017
Pay Invoice In Full

TREVINO ALVINO & RAFAELA
2208 MARILYN PLZ
LANSING MI 48911

Inv Number: 00100497
Parcel: 33-01-01-09-430-141
Address: 1012 N CEDAR ST

Parcel: 33-01-01-09-430-141 **Bill Detail**

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00100497		E17-09676	1012 N CEDAR ST	$75.00

Fee Details:	Quantity	Description	Balance
	1.000	Grass and Weeds 2nd Notice	$ 75.00

Total Amount Due $ 75.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
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Appeals Process:
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By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail

CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

DUE DATE 10/11/2017
INVOICE
09/18/2017

TOTAL AMOUNT DUE
$ 675.00

Bill To:
TREVINO ALVINO & RAFAELA
2208 MARILYN PLZ
LANSING, MI 48911

Invoice Number	Record No	Address	Amount Due
00100497 09/11/2017 Grass and Weeds 2nd Notice	E17-09676	1012 N CEDAR ST	$75.00
00100498 09/11/2017 Trash 2nd Notice	E17-09677	1012 N CEDAR ST	$75.00
00100607 09/13/2017 Title Search/Board-Up (Res) Ad Title Search/Board-Up (Res) Co	E17-09678	1012 N CEDAR ST	$525.00
		TOTAL DUE	$675.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

Make checks payable to: City of Lansing
Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933

In order to assure proper credit, please send the top portion of this bill along with your payment.
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By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail

05/24/2017 10:58 AM
2017-020063
DERRICK QUINNEY
INGHAM COUNTY MICHIGAN
REGISTER OF DEEDS
RECORDED ON:
05/24/2017 11:10 AM
PAGES: 1

Discharge of Mortgage

Document Prepared by:
VERDUGO TRUSTEE SERVICE CORPORATION
RAYMOND DA COSTA
PO BOX 10003
HAGERSTOWN, MD 21747-0003
WHEN RECORDED MAIL TO:
C/O VERDUGO TRUSTEE SERVICE CO.
NETWORK BRANCH
PO BOX 10003
HAGERSTOWN MD 21747-0003
Loan #: **2009180240000**
Property Address:
1012 N CEDAR ST
LANSING MI 48906-5211

THE UNDERSIGNED, **CFNA RECEIVABLES (MD), INC. F/K/A CITIFINANCIAL, INC., A MARYLAND CORPORATION** , whose address is **14700 CITICORP DRIVEMC: 1020 HAGERSTOWN , MD, 21742** , present Mortgagee of the Mortgage described below does hereby cancel and discharge said Mortgage:
Original Grantor(S): **ALVINO TREVINO AND RAFAELA TREVINO, HUSBAND AND WIFE**
Original Grantee: **CITIFINANCIAL, INC.**
Amount of Note: $ **41638.94** Date of Note: **07/31/2007**
Original Recording Date: **08/06/2007**
Original Deed Book: **3276** Original Page: **265** Original Instrument No: **N/A**

and RECORDED in the records of the Register of Deeds Office of the City or County of **Ingham** , State of **MI** affecting Real Property and more particularly described on said Mortgage referred to herein.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this date of **05/22/2017** .
CFNA RECEIVABLES (MD), INC. F/K/A CITIFINANCIAL, INC., A MARYLAND CORPORATION

KENNETH C BALOGH Assistant Secretary

State of **MD**
City/County of **Washington**
On this date of **05/22/2017** , before me, the undersigned authority, a Notary Public duly commissioned, qualified and acting within and for the aforementioned State, personally appeared the within named **KENNETH C BALOGH** , known to me (or identified to me on the basis of satisfactory evidence) that he/she is the **Assistant Secretary** , of **CFNA RECEIVABLES (MD), INC. F/K/A CITIFINANCIAL, INC., A MARYLAND CORPORATION** , and was duly authorized in his/her capacity to execute the foregoing instrument for and in the name and on behalf of said corporation, and that said corporation executed the same, and further stated and acknowledged that he/she had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.
Witness my hand and official seal on the date hereinabove set forth.

Notary Public: **RUBY M. HOLMES-TYDINGS**
My Commission Expires:
02/08/2021

Ruby M. Holmes-Tydings
Notary Public
Washington Co., MD
My Commission Expires Feb 8, 2021

Mayor Virg Bernero

LANSING FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE
CODE ENFORCEMENT SECTION

316 N. Capitol Ave Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 09/11/2017

Emergency Board-Up Notice

TREVINO ALVINO & RAFAELA
2208 MARILYN PLZ
LANSING, MI 48911

Inspection Type:	Safety
Inspection Date:	09/11/2017
Compliance Due Date:	09/11/2017

Warning: ***Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: $500 per day for each violation)***

Violation Location:	1012 N CEDAR ST
Parcel No:	33-01-01-09-430-141

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108. The following is a list of openings that were not able to be secured at time of inspection. All openings found at time of board up by the contractors were secured.

Emergency Board Up

Front door / Rear door / Side door / Patio door / Front porch door

Due to the condition of the structure this dwelling has been declared an **UNSAFE STRUCTURE,** and was boarded under section 109.2 of the Lansing Housing and Premises Code, Section 109 Emergency Measures.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

This dwelling has been declared, UNSAFE AND DANGEROUS as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - **DO NOT ENTER, UNSAFE TO OCCUPY**. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.
If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 4377 Monday through Friday between the hours of **8-9** - AM or **12-1** - PM.
Officer: Dave Klein Dave.Klein@lansingmi.gov

As specified by section 107 - Notices and Orders - a copy of this violation was sent to:
Owner of Record: TREVINO ALVINO & RAFAELA, , LANSING, MI 48911

Mayor Virg Bernero

LANSING FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE
Code Enforcement Section
316 N. Capitol Avenue Ste. C-2
Lansing, MI 48933
Phone: 517-483-4361
Fax: 517-377-0100

House is vacant. No utilities. Tagged by CMP.
DK 9-11-17

Mrs. Trevino called and said it is not unsafe, and that she is working on getting things done and to stop charging her for things.
DK 9-14-17

LTC-1009

Mrs Trevino called all is secured and power on., No one living in house.
DK 10-5-17

Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Mayor Virg Bernero

TRASH AND DEBRIS CORRECTION NOTICE

TREVINO ALVINO & RAFAELA or Current Occupant
2208 MARILYN PLZ
LANSING, MI 48911

Violation Date:	09/11/2017
Violation Location:	1012 N CEDAR ST
Parcel No:	33-01-01-09-430-141
Compliance Due Date:	September 18, 2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Garbage

Violation: Trash found in bags/boxes/barrels

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice**. The contractor's expenses plus a $265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra $75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Dave Klein (517) 483 4377 **Dave.Klein@lansingmi.gov**

"Equal Opportunity Employer"

Taxpayer's Copy

Mayor Virg Bernero

Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

TREVINO ALVINO & RAFAELA or Current Occupant
2208 MARILYN PLZ
LANSING, MI 48911

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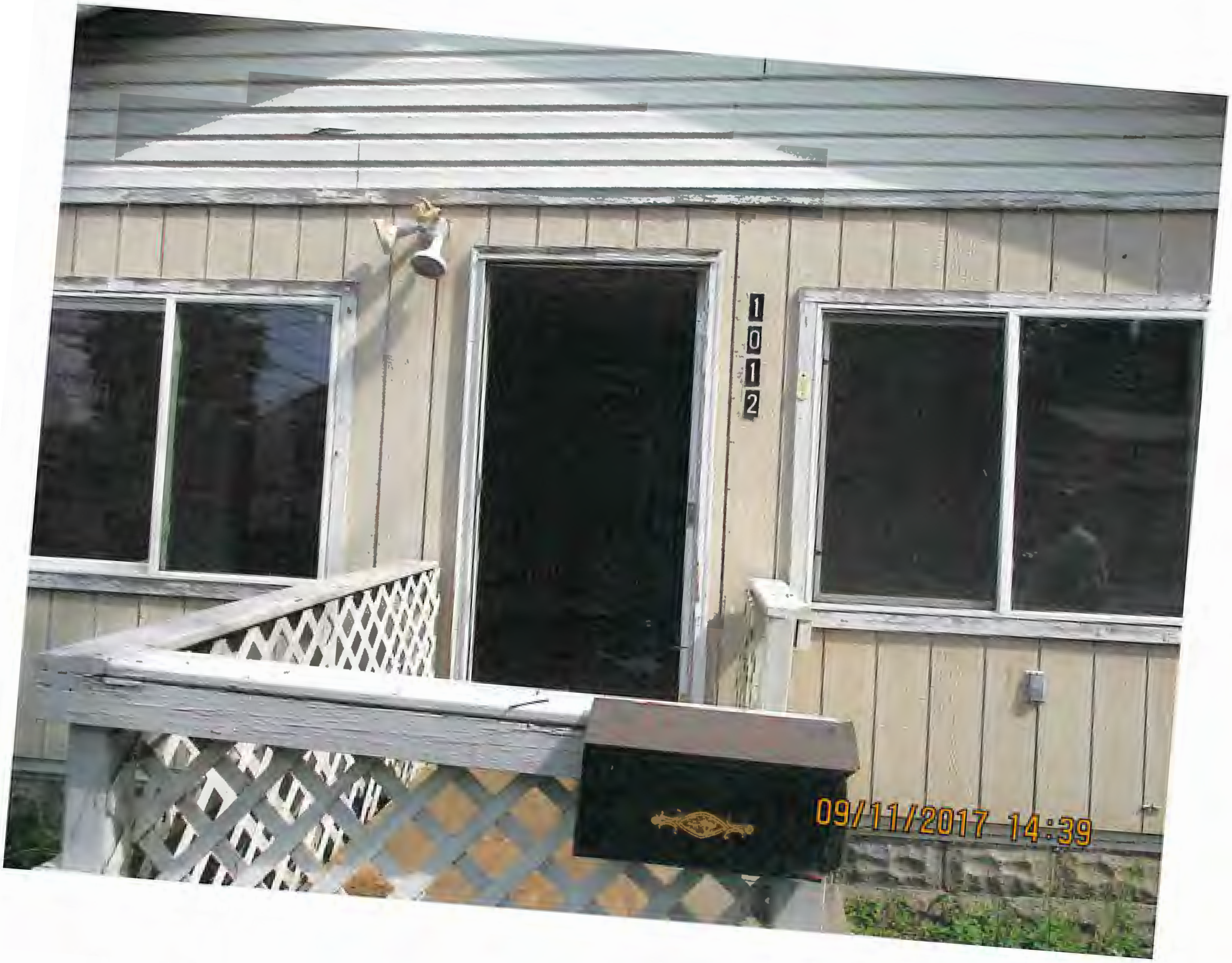
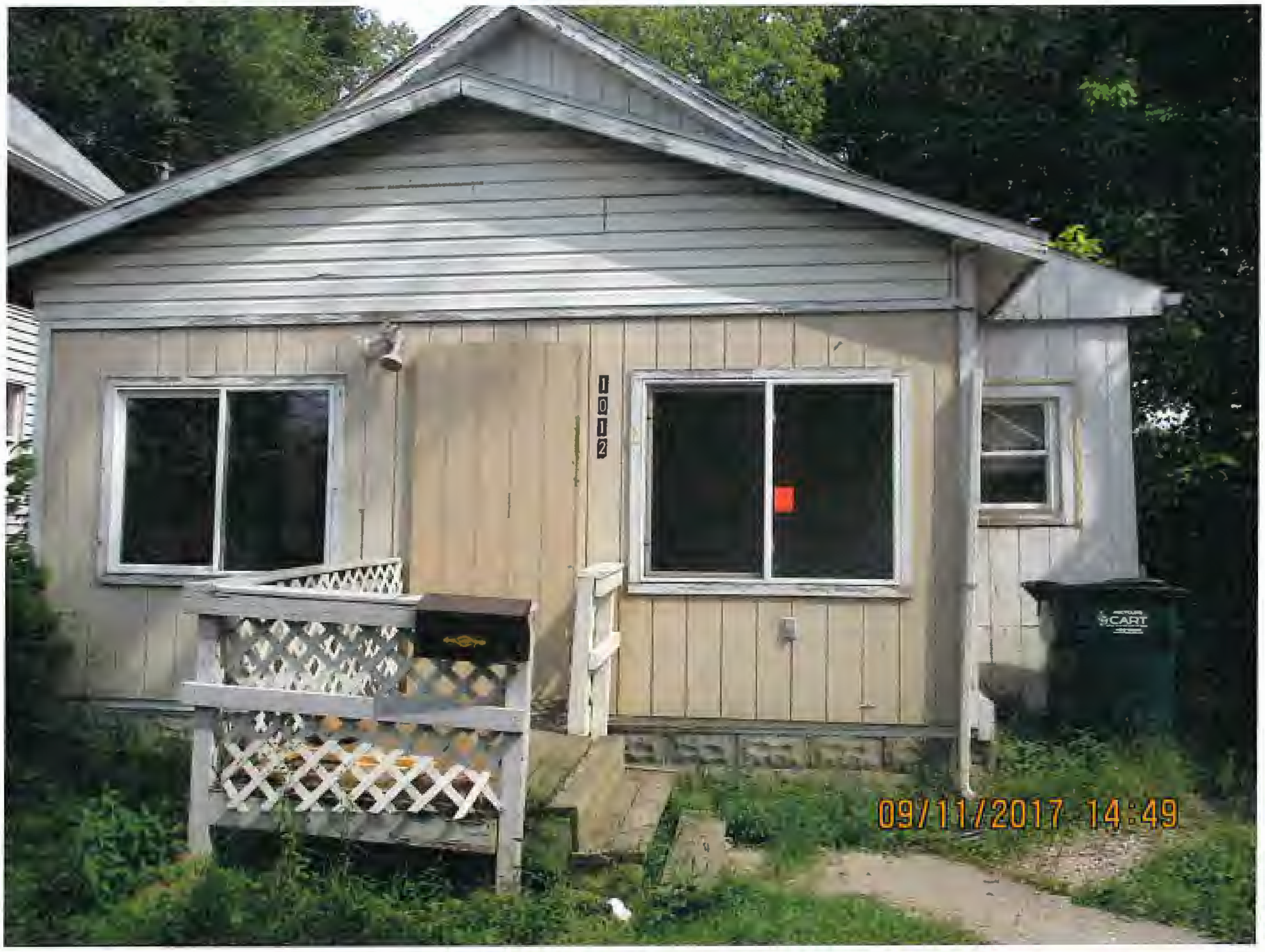
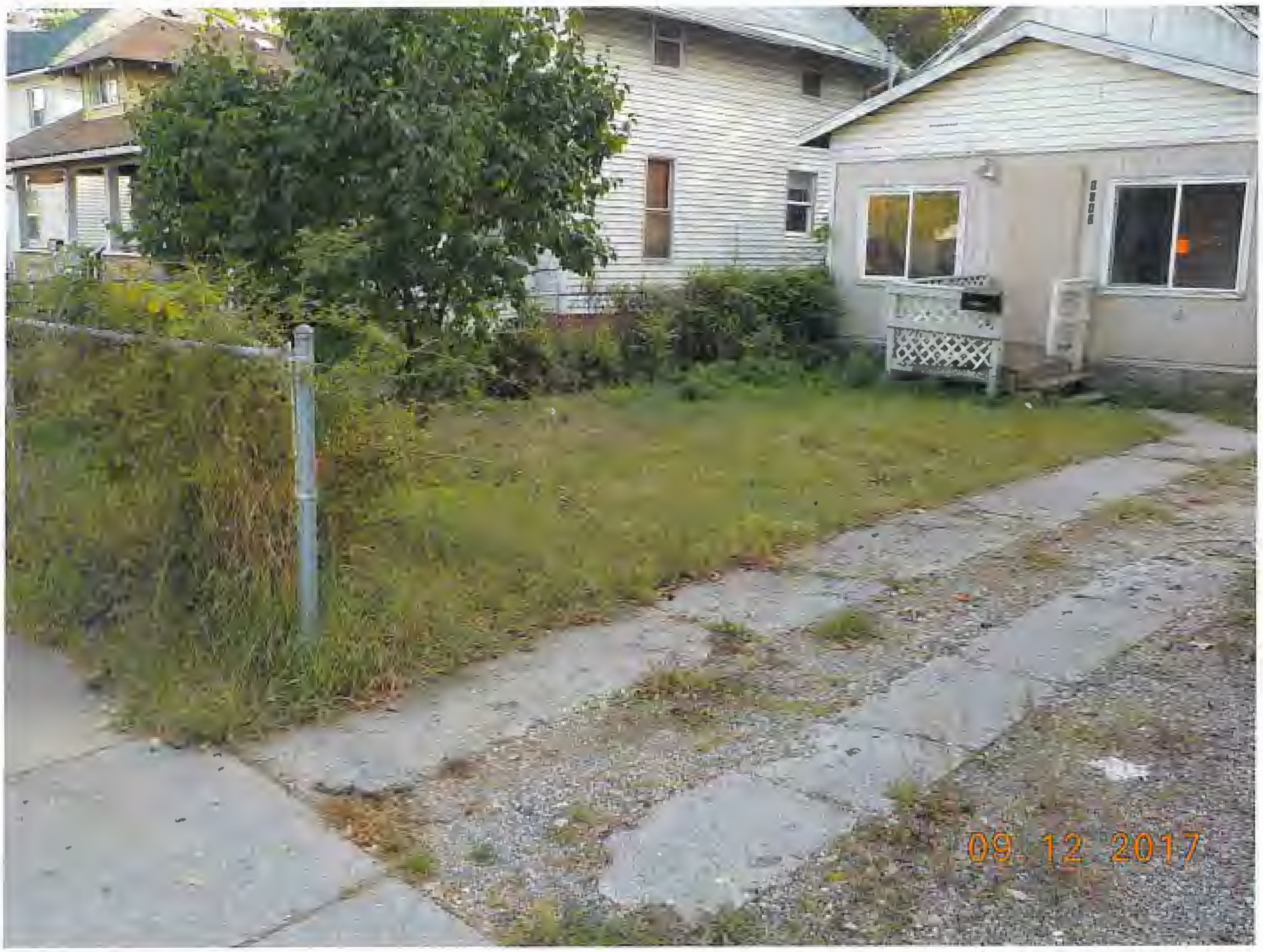
Code Officer: **Dave Klein** (517) 483 4377 **Dave.Klein@lansingmi.gov**



