REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
VIRTUAL MEETING VIA ZOOM CONFERENCING

REVISED AGENDA FOR APRIL 27, 2020

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, April 27, 2020 at 7:00 p.m.

Due to public safety concerns resulting from the COVID-19 Pandemic, this meeting will be conducted via Zoom Conferencing using **Meeting ID 211 422 506** or call **(312) 626-6799 and enter Meeting ID 211 422 506**

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of April 13, 2020

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/PRESENTATIONS

1. Z-9-2019; 3440 N East Street, Conditional Rezoning from “F” Commercial District to “G-2” Wholesale District

2. Payment in Lieu of Taxes (PILOT) Porter Senior Apartments; 505 Townsend Street

3. Annual Consolidated Strategy and Plan Submission & Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for FY 2021

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

The public may comment for up to three minutes. Those wishing to make public comments will need to raise their hands or submit written comments to city.clerk@lansingmi.gov by the end of the public comment period:[1]

To Raise Your Hand:

On the phone: Dial *9
On a mac: Option Y
Windows: Alt Y

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.

A. SCHEDULED PUBLIC HEARINGS

1. In consideration of Annual Consolidated Strategy and Plan Submission & Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for FY 2021

2. Continued Public Hearing from March 16, 2020 Council Meeting in consideration of Z-9-2019; 3440 N East Street, Conditional Rezoning from "F" Commercial District to "G-2" Wholesale District

3. Continued Public Hearing from March 16, 2020 Council Meeting in consideration of Payment in Lieu of Taxes (PILOT) Porter Senior Apartments; 505 Townsend Street -

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY THE COMMITTEE OF THE WHOLE

a. Confirmation of Reappointment; Cassandra L. Nelson as an At-Large Member of the Historic District Commission for a term to expire June 30, 2022 (PEND-1558)

b. Joint Appointment; Monica Jahner to the Ingham County/City of Lansing Community Corrections Advisory Board for a term ending September 17, 2020 (PEND-1564)

c. Confirmation of Appointment; Mike Dombrowski as the 1st Ward Member of the Park Board for a term ending June 30, 2021 (PEND-1601)

d. Confirmation of Appointment; Kimberly Whitfield as the 4th Ward Member of the Park Board for a term ending June 30, 2024 (PEND-1604)

C. RESOLUTIONS FOR ACTION

1. BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY, WOOD

a. Tribute; in recognition of Workers Memorial Day- April 28, 2020 (PEND-1629)

b. Tribute; in recognition of Prisoner Families Month (PEND-1637)

c. Tribute; in recognition of National Crime Victims' Rights Week (PEND-1635)

d. Extend the Declaration of State of Emergency regarding COVID-19

2. BY THE COMMITTEE OF THE WHOLE

a. Comprehensive Development Agreement; amendment to Continental/Ferguson Lansing LLC, Red Cedar Development (PEND-1598)

b. Noise Special Permit; E.T. MacKenzie Company request to allow for work on Saturdays from 8:00 a.m. to 4:00 p.m. for the period of May 9, 2020, through September 19, 2020 to construct underground utility improvements in the Forest Road right-of-way (PEND-1534)

c. Donation Acceptance and Budget Transfer; $1,000 donation to the City of Lansing to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments (PEND-1636)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE OF THE WHOLE

a. Amend Chapter 260 to allow the Lansing Housing Commission to own and transact real property in its own name, and to remove certain approvals by the City (PEND-1630)

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

The public may comment for up to three minutes. Those wishing to make public comments will need to raise their hands or submit written comments to city.clerk@lansingmi.gov by the end of the public comment period:[1]

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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

2. Letter(s) from the Mayor re:

   a. Donation Acceptance; $1,000 donation to the City of Lansing to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments (PEND-1636)

   b. Authorization of Tax Anticipation Notes for Cash Flow Borrowing Purposes (PEND-1633)

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Affidavit of Disclosure, Jane Bidwell, Lansing Police Department

2. Notice from the Michigan Liquor Control Commission regarding Request ID: RQ-2004-06122, new Micro Brewer License; new Beer and Wine Tasting Permit at 523 E Shiawassee St, Lansing, MI 48912-1213 in Lansing City in Ingham County by Mash Mavericks, Inc.