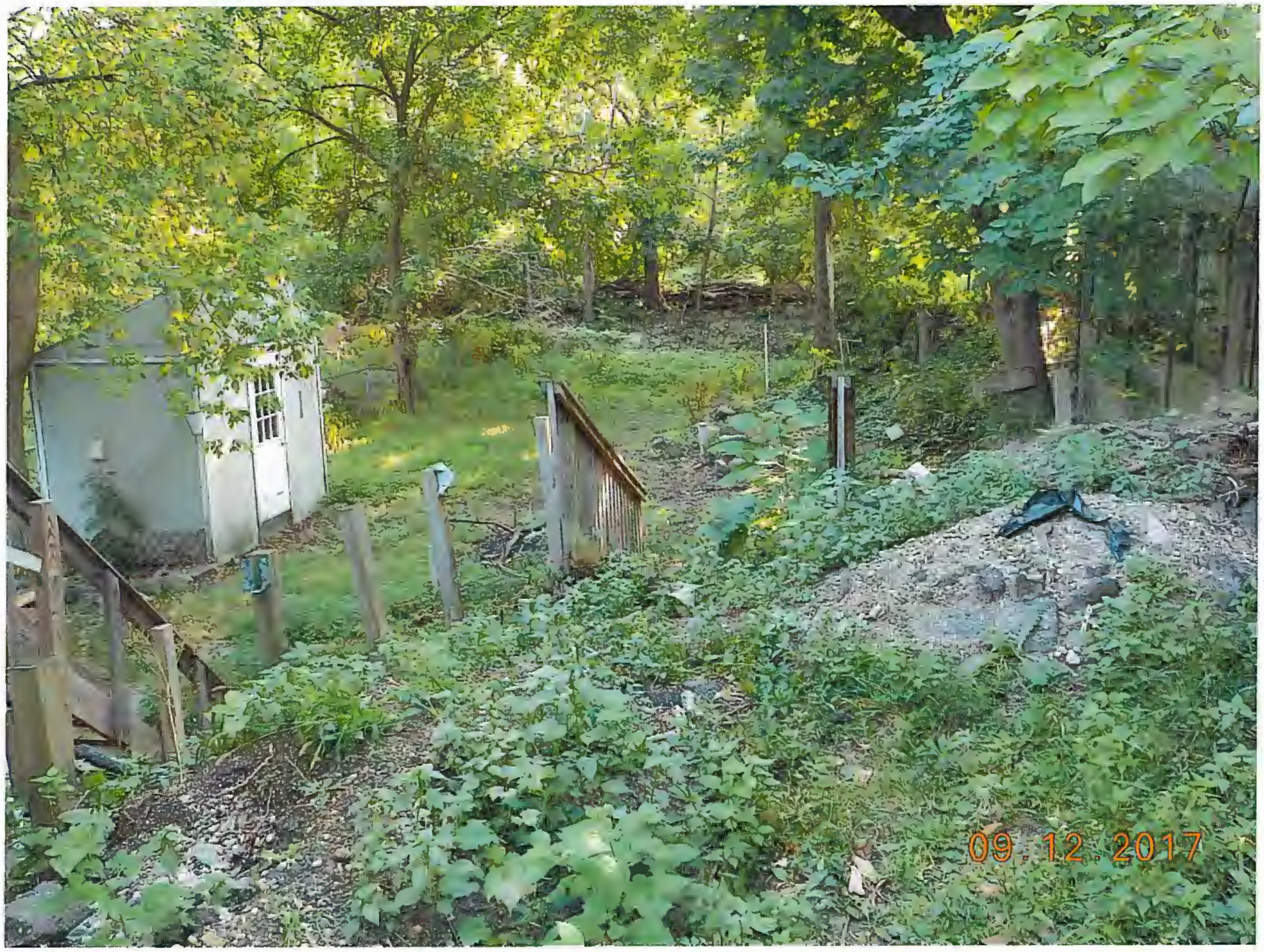
MG_4904



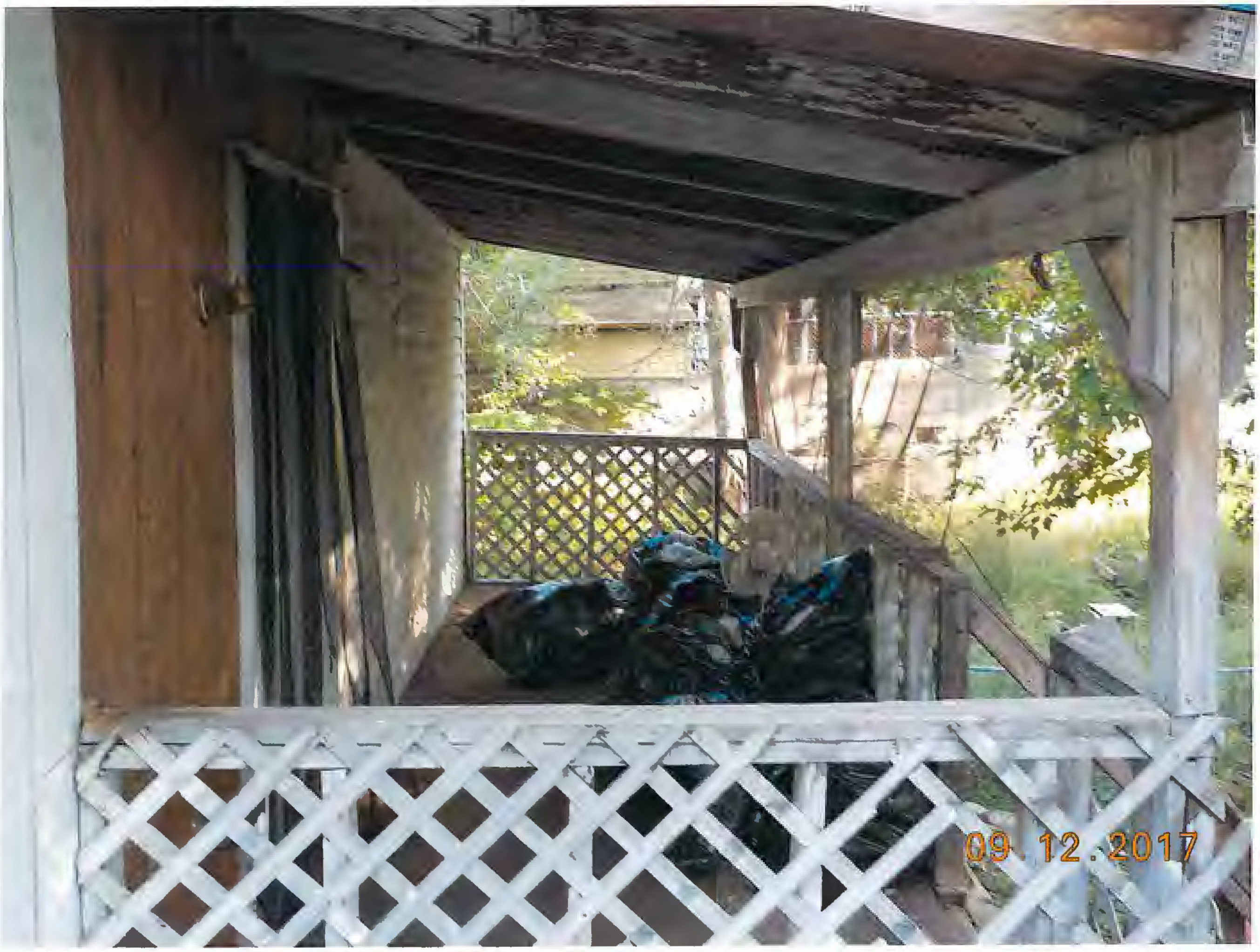
IMG_4905



1012 N Cedar 9-12-17 (1)



1012 N Cedar 9-12-17 (2)



1012 N Cedar 9-12-17 (3)

City of Lansing
OFFICE OF THE CITY ATTORNEY
James D. Smiertka, City Attorney

February 20, 2018

Alvino & Rafaela Trevino
2208 Marilyn Plaza
Lansing, MI 48911

Re: Second Trash Notice and Board Up
September 11, 2017

Dear Mr. & Mrs. Trevino:

We recently received your signed release; however you also enclosed a check for $75.00, check number 1238. Please note that the correct balance due is $450.00 ($525-$75). Per your claim to the City of Lansing, the Claims Review committee granted a reduction of $75.00. Your claim was in the amount of $525.00. The City of Lansing has agreed to remove $75.00 of that amount, which leaves you with a balance due of $450.00.