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.

XX. ADJOURNMENT

CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

Public Participation Notes

Just want to watch the meeting? Here are the best options:

- CityTV live station on cable TV
- CityTV live webcast (http://www.ustream.tv/channel/gov-tv-city-of-lansing-s-city-tv-station

Want to make Public Comment?

Join Zoom Meeting from Computer
https://zoom.us/j/211422506 (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes.)
Meeting ID: 211 422 506

Dial from your phone:
(312) 626-6799
Meeting ID: 211 422 506

Written public comments may be submitted to city.clerk@lansingmi.gov by the end of the public period.

Maybe want to make Public Comments?
You can watch the meeting on CityTV on cable or webcast, and then call in with the phone option during the Public Comment portion of the agenda.

Accessibility
Closed Captioning will be available on the Zoom meeting, CityTV cable broadcast, and CityTV webcast.

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
ANNUAL ACTION PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME
AND EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS
FOR FISCAL YEAR 2020-2021

The City Council of the City of Lansing will conduct a public hearing on Monday, April 27, 2020 at 7:00 P.M. during the regularly schedule City Council Meeting, via ZOOM Conferencing, Meeting ID 211 422 506, for the purpose of receiving comments on the proposed CDBG resources for the Annual Action Plan submission to HUD for FY 2020-2021.

With Executive Order 2020-4, Governor Whitmer declared a statewide State of Emergency due to the spread of the novel coronavirus (COVID-19). To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the public hearing will be conducted via audio/video conference.

The public hearing will be electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Michigan Executive Order 2020-15 provides temporary authorization of remote participation in public meetings and hearings. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website **https://zoom.us/j/211422506** (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling 646-876-9923 and entering Meeting ID: 211 422 506.

Copies of the proposed Annual Action Plan 2020 for the use of funds are available for review in the City Clerk's Office, downtown Capital Area District Library and in the Development Office of the Department of Economic Development and Planning. In light of the closure of public buildings due to the current state of emergency, the proposed Annual Action Plan 2020 for the use of funds is available for review in the at https://www.lansingmi.gov/1401/Documents-Placed-on-File and https://www.lansingmi.gov/230/Development-Office. The Plan will be a part of the publicly available Council packet for the April 27, 2020 City Council meeting. If a member of the public wishes to review copies of the Annual Action Plan 2020 in-person, please contact the above listed public facilities to schedule an appointment that ensures the safety of both employees and public.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please view the public hearing via Zoom web conferencing which will provided on the April 27, 2020 City Council Agenda. Written comments will be accepted if received by the close of the Public Hearing on April 27, 2020, 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/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

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

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submits the Annual Action Plan in order to receive Community Development fund resources, including Community Development Block Grant (CDBG), HOME and Emergency Solutions Grant (ESG) program funds, for the upcoming fiscal year 2020-2021; and

WHEREAS, the CDBG, HOME and ESG entitlement amount allocated to Lansing for the upcoming fiscal year is Two Million Nine Hundred Seventy Three Thousand Nine Hundred Two and 00/100 ($2,973,902) Dollars; and

WHEREAS, the City estimates the amount of program income and previous year's annual funding available to be Two Hundred Eighty Nine Thousand and 00/100 ($289,000) Dollars; and

WHEREAS, pursuant to program requirements, the City has conducted a citizen participation and open review process which has included meetings and public hearings; and

WHEREAS, the City has further promoted participation, input and review in the process by conducting two (2) separate advertised public hearings before the Lansing Planning Board, one on December 3, 2019 regarding housing and community development needs and one on February 4, 2020 regarding proposed Annual Action Plan program objectives and projected use of Federal entitlement and formula program funds; and

WHEREAS, the City did also initiate and carry out the required thirty (30) day public comment period on the proposed 2020-21 Annual Action Plan by publishing a notice of the availability of the plan in the Lansing City Pulse on March 11, 2020; and

WHEREAS, a public hearing was held by the Lansing City Council on April 27, 2020 to again receive citizen comments and recommendations and to give final review to the Annual Action Plan; and

WHEREAS, Federal regulations require the City to make certain certifications and assurances to HUD as a part of the City's application and Annual Action Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the Annual Action Plan for the City of Lansing that includes housing and community development goals, objectives, strategies, and budget for the use of community development fund resources for fiscal year 2020-2021 as proposed by the Committee; and

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, or his designee is hereby authorized to sign the Annual Action Plan and application for FY

2020-2021, including all understandings, assurances and certifications contained therein, and to submit the grant application to the Department of Housing and Urban Development; and

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

PROPOSED FUNDING ALLOCATIONS
PROGRAM ACTIVITIES AND USE OF FUNDS
ANNUAL ACTION PLAN 2020 (7/1/20 – 6/30/21)
CITY OF LANSING COMMUNITY DEVELOPMENT OBJECTIVES

The primary objective of Lansing's Housing and Community Development Program is the development of a viable community which will provide standard housing in a suitable living environment, principally to benefit low and moderate income persons, preserve and expand existing businesses and industries, and create an atmosphere conducive to stability in neighborhoods.

a. Provide standard housing in a suitable living environment through rehabilitation, new construction and improvement of the housing stock primarily in CDBG eligible neighborhoods and in specifically designated housing target areas.

b. Provide housing counseling and assistance that will benefit low and moderate-income households.

c. Promote home ownership for low and moderate-income households and promote deconcentration of poverty.

d. Maintain at current levels the number of public and assisted housing units available to low and moderate-income households.

e. Provide homeless prevention assistance, emergency shelter, street outreach and supportive human services for people with special needs, people who are homeless and those at risk of becoming homeless.

f. Provide assistance for permanent supportive housing and human services for low and moderate income households with a history of chronic homelessness, including those with special needs.

g. Promote economic opportunity for low and moderate-income individuals by facilitating economic development, providing employment opportunity, sponsoring job training, supporting business development, micro-enterprise lending and business or financial educational programs and initiatives.

h. Promote economic development to provide jobs, business services and shopping opportunities for residents located in CDBG eligible areas.

i. Provide community and neighborhood services, recreational opportunities and public facilities and promote neighborhood social cohesion to improve the quality of life in CDBG eligible neighborhoods.

j. Increase security and safety in neighborhoods by supporting public safety and crime prevention initiatives, public educational programs and citizens' awareness in CDBG eligible areas.

k. Improve the city's transportation, public facilities and infrastructure systems in CDBG eligible areas.

l. Protect and improve the city's physical environment, including preventing or eliminating blight, removing lead or other safety hazards, preserving historic resources, mitigating flood hazards, promoting healthy housing and improving energy fitness in housing occupied by low and moderate-income households.

m. Promote fair housing objectives.

n. Provide affordable housing and economic development that benefits low and moderate income people in the context of mixed use development along transit corridors.

COMMUNITY DEVELOPMENT BLOCK GRANT

CDBG Single-family, Owner-Occupied Rehab Program/Public Improvements

Includes loans and grants for rehabilitation of owner-occupied housing units through city sponsored programs, and in conjunction with affordable housing efforts sponsored by nonprofit housing corporations, public and private developers, and other state and federal agencies. Includes funds to meet lead hazard reduction regulations in rehabilitated structures, funds to assist in emergency housing rehabilitation, market analysis activities and technical assistance to nonprofit housing corporations, contractors, and low- and moderate-income households. Includes loans and grants for owner-occupied single-family units through city sponsored programs, loans to rehabilitate historic homes in conjunction with rehabilitation of the unit, and loans or grants for ramps, hazard remediation or weatherization. Includes staff, office space, technical assistance, training and other direct project costs associated with delivery of Community Development Block Grant, HOME, Emergency Solutions Grant and other State and Federal Programs.