I am returning both the signed release as well as the check for $75.00. If you agree with the terms of the release and wish to pay the remaining balance of $450.00, you will need to mail a check to the City of Lansing Treasury Department and send the release to the Office of the City Attorney. If you do not agree with the terms of the release, you must send your request for an appeal to the Lansing City Council. I will include the address and instructions below.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

Sincerely,

A. O'Boyle

Amanda O'Boyle
Assistant City Attorney

Fifth Floor, City Hall • Lansing, Michigan 48933 • (517) 483-4320 • Fax (517) 483-4081 • cityatty@ci.lansing.mi.us

RECEIVED FEB 20 2018

RELEASE

In consideration for the payment of $75.00, by the City of Lansing, which will be remitted to me upon receipt by the City of this signed Release, or said amount reduced from the tax roll if the assessment has not been paid, I, ALVINO & RAFAELA TREVINO (the "undersigned"), for myself, my heirs, executors, administrators, representatives and assigns hereby release and discharge the City of Lansing, its officers, officials, employees, agents, insurers and any other person, firm, or corporation charged or chargeable with any responsibility or liability, from all claims, demands, actions or causes of action regarding the special assessment for board up and trash second trash violation on property located at 1012 N. Cedar St., Lansing, Michigan.

The undersigned understands and agrees that this payment is the sole consideration for my release and is in full and complete settlement of all claims resulting from any damage. The undersigned warrants that no promise or inducement has been offered or made for my release, except as herein set forth; that this Release is executed without reliance upon any statement or representation by any of the parties released herein, or by their representatives concerning the nature and extent of any damage or injury or the legal liability therefore; and that the undersigned is of legal age and legally competent to execute this Release and accepts the full responsibility therefore.

The undersigned understands that none of the parties released admit liability of any kind and this payment and settlement in compromise is made to terminate further controversy respecting claims for damages that the undersigned has heretofore asserted or that the undersigned or his/her heirs, executors, administrators, representative or assigns might later assert.

In witness whereof, I have hereunto set my hand this 15 day of February ~~January,~~ 2018.

WITNESS: 2/15/2018

CLAIMANT: x Alvino Trevino

ALVINO & RAFAELA TREVINO

x Rafaela Trevino

RAFAELA TREVINO 03-15
2208 MARILYN PLAZA
LANSING, MI 48911

1238
74-7826/2720
1

DATE 2-15-2018

PAY TO THE ORDER OF City of Lansing $ 75.00

Seventy five 00/100 DOLLARS

Photo Safe Deposit™ Details on back

LAKE TRUST CREDIT UNION In a community near you.

MEMO Parcel # 33-01-01-09-430-141 1012 N. Cedar Street

Rafaela Trevino

[redacted]

XV B 3.

RECEIVED JAN 16 2018

City of Lansing

OFFICE OF THE CITY ATTORNEY

Claim Form – Special Assessments

1536

Please provide the following information so we can contact you regarding your claim.

NAME: Karleen R. Sauers **DATE:** 1/11/18

MAILING ADDRESS: 905 W. Jolly Rd., Lansing, MI 48910

CITY: Lansing **STATE:** MI **ZIP CODE:** 48910

TELEPHONE: ~~Home~~ cell (517) 703-7204 **Work ( )**

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 528 Lincoln Ave **PARCEL NO.** 33-01-01-28-287-096

DATE OF INCIDENT: 8-28-17 **AMOUNT YOU WERE BILLED:** $150.00

TOTAL AMOUNT YOU ARE CONTESTING: $150.00

TYPE OF ASSESEMENT: FTR Admin fee

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

The property is not a rental & has not been a rental for years. Despite repeated calls & letters the city continues to bill.

Like to appeal the code compliance decision to demand I register the house as a rental & have asked repeatedly for the judgement & code ordinance that allows red tagging & removal of occupants of property. See letter dated 01/11/2018 to Mick tate.

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp

Kodeen R. Sowers
905 W. Jolly Rd.
Lansing, MI 48910
(517) 703-7204

City of Lansing
Office of City Attorney
Mr. Nick Tate
124 W Michigan Ave., #5
Lansing, MI 48933

January 11, 2018

Dear Mr. Tate:

As you are fully aware via many phone conversations and personal visits to your office that I have attempted countless times to comply with the City of Lansing Fire Marshall's Office demands since July 2017 on my property at 528 Lincoln Ave.

Despite the fact that I have pointed out to you and code enforcement officers that I do feel it is legal that the city has a right to demand paperwork, repeatedly, decide for themselves whether it is legal and act as judge, jury and executioner. I have complied, out of desperation as a result of what I feel is coercion and extortion because your oppression impedes my ability costing me thousands as previously discussed.

Despite my compliance your officers, who will not respond to me, have repeatedly abused their power, trespassed on private property and red tagged it several times. At this point I am not sure what else you require to remove the red tag? Why would you put so much effort and tax payers' money into tagging the property, but no effort into answering questions and resolving the problem?

I have told all involved, including you Mr. Tate, that if you would kindly show me in the law or code regulation where your demands and actions are valid and legal I would gladly comply. If that request were granted this would have been resolved back in July and you would not be involved.

I demand that you promptly **remove the red tag** and respond **in writing** as to my request for legal justification of your demands and actions.

If the City wishes to continue to make my property unproductive I suggest they replace my lost income. Please provide legal justification, resolution and remove the red tag and invoice #99242 from my property immediately.

Your prompt attention to this matter would be greatly appreciated.

Respectfully,

Kodeen R. Sowers

Enclosure: Copy Invoice #99242

claim Form

9/28/17

L/M for Walter
need to get invoice
deleted - prop not a
rental - wrote him

4/11/18 Spoke w/
Lynn - Scott has meeting 2 or 3
4 pm might be over.

land contract vendee
called him.

CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

I went into code office &
Walter said he would have to get approval of Scott Sanford to Delete invoice.

DUE DATE 09/20/2017

INVOICE
08/28/2017

Bill To:
SOWERS KODEEN R
905 W JOLLY RD
LANSING, MI 48910-5303

Walter
come back in between
4 & 5
Lock Door @ 4:30.

TOTAL AMOUNT DUE
$ 150.00

Invoice Number	Record No	Address	Amount Due
00099242	E17-07148	528 LINCOLN AVE	$150.00

08/21/2017
FTR Admin Fee

TOTAL DUE: $150.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933

In order to assure proper credit, please send the top portion of this bill along with your payment.
Payment in full is due within 30 days from the billing date
Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:
f you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:
July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail

RECEIVED FEB 26 2018

Kodeen R. Sowers
905 W. Jolly Rd.
Lansing, MI 48910
(517) 703-7204

City of Lansing
Office of City Attorney
124 W Michigan Ave., #5
Lansing, MI 48933

February 26, 2018

Re: Appeal decision of Claims Review Committee – 528 Lincoln Ave.

Dear Venus Kumar:

I was scheduled for a Claims Review Committee hearing on 02/14/2018. I attempted to reschedule the hearing but I did not hear back from the attorney's office in time so I went to the meeting to request the hearing be reschedule in person.

The people at the meeting would not allow it to be rescheduled.

One man in the meeting suggested another hearing that would come prior to City Counsel. What is that process and how do I apply for that?

Apparently, the claim was denied so I am appealing the decision to the City Counsel as per your advice in your 02/19/2018 letter denying the claim.

Your prompt attention to this matter would be greatly appreciated.

Sincerely yours,

Kodeen R. Sowers

Assessing .NET User: SSANFORD DB: City Of Lansing 2018 Group: LANSING Version: 12/15/2017

File View Navigation Tasks Reports Utilities BS&A Applications Help

Print Add Delete Audit Attach [2] Comp. Analysis Copy Map Tools

Application Views

- Tables: Parcels
- Edit Parcel
- Sale Search & Analysis
- E.C.F.'s & Analysis
- Land Table(s)
- Program Setup

Quick Search

Parcel Number	F5
Owner Name	F6
Property Address	F7
All Names	F8

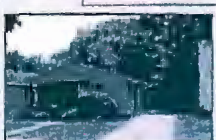
Parcel Information

$ Added this Edit	% Chg
0	-1.618

****Values Calculated Normally

CITY OF LANSING - INGHAM
Ad Valorem

R.Card | Sketches [2] | Hist.



07_11_02

Parcel #: 33-01-01-28-287-096 Flag:

Owner: SOWERS KODEEN R Address: 528 LINCOLN AVE

1.General | 2. Owner Info.(*) | 3.Tax Info. | 4.PRE: 0 | 5.Misc. | 6. Linked App Info | 7.Attach [2]

Send To: Owner and Taxpayer Change Date: 12/28/2016

Property Address

Prefix: St #: 528.0 Unit/Apt:

Dir: Name: LINCOLN AVE Suffix:

City: LANSING State: MI Zip: 48910

Cross Street/Census... 0 Extra Addresses...

Copy Options... Other Addr... Edit Zip Codes...

Owner Information — Clear

Owner: SOWERS KODEEN R
Name Extra:
Care Of:
Address: 905 W JOLLY RD
City: LANSING
State: MI Zip: 48910-5303
☐ This is an Out of Country Address
Mail Code:

Taxpayer Information — Clear

Taxpayer: PERKINS JACQUELINE
Name Extra:
Care Of:
Address: 528 LINCOLN AVE
City: LANSING
State: MI Zip: 48910
☐ This is an Out of Country Address
☐ Taxpayer is Deedholder

Viewing Existing Parcel Discard Changes

Sort Index: Owner's Name Active Table: Parcels [0] [0] Reminders [0] Output Windows [0]

Sales - 33-01-01-28-287-096

Add | Delete | Print | Tools | Attachment [0] | Sale 1 of 4

- Date of Sale: 03/01/2015
- Extended Comments...
- ☐ Confidential
- Sale Price: 0
- Instrument: LC
- ☐ PTA penalty already billed
- Adj. Sale Price: 0
- Terms: LC
- ☐ PTA penalty applies
- Rsn for Adj:
- Days on Market: 0
- PTA Penalty Billed: 0.00
- RPS Statement To:

Sheriff Deed/Foreclosure Fields (Informational Only)

- Redemption Date: / /
- Uncapping Date: / /
- Date RPS Filed: / /
- Date RPS Sent: / /
- L-4015: Not Used
- Sec. 108: 0
- Verified By: M HEDRICK
- Grantor: SOWERS KODEEN
- Date PTA Filed: / /
- Grantee: SCOTT MARCUS T
- Exemption:
- Secondary Grantee:
- % Transferred: 100.000
- Liber/Page:
- Other Parcels in Sale...
- Short Note: 2ND L.C. ALL READY SOLD ON LC
- User Index:
- User #: 0
- ☐ Ex. from PRE Report
- ☐ Ex. from Tran. Reports
- ☐ Flag this Sale for use in ECF Analysis
- ☐ Vacant Land Sale
- P.A. Liber/Page:
- P.A. Options:
- P.A. Date Filed: / /
- Date Sale Entered: 02/02/2016

- ☐ Don't update Physical Characteristics
- Eff. Frontage: 44.76
- Building/Land Detail...
- Cur. Assd: 30,900
- When Sold: 29,400
- Net Acres: 0.128
- Class: 401
- Land Val: 8,056
- ECF TBL: 53C
- Sale Ratio: 0.00
- Est. TCV: 61,721
- Land TBL: 53C

Close

9/292017 Spoke to Mrs. Koden Sowers, she stated that the house is not a rental, the man that is staying at the property is buying it on a land contract. She was informed that the property is already in someone else's name, she stated that she is working on the paperwork to remove old owner and will bring in the new land contract in the next couple of weeks. W.A.

11/2/2017 Spoke to Mrs. Kodeen Sowers today, she stated that the property is not a rental, but the man (her old boy friend) is not going to purchase the property. When asked if the property was vacant, she first stated that it was not, but then she changed and said that it is vacant. She was insistent that we untagged the dwelling , but she was told (Per Scott Sanford) that she will have to rescind the old owner from ownership and then I will do a walk through to verity the the dwelling is vacant. She stated that she is going to sale the property, but was not going to use a Realtor. W.A.

City of Lansing
OFFICE OF THE CITY ATTORNEY
James D. Smiertka, City Attorney

January 30, 2018

Kodeen Sowers
905 W. Jolly Rd.
Lansing, MI 48910

Re: Claims Review Committee
Claim for: 528 Lincoln Ave.

Dear Ms. Sowers:

Please be advised that your claims are scheduled to be heard by the Claims Review Committee. The Committee is scheduled to begin hearings at **3:00 p.m. on Wednesday, February 14, 2018**. A copy of the appropriate Department's recommendation has already been sent to you for your review.

You are encouraged to attend the hearing and present your claim to the committee. The committee will meet in the **City Attorney Conference Room, 5th Floor, City Hall, 124 W. Michigan Avenue,** Lansing, Michigan. If you plan to attend, please come to the City Attorney's Office on the date of the hearing and sign in at the Receptionist counter.

Thank you.

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Enclosure

Claim No: 1536

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Casino

ngg Dimensions ...

Kodeen Sowers

November 8 at 11:32am

House for Rent Text Kody (517) 703-7204.

$750

Lansing, MI

Nice quiet neighborhood, very efficient, 2 bedroom, new carpet, new
new roof, newer furnace and hot water heater, first floor laundry, gar
fenced yard. Available immediately. $750 security deposit and $750
months rent to move in. Text or call Kody @ (517) 703-7204.

Messa

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Shelia Barnett-Coley Yoshi Barnett
Like · Reply · 1 · November 10 at 11:03pm

Ashley Bynum Will Woods
Like · Reply · 1 · November 10 at 11:19pm

Chî Bãbŷ LaNia DntgiveAmuthafck
Like · Reply · 1 · November 11 at 7:44am

Amber M. Stanaway Jessica Notinterested Letts
Like · Reply · 2 · November 12 at 9:21am

Amber M. Stanaway Oh this is the one you was talking about
Like · Reply · Yesterday at 7:31am

Jessica Notinterested Letts Yes. I'm so very sad. But God has for us. It's his call!
Like · Reply · Yesterday at 7:53am

View more replies

Write a reply...

Charmaine AkaMaine Femster Melissa Ray Rma
Like · Reply · 1 · November 12 at 7:42pm

Melissa Ray Rma Thanks I went in looked at it
Like · Reply · 1 · November 12 at 8:19pm

Write a reply...