General street, sidewalk, water/sewer improvements, including assistance to income eligible owner-occupants or those in CDBG-eligible areas for special assessments related to new improvements. Includes improvements to neighborhood parks, recreational facilities; public neighborhood, medical and community facilities in CDBG priority areas.

Proposed funding amount: $1,293,549

CDBG Rental Rehab Program

Includes loans and grants for rehabilitation of rental housing units through city sponsored programs. Includes funds to meet healthy housing standards and/or lead hazard reduction regulations in rehabilitated structures.

Proposed funding amount: $1,000

Acquisition

Includes acquisition, maintenance and security of properties acquired through programs, and activities related to acquisition, disposition, relocation and clearance of dilapidated and blighted structures. Funds may also be used to acquire and clear properties in the flood plain. Includes staff time associated with this activity.

Proposed funding amount: $100,000

Public Services (limited to 15%)

Includes services for low- and moderate-income individuals such as: homeownership counseling, education, neighborhood counseling, youth and senior programs, neighborhood clean-ups, community gardens, home repair classes. Services are for low- and moderate-income individuals and/or those in CDBG-eligible areas located within the Lansing city limits.

Proposed funding amount: $ 306,819 (15% of CDBG)

Economic Development

Loans, technical assistance and training to low- and moderate-income owners of and persons developing micro-enterprises within or planning to locate within the Lansing city limits. Technical assistance to individuals and for-profit businesses including workshops, technology assistance, and façade improvement loans/grants. Creation of jobs to benefit low and moderate-income city of Lansing residents.

Technical assistance to individuals and for-profit businesses including workshops, technology assistance, façade improvement loans/grants, market analysis, business promotion, referrals for the attraction of new business and expansion of existing business within CDBG-eligible areas of Lansing.

Proposed funding amount: $ 50,000

CDBG General Administration (limited to 20%)

Includes staff and other costs associated with preparation of required Consolidated Planning documents, environmental clearances, fair housing activities and citizen participation activities associated with the delivery of CDBG, HOME and other state and federal programs.
Includes planning and general administration costs associated with delivery of CDBG and other state and federal programs. Includes indirect administrative costs and building rent paid to the city.

Proposed funding amount: $409,092

TOTAL CDBG, CDBG PI, and CDBG Previous Years Funds = $2,160,460 ($2,045,4602 + $75,000 PI + $40,000 previous years funds)

HOME

Down Payment Assistance

Funds provided to homebuyers for down payment and closing costs for purchase of a single-family home located within the Lansing city limits. Up to $40,000 will be available as a 0% interest second mortgage for homebuyers with income at or below 80% of median income. Assistance not limited to first-time homebuyers. May include staff time and/or homeownership counseling fees associated with this activity.

Proposed funding amount: $100,000

New Construction/HOME Rehab/Development Program

Includes funds for loans and grants for housing construction and rehabilitation with non-profit and for-profit developers, including CHDOs.

HOME funds allocated for housing developed in partnership with the city, including Supportive Housing Program (SHP) and Acquisition, Development and Resale (ADR) activities. Projects may include new construction and rehabilitation activities with non-profit and for-profit developers, including CHDOs. Funds may be used for staff time associated with these activities.

Proposed funding amount: $600,393

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CHDO Set-aside (15% minimum required)

Reserved for housing developed, sponsored or owned by CHDOs in partnership with the City.

Proposed funding amount: $ 112,799

Community Housing Development Organization (CHDO) Operating (limited to 5%)

Funds reserved at option of the City to provide operating funds to CHDO's utilizing the City's HOME funds to produce affordable housing in the community.

Proposed funding amount: $37,599

HOME General Administration (limited to 10%)

Includes staff and general administration costs to deliver the HOME program.