Malinda Watts Where is this HSE located.
Like · Reply · November 12 at 7:43pm

Kodeen Sowers 528 Lincoln Ave, Lansing, MI 48910
Like · Reply · November 12 at 10:56pm

Write a reply.

Brandon Hodge Coryn Hall
Like · Reply · 1 · November 12 at 11:59pm

Ruth Hudecek Melton Do u have any in Holt, do you except animals
Like · Reply · 1 · Yesterday at 4:00am

1 Reply

Quality Concrete
DBA John Mullins Residential Builder
23330 22 Mile Rd.
Olivet, MI 49076
(517) 541-6330

Kodeen R. Sowers
905 W. Jolly Rd.
Lansing, MI 48910

January 31, 2018

Re: 528 Lincoln Ave Inspection

Dear Kodeen:

Per my visited at 528 Lincoln Avenue property on 01/30/2018. I John Mullins am a licensed builder and have built many homes. I found the property to be free of any code violation and see no reason for a red tag condemned status that is posted on the premises.

I can be reached at 517-541-6330 for further information if needed. I am a licensed residential builder working and doing business under DBA John Mullins, Quality Concrete. You or whomever requires this letter is welcome to contact me for my builder number if required.

Yours Truly,

John Mullins

RECEIVED FEB 12 2018

David A. Williams
Attorney at Law
2577 S. Michigan Road
Eaton Rapids, Michigan 48827
Telephone Number (517) 663-9000
Facsimile Number (517) 663-9001
Email: dawilliamslaw@sbcglobal.net

February 5, 2018

Mr. Nick Tate
City of Lansing
Office of City Attorney
124 W. Michigan Avenue
5th Floor
Lansing, MI 48933

Dear Mr. Tate:

Re: 528 Lincoln Avenue, Lansing, MI 48933

I have been retained by Kodeen R. Sowers vis a vis the above property. She had sold the property on a land contract. Attached is letter from John Mullins, who is a licensed builder who examined the property confirming there are no code violations.

The inspector went to the purchasers to claim this was a rental. As you are aware there is a legal difference between a land contract and a rental. The purchasers have equitable title. The land contract was terminated because the purchasers did not want to deal with the code enforcement section of the Lansing Fire Department.

My client has attempted to find out why the property this property was "red tagged." Since the individuals backed out of the sale, Kodeen Sowers is listing the property for sale with Preview Properties. The broker is Sandy Bristol Bailey.

Unless there is a code violation that I am not aware, the code enforcement should not have any involvement with a sale. Obviously, a Memorandum of Land Contract and a Property Transfer Affidavit has to be filed upon sale.

If she can not sell the property within a reasonable time, she intends to move into the property and make it an owner occupied propety. Ergo, please advise me that since she has no intent to lease the property why it is red tagged.

Very truly yours,

David A. Williams

David A. Williams
DAW
cc: Kodeen Sowers
enclosure

Jackson, Brian

From: Tate, Nicholas
Sent: Monday, February 12, 2018 1:57 PM
To: dawilliamslaw@sbcglobal.net
Cc: Kumar, Venus
Subject: Builder's Letter

Mr. Williams,

Thanks for taking my call. Can you send us a copy of the letter from John Mullins you mentioned in your letter? We'll get your correspondence to the appropriate party upon receipt. Would you also mind asking your assistant to CC Venus Kumar when he or she sends it? Thank you.

Nik

Nicholas Tate
Assistant City Attorney
Office of the City Attorney
124 W. Michigan Ave. | Lansing, MI 48933
O: 517-483-7864 | E: nicholas.tate@lansingmi.gov

LANSING MICHIGAN
Andy Schor, Mayor

Jackson, Brian

From: Kumar, Venus
Sent: Wednesday, February 14, 2018 10:47 AM
To: 'kodysowers1029@gmail.com'
Cc: Tate, Nicholas; O'Boyle, Amanda
Subject: Claims Review Committee Meeting

Hello Ms. Sowers,

I received a voice mail message from you stating that you would like to reschedule your meeting today with the Claims Review Committee because you have not had time to prepare. The Claims Review packet was mailed to you on January 30, 2018 which included the letter stating the date and time of your meeting as well as all notices, invoices and photos regarding your claim. This packet was mailed to you 14 days in advance of your Claims Review Committee meeting date. In speaking with Mr. Tate, he shared an email with me that he sent to you on February 1, 2018 which confirmed the date of your Claims Review Committee meeting.

Because the committee only meets 1-2 times per month, it is important that claimants keep their scheduled times whenever possible. We understand emergencies come up and we are sympathetic to those individuals and their situations. This does not appear to be one of those emergency situations. With that being said, your meeting time of 3:00 pm today will stand and we hope to see you here. If you decide not to attend, a decision will be made on your claim and that decision will be mailed to you within 2 weeks. If you do not agree with the decision of the Claims Review Committee, there is an appeal option to the General Services, which will be explained in the letter.

Thank you,

Venus Kumar, Paralegal
Assistant to the City Attorney
City of Lansing - Office of the City Attorney
124 W. Michigan Ave. | Lansing, MI 48933
O: 517-483-4319 | E: Venus.Kumar@lansingmi.gov
Website | Facebook | Twitter | Instagram | LinkedIn

LANSING MICHIGAN
Andy Schor, Mayor

Jackson, Brian

From:	Tate, Nicholas
Sent:	Wednesday, February 14, 2018 10:32 AM
To:	O'Boyle, Amanda
Cc:	Kumar, Venus
Subject:	RE: Claims Review Committe/Permits/Point of Contact

From: Tate, Nicholas
Sent: Thursday, February 01, 2018 8:35 AM
To: 'kodysowers1029@gmail.com'
Subject: Claims Review Committe/Permits/Point of Contact

Good Morning Ms. Sowers,

Here is what I found out:

(1) You are scheduled to be heard before the Claims Review Committee on the February 14th, 2018;
(2) The City of Lansing Building Permits Office has no evidence of any recently pulled permits for the house located at 528 Lincoln Ave;
(3) Amanda O'Boyle is the new Assistant City Attorney assigned to Claims Review/General Services.

You should get a letter in the mail soon regarding time and location for the Claims Review Committee Hearing. Feel free to contact the building permit office if you'd like. I know you said you have evidence of approved permits for the property, perhaps it was an oversight or misunderstanding. Let me know if you have any other questions.

Respectfully,

Nik

Nicholas Tate
Assistant City Attorney
Office of the City Attorney
124 W. Michigan Ave. | Lansing, MI 48933
O: 517-483-7864 | E: nicholas.tate@lansingmi.gov

Andy Schor, Mayor

Jackson, Brian

From: Tate, Nicholas
Sent: Thursday, February 01, 2018 8:24 AM
To: Kumar, Venus
Cc: O'Boyle, Amanda
Subject: Kodeen Sowers 529 Lincoln ave.
Attachments: doc00285820180112160841.pdf

Venus,

The screenshot of Ms. Sowers advertising her house for rent is attached. I've also attached some traffic between Scott and I about the house.

Nik

From: Sanford, Scott
Sent: Thursday, December 28, 2017 10:57 AM
To: Tate, Nicholas
Subject: RE: 529 Lincoln ave.

Here are all our notes:

7/12/2017 I received a call stating that Jacqueline Perkins moved out of house over a year ago. W.A.

9/292017 Spoke to Mrs. Koden Sowers, she stated that the house is not a rental, the man that is staying at the property is buying it on a land contract. She was informed that the property is already in someone else's name, she stated that she is working on the paperwork to remove old owner and will bring in the new land contract in the next couple of weeks. W.A.

11/2/2017 Spoke to Mrs. Kodeen Sowers today, she stated that the property is not a rental, but the man (her old boyfriend) is not going to purchase the property. When asked if the property was vacant, she first stated that it was not, but then she changed and said that it is vacant. She was insistent that we untagged the dwelling , but she was told (Per Scott Sanford) that she will have to rescind the old owner from ownership and then I will do a walk through to verity the the dwelling is vacant. She stated that she is going to sale the property, but was not going to use a Realtor. W.A.

House was red tagged on 11/1/2017

Scott

From: Tate, Nicholas
Sent: Thursday, December 28, 2017 10:50 AM
To: Sanford, Scott <Scott.Sanford@lansingmi.gov>
Subject: RE: 529 Lincoln ave.

I'm sorry – 528 Lincoln Ave. My mistake

From: Sanford, Scott
Sent: Thursday, December 28, 2017 10:50 AM

To: Tate, Nicholas
Subject: RE: 529 Lincoln ave.

529 Lincoln is owned by Bill Arnold Holey and we have had no activity at this address. If she is the owner it must be on an unregistered sale, as she is not showing up in our system at this address.

It does appear that this is an unregistered rental as Mr. Holey lives at 437 W Jolly Rd.

Scott

From: Tate, Nicholas
Sent: Thursday, December 28, 2017 10:45 AM
To: Sanford, Scott <Scott.Sanford@lansingmi.gov>
Subject: 529 Lincoln ave.

Scott,

Can you refer me to the code compliance officer handling this address (or send me whatever notes CC has on it)? The property owner is Kodeen Sowers. Thank you.

Nik

Nicholas Tate
Assistant City Attorney
City of Lansing
124 W. Michigan
City Hall – 5th Floor
Lansing, MI 48933
517.483.4320
Direct: 517.483.7864
Fax: 517.483.4081
nicholas.tate@lansingmi.gov

XV B 5

LANSING AREA Safety Council

March 09, 2018

Mr. Chris Swope, City Clerk
Lansing City Clerk's Office
Ninth Floor, City Hall
124 W. Michigan Ave.
Lansing, MI 48933-1695

Dear Clerk Swope:

The Lansing Area Safety Council is requesting recognition as a Non-Profit Organization by the City of Lansing. Our goal is to renew our Charitable Gaming License from the State of Michigan to conduct a weekly bingo.

The Safety Council was organized in 1939 as an independent not-for-profit organization. In 1950 we became a chapter of the National Safety Council, while still being an independent entity. In 2013, the National Safety Council de-chartered its smaller chapters, including the Lansing Area Safety Council. Our mission, structure and operations have not changed since 1939.

The Bureau of State Lottery has requested that we requalify as a local civic organization because we are no longer a chapter of National.

Attached with this letter is our 501(c)3 designation, Articles of Incorporation and Bylaws.

Please contact me if you have any questions or require further information.

Sincerely,

Suzy Carter

Suzy Carter
Executive Director

Serving Mid and West Michigan Since 1939

3315 S. Pennsylvania • Lansing MI 48910• (517) 394-4614 • Fax (517) 394-1117 • www.safetycouncil.org

City of Lansing, Michigan
Application for Request for Non-Profit Status in the City of Lansing

Organization Name (As Incorporated): ______Lansing Area Safety Council ____________________

Address: _____3315 S. Pennsylvania Ave.____

City: ______Lansing__________________________ State: ___MI______ Zip: ____48910________

Contact Person: ___Suzy Carter____

Main Contact Number: (517) _394-4614_____ Secondary Contact Number: (517) _204-3687_____

Email Address: __carter@safetycouncil.org______________

Please include the following with your application:

a. A copy of your 501(c)3 Designation

b. A copy of your Articles of Incorporation

c. A copy of your Bylaws
   - ☐ Includes in bylaws a dissolution provision a plan to distribute all the remaining assets to ensure that
     1. All financial and contractual obligations are fulfilled and that
     2. Remaining assets are distributed only to one or more similar nonprofit, tax exempt organizations and/or institutions

d. Non-refundable application fee of $100.00 or fee waiver request*

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

Suzy Carter ____________________ __03/09/18______
Signature **Date**

*Fee waiver request

I hereby certify that the assets of this non-profit organization are less than $2,500 and I request the fee be waived. The fee would cause an extreme hardship because:

____

____

____________________ ____________________
Signature **Date**

Please submitted completed application and attached documents, please return it to:
Chris Swope, City Clerk
Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
City.clerk@lansingmi.gov 517-483-4131

LANSING AREA SAFETY COUNCIL

Serving Ingham, Eaton, & Clinton Counties

B Y L A W S

As Amended 12/79, 10/84, 1/86, 11/88, 1/94, 03/2000, 09/2013

ARTICLE I - AUTHORITY

1.01 -- These bylaws have been adopted in compliance with the non-profit corporation statute of the State of Michigan.

ARTICLE II -- NAME AND LOCATION OF HEADQUARTERS

2.01 -- The name of this organization shall be the Lansing Area Safety Council, hereinafter referred to as the Safety Council.

2.02 -- Its headquarters shall be at Lansing, Michigan and its service area shall be mid and west Michigan, with particular focus on the Tri-County area; Ingham, Eaton, and Clinton Counties, including the Cities of Lansing and East Lansing.

2.03 -- The current headquarters of the Lansing Area Safety Council is located at 3315 S. Pennsylvania Avenue, Lansing, Michigan 48910.

ARTICLE III -- PURPOSES AND GOALS OF THE LANSING AREA SAFETY COUNCIL

3.01 -- It is the purpose of the Lansing Area Safety Council to promote and assist in community safety activities designed to decrease the number and cost of traffic, home, public and industrial accidents, and to support the programs of the official agencies of government, i.e., enforcement, engineering, and education

ARTICLE IV -- MEMBERSHIP AND DUES

4.01 -- Membership in the Safety Council shall be determined by the governing body of this organization which is the Board of Directors.

4.02 -- Membership dues shall be determined by the Board of Directors.

4.03 -- Membership shall not be denied any person because of race, creed, color, national origin, marital status, sex, age, or handicap.

ARTICLE V -- BOARD OF DIRECTORS

5.01 -- General Powers: The business, budget, property, programs, and any other corporation shall be managed by the Board of Directors. The budget, as approved by the Board of Directors, is not a mandate to spend same.