Proposed funding amount: $75,199

TOTAL HOME, Program Income, and HOME previous years available funds: $925,990 ($751,990 + $124,000 Previous year+ $50,000 PI)

EMERGENCY SOLUTIONS GRANT (ESG)

Street Outreach

Street Outreach activities.

Proposed funding amount: $ 5,294

Homeless Prevention

Homeless Prevention activities.

Proposed funding amount: $61,758

Administrative Activities (limited to 7.5%)

Funds provided to offset the cost of administering emergency solutions program.

Proposed funding amount: $ 12,351

Homeless Management Information System (HMIS)

Funds will be provided for HMIS and comparable database costs.

Proposed funding amount: $ 5,294

Shelter Operation

Funds provided to shelter providers to cover cost of maintenance, operations, insurance, utilities and furnishings in shelter facilities.

Proposed funding amount: $ 91,755

TOTAL ESG: $176,452

SUMMARY

Forty –Sixth Year Community Development Resources

Program	Annual Action Plan
CDBG Entitlement Grant:	$2,045,460
CDBG Program Income (est.)	$75,000
CDBG Previous Years Annual Funding	$40,000
HOME Program Funds	$751,990
HOME Previous Years Annual Funding	$124,000
HOME Program Income (est.)	$50,000
ESG Program Funds:	$176,452
TOTAL	$3,262,902

Administrative, management and operation costs for the above programs include the administration, management and operations of the eligible activities, **as well as other federal and state community development programs in which the city is now or may be participating.**

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-9-2019, 3440 N. East Street
Rezoning from "F" Commercial District to "G-2" Wholesale District

The Lansing City Council will be continued to be held on Monday, April 27, 2020 at 7:00 p.m. during the regularly schedule City Council Meeting, via ZOOM Conferencing, Meeting ID 211 422 506, MI to consider Z-9-2019. This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District, with a condition restricting the allowable uses. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

With Executive Order 2020-4, Governor Whitmer declared a statewide State of Emergency due to the spread of the novel coronavirus (COVID-19). To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the public hearing will be conducted via audio/video conference.

The public hearing will be electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Michigan Executive Order 2020-15 provides temporary authorization of remote participation in public meetings and hearings. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website https://zoom.us/j/211422506 (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling 646-876-9923 and entering Meeting ID: 211 422 506.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

GENERAL INFORMATION

APPLICANT/OWNER:	Jeffrey & Sheryl Landgraf FTZ Laboratories, LLC 110 N. Market Street Dewitt, MI 48820
REQUESTED ACTIONS:	Rezone 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District, with a condition restricting the allowable uses
EXISTING LAND USE:	858 Square Foot Office Building
EXISTING ZONING:	"F" Commercial District
PROPOSED ZONING:	"G-2" Wholesale District
PROPERTY SIZE:	94' x 115'= 10,810 square feet - .248 acres
SURROUNDING LAND USE:	N: Commercial S: Vacant E: Single Family Residential W: U-Haul
SURROUNDING ZONING:	N: "F" Commercial & "J" Parking Districts S: "F" Commercial District E: "A" Residential District W: "G-2" Wholesale District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for "Suburban commercial" land use. N. East Street is designated as a principal arterial.

DESCRIPTION:

This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition would run with the land and be binding upon the successor owners of the land. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

AGENCY RESPONSES

BWL:	See attached
Fire Marshal:	No comments
Forestry:	No Forestry concerns
Parks & Recreation:	No comments.
Public Service:	Any significant changes to the site may require a site plan for review. Any significant changes to the sanitary flow from the site, either in content and quantity will need to be reviewed by this department.

COMPATIBILITY WITH SURROUNDING LAND USE:

The applicant is requesting a rezoning of the subject property to the "G-2" Wholesale District to allow for a medical marijuana safety compliance (testing) facility. Under the City's marijuana ordinance, safety compliance faculties are permitted only in the "G-2" Wholesale, "H" Light and "I" Heavy Industrial zoning districts. As evidenced by the attached map, the subject property is located in an area that has no consistent zoning or land use patterns. The site is surrounded by "A" residential zoning to the east, "F" Commercial zoning to the north and south and "G-2" Wholesale zoning to the west. Since the property to the west is already zoned 'G-2", rezoning the subject property to the "G-2"district would not be considered a "spot zone", even though the sites are located on opposite sides of the street. In fact, the majority of the properties in the 3400 and 3500 blocks of the west side of N. East Street are currently zoned "G-2" Wholesale and thus, the proposed rezoning will be consistent with the general zoning pattern in the area.

The land uses in the area include offices, single family residential homes, various retail uses, vehicles sales/rentals, repair shops and storage facilities. Given the eclectic mix of existing land uses, it is not anticipated that the proposed medical marijuana safety compliance facility will be incompatible or disruptive to the surrounding area. Medical marijuana safety compliance facilities typically do not generate much traffic, noise, odors or other nuisances and do not involve hazardous materials that would be detrimental to the health, safety and welfare of the community. Such uses are generally in operation during normal business hours only, traffic is limited to employees or small delivery trucks and all activities are confined to the building with controls in place to prevent odors/fumes from emanating outside of the building.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for "Suburban Commercial" land use. The Plan specifies the following for this land use classification:

> "To allow for general retail and commercial use, including large footprint and automobile-oriented uses, in a suburban development format that also encourages a mix of uses and accommodates pedestrians, cyclists and transit users."

The Plan lists the following as "typical uses" for the "Suburban Commercial" land use category:

> "General and convenience retail uses; medium-density residential in a suburban format (see Medium-Density Residential, above); office; **and light industrial with special approval.**

The proposed safety compliance facility would qualify as a "light industrial" use and is therefore, consistent with the future land use being advanced in the master plan for the subject property. It is also consistent with some of the existing light industrial uses in the area such as storage facilities and repair shops.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no negative impacts on vehicular or pedestrian traffic. Safety compliance facilities typically generate a very low volume of traffic, particularly in comparison to most highway commercial uses such as gasoline stations, convenience stores, restaurants and other uses that would be permitted by right under the current "F" Commercial zoning. Traffic for testing facilities is generally limited to employees and small delivery trucks. Furthermore, since it is not a customer oriented business, it is not anticipated to generate any pedestrian traffic.

Primary access to the site will continue to be via N. East Street which is a principal arterial designed to carry a high volume of traffic. There is a secondary access to the site on Sanford Street but given the projected low volume of traffic for the safety compliance facility, additional traffic on the side street should be negligible.

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities. No changes are proposed for the site that would have an impact on public facilities.

ENVIRONMENTAL IMPACT:

The proposed rezoning will have no impacts on the physical environment as the site is already developed and no changes are proposed at this time. New construction would require administrative site plan review at which time the site would have to be brought into compliance with all City codes and ordinance including those regulating storm water management.

If the rezoning is approved, the applicant will be required to obtain a building permit to change the use of the building at 3440 N. East Street from an office to a medical marijuana safety compliance facility. As part of the building permit process, the applicant will be required to disclose the type of hazardous chemicals that will be used, the quantity of said chemicals that will be stored in the building, how the materials will be stored and by what method they will be disposed of. The building will then be inspected to ensure compliance with all codes relating to the use and storage of hazardous chemicals.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The applicant's request will not be disruptive to the development pattern in the area which is already characterized by a variety of land uses and zoning designations. The site is currently zoned "F" Commercial and the applicant is requesting that the site be rezoned to "G-2" Wholesale. The only significant differences between the 2 zoning districts is that the "G-2" Wholesale district permits, warehouses, storage and medical marijuana safety compliance facilities. The applicant's proposal to establish a medical marijuana safety compliance facility on the site is anticipated to be compatible with the adjoining residential land uses, particularly in comparison to many other uses that would be permitted by right under the current "F" Commercial zoning such as a fast food restaurant, gas station, car wash, or auto repair facility. Such uses would generate a high volume of traffic, activity beyond normal daytime business hours, light glare, noise, etc. that could be disruptive to the peaceful enjoyment of the adjoining houses to the east. The safety compliance facility, by contrast, will be quiet, generate very little traffic and all activity will be confined to the building. It is also not anticipated that the facility will generate fumes that can be detected outside of the building. If that were to occur, the City has an ordinance in place to take corrective action against the facility.