5.02 -- Number: The number of directors of the corporation shall be twenty-two (22) or more as may be determined by the Board of Directors.

5.03 -- Members elected to the Board of Directors shall serve for a term of three (3) years and may be re-elected for one (1) additional term. Upon expiration of the second term, members must wait for at least a one (1) year period before being eligible for re-election to the Board of Directors. The first Board of Directors created upon the effective date of these by-laws shall be as follows:

a. 1/3 of the Board shall be elected for a one-year term,

b. 1/3 of the Board shall be elected for a two-year term,

c. 1/3 shall be elected for a three-year term.

5.04 -- In the event of a vacancy on the Board of Directors, the President, with the approval of the Executive Committee of the Safety Council, shall appoint a new member to complete the remainder of the vacated term. This member may then serve two (2) consecutive three-year terms if elected.

5.05 -- The Board of Directors shall employ the Executive Director, after determining that his/her qualifications are commensurate with goals and objectives of the Safety Council, and shall determine compensation. All duties and responsibilities of the Executive Director and his/her staff shall be set forth by the Board of Directors. The Board of Directors shall review the performance and make an evaluation of the Executive Director annually. Staff evaluations shall also be conducted annually by the Executive Director.

5.06 -- The President, with the approval of the Board of Directors, may appoint Advisory Members to the Board of Directors. Advisory Members may be past officers or Board members willing to contribute their expertise and abilities to further the goals and objectives of the Safety Council. Advisory Members shall be appointed each year and shall have voting privileges at all regular meetings of the Board of Directors.

5.07 -- The President may appoint up to eight (8) Ex Officio members and/or Honorary members to the Board of Directors, subject to the approval of the Board of Directors. Said Ex Officiaries and/or Honoraries do not have voting power.

ARTICLE VI -- OFFICERS

6.01 -- The officers of the Safety Council shall be President, President-Elect, Vice President, Treasurer, the immediate Past President, and the Executive Director serving as Secretary. All the aforesaid Officers and the Executive Director shall be members of the Executive Committee of the Board of Directors and said Executive Committee shall act as a steering committee for the Board of Directors and the Lansing Area Safety Council.

6.02 -- The President shall preside at all meetings of the Board of Directors and Executive Committee and shall be an ex officio member of all committees of the Board of Directors. He/she shall appoint the Chairman of all committees, subject to the approval of the Executive Committee. The President shall perform such other duties as may be assigned by the Board of Directors.

6.03 -- At the request of the President, or in the event of his/her absence or disability, the President-Elect shall perform any or all duties of the President. The President-Elect shall have such other powers and perform such duties as the Board of Directors may assign.

6.04 -- At the request of the President, or in the absence or disability of the President-Elect, the Vice President shall perform any or all duties of the President-Elect. The Vice President shall have such other powers and perform such duties as the Board of Directors may assign.

6.05 -- The Treasurer shall have joint responsibility with the President for the finance of the Council under the guidance of the Board of Directors and shall periodically report to the Board on the financial status of the Council.7.06 -- **The Executive Director is the Chief Executive Officer of the Safety Council.** The Executive Director, as secretary of the organization, shall be responsible for maintaining records of the various divisions and organizations of the Safety Council. He/she shall attend and keep the minutes of all meetings of the Board of Directors and shall, in general, perform all duties incident to the office of Secretary subject to the control of the Board of Directors. **IN THE EVENT OF HIS/HER ABSENCE OR DISABILITY, THE PRESIDENT SHALL APPOINT A TEMPORARY SECRETARY TO THE BOARD AND CALL THE EXECUTIVE COMMITTEE TOGETHER TO APPOINT A TEMPORARY EXECUTIVE DIRECTOR. IN THE EVENT OF ILLNESS OR ABSENCE, THE EXECUTIVE COMMITTEE SHALL BEGIN THE SEARCH FOR A REPLACEMENT OF A QUALIFIED PERSON COMMENSURATE WITH THE GOALS OF THE SAFETY COUNCIL.**

6.06 -- To the fullest extent permitted under Section 209 (c) of the Michigan Nonprofit Corporation Act (the "MNCA"), as the same presently exists or may hereafter be amended, a volunteer director of the Lansing Area Safety Council shall not be personally liable to the Corporation or its members for monetary damages for breach of the director's fiduciary duty. However, this provision does not eliminate or limit the liability of a director for any of the following:

a. A breach of the director's duty of loyalty to the Corporation or its members;

b. Acts of omissions not in good faith or that involve intentional misconduct or a knowing violation of the law;

c. A violation of Section 551(1) of the MNCA;

d. A transaction from which the director derived an improper personal benefit;

e. An act or omission that is grossly negligent.

A volunteer director of the Lansing Area Safety Council shall only be personally liable for monetary damages for a breach of fiduciary duty as a director to the Corporation or its members to the extent set forth in this Section.

6.07 -- The fullest extent permitted under Section 209(d) of the MNCA, as the same presently exists or may hereafter be amended, the Lansing Area Safety Council assumes all liability to any person other than the Lansing Area Safety Council or its members for all acts or omissions of a volunteer director occurring on or after November 9, 1988, incurred in the good faith performances of the volunteer director's duties as such. A claim for monetary damages for such a breach of a volunteer director's duties as such. A claim for monetary damages for such a breach of a volunteer director's duty to any person other than the Corporation or its members shall not be brought or maintained against a volunteer director; but such a claim shall be brought or maintained instead against the Lansing Area Safety Council, which shall be liable for the breach of the volunteer director's duty.

6.08 -- The term "volunteer director" shall have the same definition as set forth in Section 110(2) of the MNCA as the same presently exists or may hereafter be amended.7.10 -- Any repeal, amendment or other modification of this Article shall not adversely affect any right or protection of a director of the Lansing Area Safety Council existing at the time of such repeal, amendment or other modification. If the MNCA is amended, after this Article becomes effective, then the liability of directors shall be eliminated or limited to the fullest extent permitted by the MNCA as so amended.

ARTICLE VII -- SAFETY ADVISORY COMMITTEE OF THE SAFETY COUNCIL

7.01 -- The Safety Advisory Committee shall be appointed by the Executive Committee subject to the approval of the Board of Directors, and shall consist of at least twenty (20) members or as many members as may be added by nomination and recommendation by the Safety Advisory Committee to the Board of Directors.

7.02 -- The President of the Safety Council shall appoint either the President-Elect or Vice President to serve as Chairperson to the Safety Advisory Committee and to serve as liaison to the Board of Directors.

7.03 -- The Safety Advisory Committee shall make recommendations to the Board of Directors concerning such safety programs and other activities which will be in the best interest of promoting safety in the community and on which the Board of Directors of the Safety Council shall take final action for disposition.

ARTICLE VIII -- MEETINGS

8.01 -- The Board of Directors shall meet each month or as designated by the Executive Committee, but no less than four (4) times per year. A quorum shall consist of eight (8) members of the Board.

8.02 -- The Annual Meeting of the Safety Council shall be held during the month of January at such time and place as may be determined by the Board of Directors, and the newly elected officers and members to the Board shall be installed at that time.

8.03 -- Special meetings may be held by order of the President or upon resolution of the Board of Directors, the place, date and hour to be designated in the notice thereof. A call for a special meeting shall specify the purpose of the meeting, and no business other than that specified in the notice shall be formally considered at this meeting.

8.04 -- Notice of meetings shall be in writing and mailed to all Board members at least one (1) week in advance of regular meetings or fifteen (15) days in advance of special meetings.

8.05 -- The Safety Advisory Committee shall meet at least four (4) times each year and at such other times as may be designated upon the call of the President of the Safety Council. At these meetings, the program and agenda shall be highly directed to the promotion and discussion of safety in our community, the reporting of statistics, and the advancement and recommendations to the Board of Directors of such programs as will promote safety throughout our entire Tri-County area.9.06 -- Roberts Rules of Order shall govern in all parliamentary matters when not in conflict with these by-laws.

ARTICLE IX -- FISCAL AFFAIRS

9.01 -- The fiscal year of the Safety Council shall coincide with the calendar year.

9.02 -- A financial audit of the Safety Council shall be conducted and presented to the Board of Directors by May 1 of each year.

9.03 -- Checks may be signed by the Executive Director in the normal conduct of Safety Council business. For checks in excess of $2,500, permission must be obtained from the Executive Committee; a report of all such checks shall be made to the Board of Directors. In the absence of the Executive Director, checks may be signed by the Treasurer, President, President-Elect, or Vice President.

9.04 -- Funds shall be deposited in banks or depositories in the name of the Lansing Area Safety Council. All withdrawals from such accounts shall be made only by checks or similar orders signed as designated in Section 10.03.

ARTICLE X -- AMENDMENTS

10.01 -- These bylaws may be amended by the Board of Directors at any regular meeting provided advance notice thereof, in writing, is given fifteen (15) days prior to the date of such meetings. Such written notice shall contain the text of any recommended amendments.

ARTICLE XI -- DISSOLUTION

11.01 -- In the event that this corporation is dissolved in compliance with the Statutes of the State of Michigan, all financial and contractual obligations will be fulfilled. Remaining assets and funds, real and personal, shall be transferred to an organization which has the IRS designation 501(c)3 and which has similar goals and objectives to the Safety Council. The Board of Directors shall have the final determination in transferring said assets, however, no assets shall accrue to or benefit a member of the Board at the time of dissolution.

(Non-Profit)

ARTICLES OF INCORPORATION

OF

LANSING SAFETY COUNCIL

These Articles of Incorporation are signed and acknowledged by the incorporators for the purpose of forming a non-profit corporation under the provisions of Act No. 327 of the Public Acts of 1931, known as the Michigan General Corporation Act, as follows:

ARTICLE I.

The name of this corporation is Lansing Safety Council

OK

ARTICLE II.

The purpose or purposes of this corporation are as follows:

To promote safety in industries, homes and public places; it shall operate as an independent, non-profit, non-commercial, non-political organization ~~and shall be affiliated with the National Safety Council.~~

ARTICLE III.

The location of the corporation is Lansing in the County of Ingham, State of Michigan. Post Office address of registered office in Michigan is 202 South Walnut Street, Lansing, Michigan.

7.

ARTICLE IV.

Said corporation is organized upon a non-stock basis.
(Stock-share or non-stock)

~~(If upon a stock share basis fill in the following)~~

~~(a)~~

~~[illegible]~~

~~[illegible]~~

~~[illegible]~~ ~~(This must not be less than $1000)~~

~~(b)~~

~~(If upon a non-stock basis strike out paragraph (a) above and fill in the following):~~

The amount of assets which said corporation possesses is:

Real property: None.

Personal property: None.

Said corporation is to be financed under the following general plan: Subscriptions and pledges.

ARTICLE V.

The names and places of residence, or business, of each of the incorporators ~~and (if a corporation organized upon a stock share basis) the number of shares of common stock subscribed by each~~ are as follows:

NAMES	RESIDENCE OR BUSINESS ADDRESS	~~NUMBER OF SHARES~~
C.C. Carlton	Motor Wheel Corp., Lansing	
H.D. Scheffer	Auto Owners Ins., Lansing	
R.W. Hardy	Fisher Body Corp., Lansing	
Victor C. Anderson	306 Cap. Sav. & Loan Bldg., Lansing	
Paul L. Turgeon	Chamber of Commerce, Lansing	
J.W. Wilford	Bank of Lansing, Lansing	
Miss Julia Gaylord	Hotel Porter, Lansing	
James I. Herndon	Auto Club of Michigan, Lansing	
A.J. Hager	Hager-Cove Lumber Co., Lansing	
Tom King	221½ W. Washtenaw, Lansing	

ARTICLE VI.

The names and addresses of the first board of directors (or trustees) are as follows:

NAME	ADDRESS
C.C. Carlton	Motor Wheel Corp., Lansing
H.D. Scheffer	Auto Owners Ins., Lansing
R.W. Hardy	Fisher Body Corp., Lansing
Victor C. Anderson	306 Cap. Sav. & Loan Bldg., Lansing
Paul L. Turgeon	Chamber of Commerce, Lansing
Carl Mertz	Chamber of Commerce, Lansing
J.W. Wilford	Bank of Lansing, Lansing
A.J. Hager	Hager-Cove Lumber Co., Lansing
Evans Boucher	Clyde Smith Ins. Agency, Lansing
Lloyd Parr	608 Amer. St. Sav. Bk.Bldg., Lansing
Lewis Dail	Dail Steel Products Co., Lansing
Mayor Max A. Templeton	City Hall, Lansing
Grant Mickle	State Highway, Lansing
Wesley Ceeley	Simon Iron & Steel Corp., Lansing
Ralph Crego	City Hall, Lansing
Clarence Clark	827 E. Saginaw, Lansing
Dwight Rich	Eastern High School, Lansing
A.W. Handy	Handy Ford Co., Lansing
Mrs. Elizabeth Bogue	American Red Cross, Lansing
Paul A. Martin	State Journal, Lansing
James I. Herndon	Auto Club of Michigan, Lansing
Bud Urquhart	City Gas Inspector, Lansing
Lucius Mills	Mills Dry Goods Co., Lansing
C.E. Ecker	R.E. Olds Co., Lansing
Sgt. C.F. VanBlankensteyn	Michigan State Police, E. Lansing
C.L. McCuen	Olds Motor Works, Lansing
Chief Hugo Delfs	Fire Dept., Lansing
D.D. Harris	Dean & Harris, Lansing
Roscoe Mosher	Lansing Assoc. Ins. Agts., Lansing
Rev. Julius Fischbach	First Baptist Church, Lansing
Judge Sam Street Hughes	Municipal Court, Lansing
Joseph Gibbon	Community Welfare Fund, Lansing
Sidney Anger	City Traffic Bureau, Lansing
Clarence A. Neitz	Boy Scouts of America, Lansing
Fr. Leo Szybowicz	St. Casimir Church, Lansing
Harold Gross	WJIM, Lansing
Harold Hardy	City Traffic Commission, Lansing
Percy Hunter	Motor Wheel Corp., Lansing
Mrs. Richard Foster	Jr. Service League, Lansing
Capt. C.J. Scavarda	Mich. State Police, E. Lansing
Mrs. C.L. Brody	Womens' Club House Assoc., Lansing
R.C. Benson	Olds Motor Works, Lansing
Chas. H. Barber	Nat. Cap . Corp., Lansing
Harold Haun	Chief of E.Lansing Police, E. Lansing
M.J. Maynard	J.C. Penney Co., Lansing
Chief John O'Brien	Lansing Police Dept., Lansing
Murray D. VanWaggoner	State Highway Dept., Lansing
Harry Kelly	Secretary of State, Lansing
Prof. C.N. Rix	Mich. State College, E. Lansing
Dean H.B. Dirks	Mich. State College, E. Lansing
Mayor C.G. Card	E. Lansing, Michigan
Miss Julia L. Gaylord	Hotel Porter, Lansing
Miss Faye Baumgardner	Eastern High School, Lansing
Kenneth Laub	Olds Motor Works, Lansing
A.T. Clausen	Fisher Body Corp., Lansing
Tom King	221½ W. Washtenaw, Lansing

ARTICLE VII.