SUMMARY

This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition would run with the land and be binding upon the successor owners of the land. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing zoning and land use patterns in the area and with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATIONS

Pursuant to the findings described above, the following recommendation is offered for the Planning Board's consideration:

> Z-9-2019 be approved to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

Hometown People. Hometown Power.

BOARD OF WATER AND LIGHT MEMO

December 26, 2019

TO: City of Lansing – Planning Department, Susan Stachowiak

FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795

RE: Z-8-2017

BWL Electric: We have no comments or concerns.

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

- The proposed rezoning does not appear to impact existing BWL water facilities.
- Should the customer require changes to the water service to meet new zoning requirements, then the customer will be required to submit an application to the LBWL Utility Service Department at 517-702-6700. The customer will be required to enter a service agreement, meet LBWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/

Any questions about specific water service requirements may be directed to the LBWL Water Distribution Department; Jerrod Wade, via e-mail at: Jerrod.Wade@lbwl.com

BWL Water Operations: I have no comments or concerns. Randall Roost

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality
We have no Wellhead Protection concerns in this area.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

Jeff and Sheryl Landgraf

Z-9-2019 - Conditional Zoning for 3440 N. East Street, Lansing, MI 48906

Date: November 26, 2019

The undersigned, Jeff & Sheryl Landgraf, on behalf of FTZ Laboratories, LLC, being the owners of 3440 N. East Street, Lansing, MI 48906 and the applicants for the request (Z-9-2019) to rezone said property from "F" Commercial district to "G-2" Wholesale district, represents, offers, agrees and consents to a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land upon approval of Z-9-2019 by the Lansing City Council.