The term of this corporation is fixed at thirty years.

~~ARTICLE VIII.~~

~~(Here insert any desired additional provisions authorized by the Act).~~

IN WITNESS WHEREOF the incorporators have signed these Articles of Incorporation this 20th day of February, A. D. 19 40.

C.C. Carlton — J. I. Herndon

Julia L. Gaylord — A. J. Hager

Tom King — J. W. Wilford

R. W. Hardy — H. D. Scheffer

Victor G. Anderson

Paul L. Turgeon

STATE OF MICHIGAN } ss.
COUNTY OF Ingham }

On this 21st day of February, A. D. 19 40, before me a Notary Public in and for said County, personally appeared C.C. Carlton, H.D. Scheffer, R.W. Hardy, Victor G. Anderson, Paul L. Turgeon, Julia Gaylord, J.W. Wilford, James I. Herndon, A.J. Hager and Tom King

to me known to be the persons named in and who executed the foregoing instrument, and severally acknowledged that they executed the same freely and for the intents and purposes therein mentioned.

Margaret D. Hultberg
Notary Public.

My commission expires Sept. 6, 19 41.

Form 2—12-11-35—30M

ORIGINAL

(Non-Profit)

MICHIGAN
ARTICLES OF INCORPORATION

OF

LANSING SAFETY COUNCIL

Under Act 327, Public Acts of 1931

(This blank prepared by Michigan Corporation and Securities Commission)

Howard M. Warner

C. W. & M. S.

P. O. Box 2508
Cincinnati, OH 45201

Date: November 1, 1990

Person to Contact:
Sarah Varnum
Telephone Number:
513-684-3957
Refer Reply to:
EP/EO
Employer Identification Number:
38-1386360

Lansing Area Safety Council
1017 E. Kalamazoo Street
P.O. Box 14236
Lansing, MI 48901

Dear Sir or Madam:

This is in response to your request for an affirmation letter.

Our records show that we issued a determination letter in October 1944 which recognized your organization as exempt from Federal income tax under section 101(6) of the Internal Revenue Code of 1939 which now corresponds to section 501(c)(3) of the Internal Revenue Code of 1986. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because you are an organization described in section 509(a)(2).

The classification was based on the assumption that your operations would continue as stated in the application. If your sources of support, or your purposes, character, or method of operations have changed, please let us know so we can consider the effect of the change on your exempt status and foundation status.

As of January 1, 1984, you are liable for taxes under Federal Insurance Contributions Act (social security taxes) on remuneration of $100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Lansing Area Safety Council

You are required to file Form 990. Return of Organization Exempt from Income Tax, only if your gross receipts each year are normally more than $25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of $10 a day, up to a maximum of $5,000, when a return is filed late, unless there is reasonable cause for the delay.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, you may contact us at the address or telephone number shown in the heading of this letter.

Sincerely yours,

H M Browning

Harold M. Browning
District Director

City of Lansing, Michigan
Application for Request for Non-Profit Status in the City of Lansing

Organization Name (As Incorporated): Michigan American Legion Foundation

Address: 212 N. Verlinden Ave

City: Lansing State: MI Zip: 48915

Contact Person: Mark Sutton - President

Main Contact Number: (517) 371-4720 Secondary Contact Number: (248) 390-5481

Email Address: mark@michiganlegion.org

Please include the following with your application:

a. A copy of your 501(c)3 Designation

b. A copy of your Articles of Incorporation

c. A copy of your Bylaws
   - ☐ Includes in bylaws a dissolution provision a plan to distribute all the remaining assets to ensure that
     1. All financial and contractual obligations are fulfilled and that
     2. Remaining assets are distributed only to one or more similar nonprofit, tax exempt organizations and/or institutions

d. Non-refundable application fee of $100.00 or fee waiver request*

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

Mark Sutton 3-9-2018

Signature **Date**

*Fee waiver request

I hereby certify that the assets of this non-profit organization are less than $2,500 and I request the fee be waived. The fee would cause an extreme hardship because:

RECEIVED
2018 MAR -9 AM 11:31
LANSING CITY CLERK

Signature **Date**

Please submitted completed application and attached documents, please return it to:
Chris Swope, City Clerk
Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
City.clerk@lansingmi.gov 517-483-4131

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: OCT 01 2015

THE MICHIGAN AMERICAN LEGION
FOUNDATION
212 NORTH VERLINDEN AVENUE
LANSING, MI 48915

Employer Identification Number:
47-1280916
DLN:
17053323309034
Contact Person:
LORI PERRY ID# 31107
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
509(a)(3)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
July 2, 2014
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

Specifically, we determined you're a Type I supporting organization under IRC Section 509(a)(3). A Type I supporting organization is operated, supervised, or controlled by one or more publicly supported charities.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities,

THE MICHIGAN AMERICAN LEGION

which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements

BYLAWS
OF
THE MICHIGAN AMERICAN LEGION FOUNDATION
(a Michigan nonprofit corporation)

ARTICLE I
OFFICES

Section 1. Location. The principal office of the Corporation shall be located in the City of Lansing, County of Ingham, State of Michigan. The Corporation may have such other offices, either within or without the State of Michigan, as the Board of Directors may designate or as the business of the Corporation may require.

Section 2. Registered Office and Registered Agent. The Corporation will have and continuously maintain a registered office and a registered agent whose office is identical with the registered office. The registered office of the Corporation may be, but need not be, the same as the principal office. The address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE II
SHAREHOLDERS

Section 1. Shareholder Eligibility. To be eligible to hold stock in the corporation, an individual must satisfy the following requirements:

The party must be a nonprofit corporation formed under Act 327 of Public Acts of 1931 as a congressionally-chartered mutual-aid veterans organization of the United States armed forces founded to benefit veterans who served during a wartime period as defined by the United States Congress or a nonprofit corporation formed or as a subsidiary or affiliate of such corporation.

Section 2. Annual Meeting. The annual meeting of the shareholders shall be held within the first ninety (90) days of the new calendar year. At each annual meeting, directors shall be confirmed and any other business shall be transacted that may come before the meeting.

Section 3. Special Meetings. Special meetings of the shareholders may be called by the Board of Directors or by the President. Such meetings shall also be called by the President or Secretary at the written request of shareholders representing not less than 10 percent of the issued and outstanding shares.

Section 4. Place of Meetings. All shareholder meetings shall be held at the corporation's principal office or at any other place determined by the Board of Directors and stated in the notice of the meeting.

Section 5. Notice of Meetings. Except as otherwise provided by statute, written notice of the time, place, and purposes of a shareholder meeting shall be given not less than days nor more than 60 days before the date of the meeting. Notice shall be given either personally or by mail to each shareholder of record entitled to vote at the meeting at his or her or its last address as it appears on the books of the corporation.

Section 6. Record Dates. The Board of Directors may fix in advance a record date for the purpose of determining shareholders entitled to notice of and to vote at a shareholders meeting or an adjournment of the meeting, or to express consent to or to dissent from a proposal without a meeting, or for the purpose of any other action. The date fixed shall not be more than 60 days nor less than 10 days before the date of the meeting, nor more than 60 days before any other action.

Section 7. List of Shareholders. The secretary of the corporation shall make and certify a complete list of the shareholders entitled to vote at a shareholder meeting or any adjournment. The list shall include the number of shares each shareholder holds. The list shall be arranged alphabetically by shareholder surname and include each shareholder's address, be produced at the time and place of the shareholder meeting, be subject to inspection by any shareholder during the whole time of the meeting, and be prima facie evidence as to who are the shareholders entitled to examine the list or to vote at the meeting.

Section 8. Quorum. Unless a greater or lesser quorum is required by statute, shareholders present in person or by proxy who, as of the record date, represented a majority of the shares entitled to vote at a shareholders meeting shall constitute a quorum at the meeting. Whether or not a quorum is present, the meeting may be adjourned by a vote of the shareholders present.

Section 9. Proxies. A shareholder entitled to vote at a shareholders meeting or to express consent or dissent without a meeting may authorize other persons to act for the shareholder by proxy. A proxy shall be signed by the shareholder or the shareholder's authorized agent or representative and shall not be valid after the expiration of three years, unless otherwise provided in the proxy. A proxy is revocable at the pleasure of the shareholder executing it except as otherwise provided by statute.

Section 10. Voting. Each outstanding share is entitled to one vote on each matter submitted to a vote. A vote may be cast either orally or in writing. When an action, other than the confirmation of directors, is to be taken by a vote of the shareholders, it shall be authorized by a majority of the votes cast by the holders of shares entitled to vote, unless a greater vote is required by statute.

Section 11. Participation by Conference Telephone. A shareholder may participate in a shareholder meeting by conference telephone or any similar communications equipment through which all persons participating in the meeting may hear each other, provided that all participants are advised of the communications equipment and the names of the participants in the conference are divulged to all participants. Participation in a meeting pursuant to this section constitutes presence in person at the meeting.

ARTICLE III
DIRECTORS

Section 1. <u>General Powers.</u> The affairs of the corporation will be managed by its Board of Directors.

Section 2. <u>Number.</u> The number of directors shall not be less than three (3) nor more than seven (7), which numbers shall be fixed from time to time by the Board of Directors. The Directors constituting the initial Board of Directors shall be as specified as in the minutes of the first regular annual meeting of the Board of the Directors. If the Board of Directors decides to change the number of Directors, it will do so in a manner consistent with the provisions and/or intent in this section. The Directors shall hold office until the next Annual Meeting of Shareholders following their nomination in the Articles or their election, as the case may be, and until their successor shall have been elected and qualified or until his resignation or removal. Only individuals who are members of and/or employed by The American Legion Department of Michigan are eligible to be Directors of the Corporation.

Section 3. <u>Vacancies.</u> Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of directors may be filled by the affirmative vote of the shareholder of the corporation. A Director elected to fill a vacancy shall be a director until his successor is elected by the shareholders, or at any special meeting duly called for that purpose and held prior thereto.

Section 4. <u>Removal.</u> A director is subject to removal from the Board of Directors by a written complaint to the Board by one or more directors that states that the director has been absent often without cause or has taken certain actions that are deemed detrimental to the operation or reputation of the Corporation. However, before any removal, the director to be removed shall be given not less than 14 days' notice prior to the removal action to present in person or in writing the reasons that person believes he or she should not be removed. Such removal shall require a vote of two-thirds (2/3) of the remaining members of the Board of Directors in order to remove said director. In such event, the shareholder shall nominate a successor director to fill the remainder of the term of said removed director pursuant to Section 3.

Section 4. <u>Resignation.</u> Any director may resign at any time by providing written notice to the Corporation. The resignation will be effective on receipt of the notice or at a later time designated in the notice. A successor shall be appointed as provided in Section 3 of this Article III.

Section 5. <u>Management of Business Affairs.</u> The business affairs of the Corporation shall be managed by, or under the direction of, its Board except as otherwise provided by statue or in the Articles of Incorporation.

Section 6. Books. The Board of Directors may keep the books of the Corporation at such place or places as they may from time to time determine, within or without the State of Michigan.

Section 7. Compensation. There shall be no remuneration to the Board for carrying out their duties and responsibilities of members of the Board. Reimbursement for incurred expenses may be authorized by the Board.

Section 12. Use of Funds. Notwithstanding anything herein to the contrary, the making of contributions and otherwise rendering financial assistance for the purposes expressed in the corporation's Articles of Incorporation are within the exclusive power of the Board of Directors. The Board of Directors shall review all requests for funds from other organizations, shall require that such requests specify the use to which the funds will be put, and, if the Board approves the request, shall authorize payments of the funds to the approved grantee. The Board shall require that the recipients furnish a periodic accounting to show that the funds were expended for the purposes approved by the Board. The Board may, in its absolute discretion, refuse to make any contributions or otherwise render financial assistance for any or all purposes for which funds were requested. After the Board of Directors has approved a contribution to an organization for a specific project or purpose, the corporation may solicit funds for the contribution to the specifically approved project or purpose of the other organization; provided, however, at all times the Board has the right to withdraw approval of the contribution and to use the funds for other charitable, scientific or educational purposes consistent with its express purpose set forth in the Articles of Incorporation.

Section 13. Non – Voting Trustee's. With respect to non-voting trustee's, the Department Adjutant & Department Finance Officer shall serve as an ex-officio trustee's of the Board of Directors with voice, but with no ability to vote on any matters. Said officers shall receive notice of all meetings and receive copies of minutes and records of actions of the Board.

ARTICLE IV
MEETINGS OF THE BOARD OF DIRECTORS

Section 1. Location. Regular or special meetings of the Board of Directors may be held either within or without the State of Michigan at such time and place as may be fixed from time to time by the Board of Directors.

Section 2. Regular Meetings. A regular annual meeting of the Board of Directors will be held without other notice than this Bylaw immediately after, and at the same place as the Annual Meeting of the Shareholder. Regular meetings of the Board of Directors may be held upon such notice or without notice and at such time and at such place as shall from time to time be determined by the Board.

Section 3. Special Meetings. Special meetings of the Board of Directors may be called by the president or any, Special meetings of the Board of Directors may be called by or at the request of the president or any director on three (3) days' notice to each director. The person or persons authorized to call special meetings of the Board may fix any place, either within or without the State of Michigan, as the place for holding any special meeting of the Board called by him, her or them.

Section 4. Attendance/Notice. A director's attendance at or participation in a meeting constitutes a waiver of notice of the meeting, unless the director at the beginning of the meeting, or upon his or her arrival, objects to the meeting or the transaction of business at the meeting and does not thereafter vote for or assent to any action taken at the meeting. Neither the business to be transacted at nor the purpose of a regular or special meeting need be specified in the notice or waiver of notice of the meeting.

Section 5. Attendance Via Telephone Conference Call or Similar Equipment. A director may attend and participate in any meeting of the directors or any joint meeting of the shareholder(s) and directors by a conference telephone or similar communications equipment by which all persons participating in the meeting may communicate with each other if all participants are advised of the communications equipment and the names of the participants in the conference are divulged to all participants. Such participation in a meeting constitutes presence in person at the meeting.

Section 6. Quorum. Attendance by a majority of the directors consisting of at least 50% of the directors will constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at said meeting, the director(s) present may adjourn the meeting from time to time without further notice. The vote of the majority of Board members present at a meeting at which a quorum is present constitutes the action of the Board unless the vote of a larger number is required by statute, the Articles of Incorporation or these By-laws. If a quorum shall not be present at any meeting of the Board, the directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

Section 7. Presumption of Assent. A Director of the Corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken is presumed to have assented to such action unless his dissent shall be entered in the minutes of the meeting or unless he shall file his written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of such action.

Section 8. Written Consent to Action. Unless otherwise provided by the Articles of Incorporation, action required or permitted to be taken pursuant to authorization voted at a meeting of the Board may be taken without a meeting if, before or after the action, all members of the Board then in office consent thereto in writing or by electronic transmission. The written consents shall be filed with the minutes of the proceedings of the Board. The consent has the same effect as a vote of the Board for all purposes.

ARTICLE V
NOTICES

Section 1. Service. When a notice or communication is required or permitted by these By-laws or statute to be given by mail, it shall be mailed, except as otherwise provided herein or in said statute, to the person to whom it is directed at the address designated by him/her for that purpose or, if none is designated, at his/her last known address. The notice or communication is given when deposited, with postage thereon prepaid, in a post office or official depository under the exclusive care and custody of the United States postal service. The mailing shall be registered, certified or other first-class mail except where otherwise provided by statute.

Section 2. Waiver. When, under statutory requirements or the Articles of Incorporation or these By-laws or by the terms of an agreement or instrument, the Corporation or the Board or any committee thereof may take action after notice to any person or after lapse of a prescribed period of time, the action may be taken without notice and without lapse of the period of time, if at any time before or after the action is completed the person entitled to notice or to participate in the action to be taken, submits a signed waiver of such requirements.

ARTICLE VI

OFFICERS

Section 1. Officers. The officers of the Corporation shall be appointed by the Board of Directors and shall be a president, secretary, treasurer, and/or such other officers as may be determined by the Board. Any and all officers shall be from the group of directors of the Corporation. Two or more offices may be held by the same person, but such person shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or by the president or by the Board to be executed, acknowledged, or verified by two or more officers.

Section 2. Appointment. The Board of Directors at its first meeting shall appoint a nominee for president and shall appoint a secretary, treasurer, and such other officers determined by the Board. Any two offices may be held by the same person.

Section 3. Additional Officers. The Board of Directors may appoint such other officers, assistant officers, employees and agents as it deems necessary and prescribe their powers and duties.

Section 4. Term. An officer appointed shall hold office for the term of one year or until his/her successor is appointed and qualified or until his/her resignation or removal.

Section 5. Vacancies. An officer may resign at any time by providing written notice to the Corporation. The resignation will be effective on receipt of the notice or at a later time designated in the notice. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 6. Removal. An officer is subject to removal from the Board of Directors by a written complaint to the Board by one or more directors that states that the officer has been absent often without cause or has taken certain actions that are deemed detrimental to the operation or reputation of the Corporation. Such removal shall require a vote of two-thirds (2/3) of the remaining members of the Board of Directors in order to remove said officer. In such event, the directors shall appoint a successor officer to fill the term of said removed officer.

PRESIDENT

Section 7. Duties. The president shall be the chief executive officer of the Corporation and shall preside at all meetings of the Board of Directors. The president shall have general and active management of the business of the Corporation; shall in consultation with the other officers of the Corporation develop an operating and capital expenditure budget for the Corporation; and shall see that all orders and resolutions of the Board of Directors are carried into effect.

Section 8. Execution of Documents. The president shall execute bonds, mortgages and other contracts except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Board of Directors to some other officer or agent of the Corporation.

SECRETARY

Section 9. Duties. The secretary shall give, or cause to be given, notice of all special meetings of the Board of Directors, and shall perform such other duties as may be prescribed by the Board of Directors or president, under whose supervision the secretary shall be.

Section 10. Assistant. The assistant secretary, if there be one or, if there be more than one, the assistant secretaries in the order determined by the Board of Directors, shall in the absence or disability of the secretary perform the duties and exercise the powers of the secretary and shall perform other duties and have such other powers as the Board of Directors may from time to time prescribe.

TREASURER

Section 11. Duties. The treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors. The treasurer shall be empowered to pay expenses approved by the Board of Directors or by his own discretion strictly in accordance with the purposes of the Corporation.

Section 12. Accounting. The treasurer shall disburse the funds of the Corporation as may be ordered by the Board of Directors, taking proper vouchers for such disbursements, and shall render to the president and the Board of Directors, at its regular meetings or when the Board of Directors so requires, an account of all his/her transactions as treasurer and of the financial condition of the Corporation.

Section 13. Bond. If required by the Board of Directors, the treasurer shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of the duties of the office of treasurer and for the restoration to the Corporation, in case of his/her death, resignation, retirement or removal from office, of all books, papers, vouchers, money and other property of whatever kind in his/her possession or under his/her control belonging to the Corporation.

Section 14. Assistant. The assistant treasurer, if there be one, or, if there be more than one, the assistant treasurers in the order determined by the Board of Directors, shall in the absence or disability of the treasurer perform the duties and exercise the powers of the treasurer and shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe.

ARTICLE VII
INDEMNIFICATION OF DIRECTORS AND OFFICERS

Section 1. Third-Party Suits. To the extent permitted by Michigan law from time to time in effect and subject to the provisions of this Article VII, the Corporation shall indemnify a

person who was or is a party to or is threatened to be made a party to a threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative or investigative, and whether formal or informal, other than an action by or in the right of the Corporation, by reason of the fact that he or she is or was a director, officer, employee, nondirector volunteer, or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, partner, trustee, employee, nondirector volunteer, or agent of another foreign or domestic corporation, business corporation, partnership, joint venture, trust, or other enterprise, whether for profit or not for profit, against expenses (including attorneys' fees), judgments, penalties, fines, and amounts paid in settlement actually and reasonably incurred by him or her in connection with the action, suit or proceeding, if the person acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Corporation and the person submits a written claim for indemnification as hereinafter provided and, with respect to a criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful and the person submits a written claim for indemnification as hereinafter provided. The termination of an action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of *nob contendere* or its equivalent shall not of itself create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the Corporation and, with respect to a criminal action or proceeding, had reasonable cause to believe his or her conduct was unlawful.

The right to indemnification conferred in this section shall be a contract right.

Section 2. Suits By or in the Right of the Corporation. To the extent permitted by Michigan law from time to time in effect and subject to the provisions of this Article VII, the Corporation shall indemnify a person who was or is a party to or is threatened to be made a party to a threatened, pending, or completed action or suit by or in the right of the Corporation to procure a judgment in its favor by reason of the fact that he or she is or was a director, officer, employee, nondirector volunteer, or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, partner, trustee, employee, nondirector volunteer, or agent of another foreign or domestic corporation, business corporation, partnership, joint venture, trust, or other enterprise, whether for profit or not for profit, against expenses, including actual and reasonable attorneys' fees, and amounts paid in settlement incurred by the person in connection with the action or suit if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the Corporation and the person provides a written claim for indemnification as hereinafter provided. Indemnification shall not be made, however, for a claim, issue, or matter in which the person shall have been found liable to the Corporation unless and only to the extent that the court in which the action or suit was brought has determined upon application that, despite the adjudication of liability but in view of all the circumstances of the case, the person is fairly and reasonably entitled to indemnification for expenses which the court considers proper.

The right to indemnification conferred in this section shall be a contract right.

Section 3. Indemnification Against Expenses. To the extent that a director, officer, employee, nondirector volunteer, or agent of the Corporation has been successful on the merits or otherwise in defense of an action, suit, or proceeding referred to in Section 1 or 2 of this Article VII, or in defense of a claim, issue or matter in the action, suit, or proceeding, he or she shall be indemnified against actual and reasonable expenses, including attorneys' fees, incurred by him or
her in connection with the action, suit, or proceeding and in any action, suit, or proceeding brought to enforce the mandatory indemnification provided in this subsection.

Section 4. Determination that Indemnification is Proper. Any indemnification under Section 1 or 2 of this Article VII, unless ordered by a court, shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification of the person is proper in the circumstances because he or she has met the applicable standard of conduct set forth in said Sections 1 and 2 and upon an evaluation of the reasonableness of expenses and amounts paid in settlement. Such determination shall be made within 30 days after a written claim for indemnification has been received by the Corporation and shall be made in any of the following ways: (1) by a majority vote of a quorum of the Board consisting of directors who were not parties or threatened to be made parties to the action, suit, or proceeding; or (2) if such a quorum is not obtainable, then by a majority vote of a committee of directors duly designated by the Board and consisting solely of two (2) or more directors not at the time parties or threatened to be made parties to the action, suit, or proceeding; or (3) by independent legal counsel in a written opinion, which counsel has been selected in one of the following ways: (a) by the Board or its committee in the manner described in Subsection 4(1) or 4(2) of this Article VII, or (b) if a quorum of the Board cannot be obtained under Subsection 4(1) and a committee cannot be designated under

Subsection 4(2) of this Article VII, by the Board; or (4) by all independent directors, if there be any, who are not parties or threatened to be made parties to the action, suit, or proceeding.

If a person is entitled to indemnification under Section 1 or 2 of this Article VII for a portion but not for the total amount of expenses, including attorneys' fees, judgments, penalties, fines, and amounts paid in settlement, the Corporation shall indemnify the person for the portion of the expenses, judgments, penalties, fines, or amounts paid in settlement for which the person is entitled to be indemnified.

Section 5. Reimbursement of Expenses. Reasonable expenses incurred in defending a civil or criminal action, suit, or proceeding described in Sections 1 and 2 of this Article VII may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding if all of the following apply: (1) the person furnishes the Corporation a written affirmation of his or her good faith belief that he or she has met the applicable standard of conduct set forth in Sections 1 and 2 of this Article VII; (2) the person furnishes the Corporation a written undertaking, executed personally or on his or her behalf, to repay the advance if it is ultimately determined that he or she did not meet said standard of conduct; and (3) a determination is made that the facts then known to those making the determination would not preclude indemnification under the Michigan Nonprofit Corporation Act, such determination to be made as set forth in Section 4 of this Article VII. The undertaking shall be by unlimited general obligation of the person on whose behalf advances are made but need not be secured.

Section 6. Right of Indemnitee to Bring Suit. If a claim for indemnification is not paid in full by the Corporation within forty-five (45) days after a written claim has been received by the Corporation, the officer, director, employee, nondirector volunteer, or agent who submitted the claim (hereinafter the "Indemnitee") may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim. If successful in whole or in part in any such suit or in a suit brought by the Corporation to recover advances, the Indemnitee shall be entitled to be paid also the reasonable expenses incurred in prosecuting or defending such claim.

In any action brought by the Indemnitee to enforce a right hereunder (other than an action brought to enforce a claim for expenses incurred in defending any proceeding in advance of its final disposition where the required undertaking, if any, has been tendered to the Corporation) it shall be a defense that the Indemnitee has not met the applicable standard of conduct set forth in Section 1 or 2, and it shall also be a defense that the expenses incurred or amounts paid in settlement were unreasonable. Furthermore, in any action brought by the Corporation to recover advances, the Corporation shall be entitled to recover such advances if the Indemnitee has not met the applicable standard of conduct set forth in Section 1 or 2.

Neither the failure of the Corporation (including its Board of Directors, or independent legal counsel) to have made a determination prior to the commencement of such action that indemnification of the Indemnitee is proper in the circumstances because he or she has met the applicable standard of conduct set forth in Section 1 or 2, nor an actual determination by the Corporation (including its Board of Directors, or independent legal counsel) that the Indemnitee has not met such applicable standard of conduct or that expenses incurred or amounts paid in settlement were unreasonable, shall be a defense to an action brought by the Indemnitee or create a presumption that the Indemnitee has not met the applicable standard of conduct. In any action brought by the Indemnitee to enforce a right hereunder or by the Corporation to recover payments by the Corporation of advances, the burden of proof shall be on the Corporation.

Section 7. By-laws Not Exclusive. The indemnification or advancement of expenses provided under Sections 1 through 5 of this Article VII is not exclusive of other rights to which a person seeking indemnification or advancement of expenses may be entitled under the Corporation's Articles of Incorporation, By-laws, or a contractual agreement. However, the total amount of expenses advanced or indemnified from all sources combined shall not exceed the amount of actual expenses incurred by the person seeking indemnification or advancement of expenses. The indemnification provided for in Sections 1 through 5 continues as to a person who ceases to be a director, officer, partner, trustee, employee, nondirector volunteer, or agent, and shall inure to the benefit of the heirs, executors, and administrators of the person.

Section 8. Liability Insurance. The Corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee, nondirector volunteer, or agent of the Corporation or is or was serving at the request of the Corporation as a director, officer, partner, trustee, employee, nondirector volunteer, or agent of another corporation, business corporation, partnership, joint venture, trust or other enterprise against any liability asserted against him or her and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the Corporation would have power to indemnify him or her against such liability under the Michigan Nonprofit Corporation Act or Sections 1 through 6 of this Article VII.

Section 9. Definitions. As used herein, "Corporation" includes all constituent corporations absorbed in a consolidation or merger and the resulting or surviving corporation, or business corporation so that a person who is or was a director, officer, employee, nondirector volunteer, or agent of the constituent corporation or is or was serving at the request of the constituent corporation as a director, officer, partner, trustee, employee, nondirector volunteer, or agent of another foreign or domestic corporation, business corporation, partnership, joint venture, trust, or other enterprise whether for profit or not for profit shall stand in the same position under the provisions of this section with respect to the resulting or surviving corporation or businesscorporation as the person would if he or she had served the resulting or surviving corporation or business corporation in the same capacity.

As used herein, "other enterprise" shall include employee benefit plans; "fines" shall include any excise taxes assessed on a person with respect to an employee benefit plan; and "serving at the request of the Corporation" shall include any service as a director or officer of the Corporation which imposes duties on, or involves services by, the director or officer with respect to an employee benefit plan, its participants, or its beneficiaries; and a person who acted in good faith and in a manner he or she reasonably believed to be in the interest of the participants and beneficiaries of an employee benefit plan shall be considered to have acted in a manner "not opposed to the best interests of the Corporation or its shareholders" as referred to in Sections 1 and 2.

ARTICLE VIII
STATEMENTS

Section 1. Directors' Annual Statement. At least once in each year the Board of Directors shall cause a financial report of the Corporation for the preceding fiscal year to be made and distributed to each director thereof within four months after the end of the fiscal year. The report shall include the Corporation's statement of income, its year-end balance sheet and, if prepared by the Corporation, its statement of source and application of funds and such other information as may be required by statute.

Section 2. Financial Statement to Directors. Upon written request of a director, the Corporation shall mail to the director its balance sheet as at the end of the preceding fiscal year; its statement of income for such fiscal year; and, if prepared by the Corporation, its statement of source and application of funds for such fiscal year.

ARTICLE IX
MISCELLANEOUS PROVISIONS

Section 1. Contracts. The Board of Directors may authorize any director or officer, agent or agents, to enter into any contract or execute or deliver any instrument in the name of or on behalf of the Corporation, and such authorization may be general or confined to specific instances. In the absence of other designation, all deeds, mortgages, and instruments of assignment or pledge made by the Corporation shall be executed in the name of the Corporation by the president, the secretary, the treasurer, or their designee.

Section 2. Loans. No indebtedness or borrowed money shall be contracted on behalf of the Corporation and no evidences of such indebtedness shall be issued in its name unless authorized by or under the authority of a resolution of the Board of Directors. Such authorization may be general or confined to specific instances.

Section 3. Checks, Drafts, Etc. All checks, drafts, or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such director or directors, agent or agents of the Corporation as determined by the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the treasurer or an assistant treasurer and countersigned by the president of the Corporation.

Section **4. Fiscal Year.** The fiscal year of the Corporation shall begin on the first day of July and end on the last day of June 30 of each year.

Section 4. Gifts. The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest or devise for the general purpose or for any special purpose of the corporation.

ARTICLE X
AMENDMENTS

The Bylaws of the Corporation may be amended by a majority vote of the shareholders at any regular or special meeting of the Board, provided that each shareholder shall have been notified in writing of the proposed amendment at least five (5) days prior to the meeting at which the proposed amendment is presented for approval. No amendment of these Bylaws that is inconsistent with the Articles of Incorporation shall become effective prior to an amendment that may be required in the Articles of Incorporation.

ARTICLE XI
DISSOLUTION

Section 1. Authorization. The dissolution of the Corporation must be authorized by the adoption of a resolution to dissolve by a vote of two-thirds of the directors present in person or by proxy at a meeting called for that purpose.

Section 2. Disposition of Assets. Upon the dissolution of the Corporation, the assets shall be disposed of as provided in the Articles of Incorporation.

ARTICLE XII
NONDISCRIMINATION

The Corporation and the Board, by their actions, shall not discriminate against any person or organization because of religion, race, color, national origin, age, sex, height, weight, marital status or disability.

CSCL/CD-502 (Rev. 02/13)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU	
Date Received JUL 01 2014	$20^{00} This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

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Address		
124 West Allegan Street, Suite 700		
City	State	ZIP Code
Lansing	MI	48933

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FILED

JUL 02 2014

ADMINISTRATOR
CORPORATIONS DIVISION

EFFECTIVE DATE.

71513Q

ARTICLES OF INCORPORATION
For use by Domestic Nonprofit Corporations

These Articles of Incorporation are signed by the incorporator for the purpose of forming a nonprofit corporation pursuant to the provisions of Act 162, Public Acts of 1982 (the "Act"), as amended, as follows:

ARTICLE I

The name of the corporation is The Michigan American Legion Foundation.

ARTICLE II

A. This Corporation is organized exclusively for charitable, religious, and educational purposes under Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code") or corresponding section of any future federal tax code.

B. The Corporation will receive and administer funds for the charitable support of the activities and programs of veterans' organizations duly qualified under Section 501(c)(19) of the Code or corresponding section of any future federal tax code, including but not limited to, direct benefit and support for the activities and programs of The American Legion, Department of Michigan, based on the founding four pillars established by The American Legion, Department of Michigan in 1919; to-wit, Veterans Affairs & Rehabilitation, National Security, Americanism, and Children & Youth, and making payments to or for the use of individual members of the charitable class benefited by the specified publicly supported organizations in accordance with the standards promulgated under Treasury Regulation Section 53.4945-4(a)(4), or correspondending section of any future treasury regulation, and doing any and all things necessary to these purposes, required and not expressly prohibited by the laws of the State of Michigan and not inconsistent with the requirements of a nonprofit charitable organization under Section 501(c)(3) of the Code or corresponding section of any future federal tax code.

C. Notwithstanding any other provision of these Articles, all the income and earnings of the Corporation shall be used exclusively for corporate purposes, and no part of the net income or net earnings of the Corporation shall inure to the benefit or profit of or be distributed or distributable to any director, officer, member, trustee, individual, firm, corporation, partnership, association or other private person except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this Article II.

D. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in,

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or intervene in (including the publishing or distribution of statements) in a political campaign on behalf of any candidate for public office.

E. Notwithstanding any other provisions of these Articles, the exclusive purpose of the Corporation shall be to carry on only those activities permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code (or corresponding provision of any future United States Internal Revenue Law), or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code (or corresponding provision of any future United States Internal Revenue Law).

F. Notwithstanding any other provision of these Articles, the Corporation shall in no manner be controlled by or under the direction of or acting in the substantial interest of any private individual, firm, corporation, partnership or association seeking to derive profit or gain therefrom or seeking to eliminate or minimize losses in any dealing or transactions with the Corporation.

G. No individual member or director of the Corporation or other private person shall have any title to or interest in the corporate property or earnings in his or her individual or private capacity.

ARTICLE III

The Corporation is organized upon a stock basis.

The total number of shares which the Corporation has authority to issue is one (1) share. The share is not, and shall not be, divided into classes.

ARTICLE IV

1. The name of the resident agent at the registered office is:
   The American Legion, Department of Michigan.

2. The street address and mailing address of the initial registered office is:
   212 North Verlinden Avenue, Lansing, Michigan 48915

ARTICLE V

The name and address of the incorporator is as follows:

The American Legion, Department of Michigan
212 North Verlinden Avenue, Lansing, MI 48915

ARTICLE VI

A. The Board of Directors of the Corporation shall maintain charge, control and management of the business, property, affairs and funds of the Corporation and shall have the power and authority to do and perform all acts and functions permitted for an organization described in Section 501(c)(3) of the Code (or comparable provisions of subsequent legislation) not inconsistent with these Articles of Incorporation or with the laws of the State of Michigan. In addition to, and not in limitation of, all powers, express or implied, now or hereafter conferred upon boards of directors of nonprofit corporations, and in addition to the powers mentioned in and implied from Article II, the Board of Directors shall have the power to borrow or raise money for corporate purposes, to issue bonds, notes or debentures, to secure such obligations by mortgage or other lien upon any and all of the property of the corporation, whether at the time owned or thereafter acquired.

B. A volunteer director or volunteer officer of the Corporation shall not be personally liable to the Corporation for monetary damages for a breach of fiduciary duty as a director except that a director remains liable:

(1) For any breach of the director's duty of loyalty to the Corporation;

(2) For any acts or omissions not in good faith or that involve intentional misconduct or knowing violation of law;

(3) For any violation of Section 551(1) of Act No. 162 of Public Acts of 1982, as amended;

(4) For any transaction from which the director derived an improper personal benefit;

(5) For any act or omission occurring before the effective date of this Article as filed by the Michigan Department of Licensing and Regulatory Affairs for which the director was otherwise personally liable; and

(6) For any act or omission that is grossly negligent.

The Corporation shall assume all liability to any person other than the Corporation for all acts or omissions of a volunteer director or a volunteer officer occurring on or after the date of this Article as filed by the Michigan Department of Licensing and Regulatory Affairs incurred in the good-faith performance of the volunteer director's or volunteer officer's duties; provided, however, that the Corporation shall not be considered to have assumed any liability to the extent such assumption is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code, or comparable provisions of subsequent legislation.

If, after the adoption of this Article, the Michigan Nonprofit Corporation Act is hereafter amended to further eliminate or limit the liability of a director, then the liability of any director to the Corporation (in addition to the circumstances in which a director is not personally liable as set forth in the preceding paragraph) shall be limited to the fullest extent permitted by the Michigan Nonprofit Corporation Act, as so amended; except to the extent such limitation, elimination or assumption of liability is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code.

Any repeal or modification of this Article shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification.

C. The Corporation hereby assumes the liability for all acts or omissions of a non-director volunteer, as that term is defined in the Michigan Nonprofit Corporation Act, provided all of the following are met:

(1) The volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority.

(2) The volunteer was acting in good faith.

(3) The volunteer's conduct did not amount to gross negligence or willful and wanton misconduct.

(4) The volunteer's conduct was not an intentional tort.

(5) The volunteer's conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided in section 3135 of the insurance code of 1956, Act No. 218 of the Public Acts of 1956, being section 500.3135 of the Michigan Compiled Laws.

(6) The volunteer's act or omission occurred on or after the effective date of this Article as filed by the Michigan Department of Licensing and Regulatory Affairs.

ARTICLE VII

Upon dissolution of the Corporation, assets remaining after providing for debts and obligations of the Corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Code, or corresponding section of any future federal tax code, to that organization exempt from tax under Section 501(c)(3) of the Code (or comparable provisions of subsequent legislation) as may be designated by the Board of Directors or to the federal government, or to a state or local government, for public purposes. Any such assets not disposed of shall be disposed of by the circuit court of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

Article VIII

Any action required or permitted by the Act to be taken at an annual or special meeting of the shareholders , may be taken without a meeting, prior notice, or a vote, if a consent in writing setting forth the action so taken is signed by the shareholders having not less than the minimum number of votes that would be necessary to authorize or take the action at a meeting at which all shareholders entitled to vote were present and voted. Prompt notice of the taking of the corporate action without a meeting by less than unanimous vote shall be given to shareholders who have not consented in writing.

Article IX

When a compromise, an arrangement, or a plan of reorganization is proposed between this corporation and its creditors, a court of equity jurisdiction within this state may order a meeting of the affected creditors. The corporation, a creditor or director of the corporation, or a receiver appointed for the corporation may apply to the court for a meeting. The meeting shall be summoned in such manner as the court directs. If a majority in number representing 3/4 in value of the affected creditors agree to a compromise or arrangement, the compromise, arrangement, or reorganization of this corporation resulting from the compromise or arrangement, if approved by the court, shall be binding on all the creditors and directors of this corporation, and also on this corporation

I, the incorporator, sign my name this 8 day of MAY, 2014.

The American Legion, Department of Michigan

By: [signature]

Its: STATE Adjutant

Name of person or organization remitting fees:
Loomis, Ewert, Parsley, Davis & Gotting, P.C.

Preparer's name and business telephone number:
Michael H. Rhodes
(517) 482-2400

FEES: $20.00

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CITY OF LANSING

CITY CLERK
124 W MICHIGAN AVENUE 9TH FLOOR

Receipt: 2326 03/09/18

Cashier: TScott
Received Of: **MICHIGAN AMERICAN LEGION FOUNDATI**

The sum of: **100.00**

530	**NON-PROFIT STATUS**		**100.00**
		Total	**100.00**

CHECKS **1580** **100.00**

Signed: ______________________