11-26-19

Jeff Landgraf date

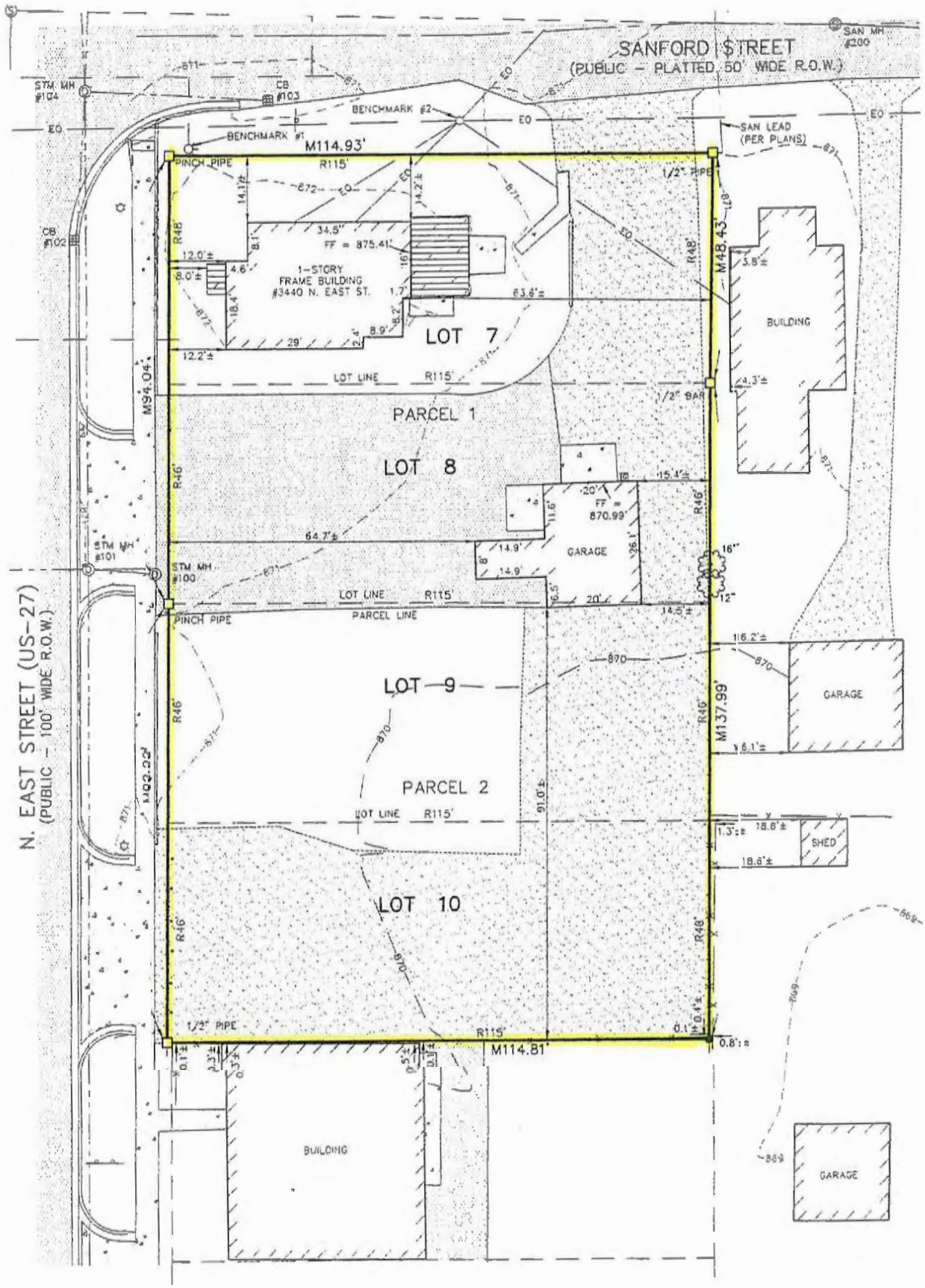
11-26-19

Sheryl Landgraf date

SARAH A. STOLTZFUS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires January 19, 2022
Acting in the County of Clinton

Notary public
Sign and seal

SARAH A. STOLTZFUS
01-19-2022
11-26-2019


SANFORD STREET
(PUBLIC - PLATTED 50' WIDE R.O.W.)
N. EAST STREET (US-27)
(PUBLIC - 100' WIDE R.O.W.)
SAN MH #200
STM MH #104
CB #103
CB #102
STM MH #101
STM MH #100
BENCHMARK #2
BENCHMARK #1
SAN LEAD (PER PLANS)
PINCH PIPE
1/2" PIPE
1/2" BAR
M114.93'
M48.43'
M94.04'
M137.99'
M114.81'
1-STORY FRAME BUILDING #3440 N. EAST ST.
FF = 875.41'
BUILDING
LOT 7
LOT 8
LOT 9
LOT 10
PARCEL 1
PARCEL 2
LOT LINE
PARCEL LINE
R115'
GARAGE
FF = 870.99'
SHED
BUILDING
GARAGE

DEAD END

North

E Sheridan Rd
3524
3520
710
0
724
732
0
3506
713
0
735
Sanford Ave
3440
0
0
3406
712
0
726
732
736
717
721
729
739
E Frederick Ave
3330
714
720
726
730
738
0
3523
3515
3511
0
3425
3412
3415
3408
3405
3404
N East St
3499
3399
Zoning District
A Residential-Single
B Residential-Single
C Residential-2 Unit
NONE
CUP Community Unit Plan
D-1 Professional Office
D-2 Residential/Office
DM-1 Residential-Multiple
DM-2 Residential-Multiple
DM-3 Residential-Multiple
DM-4 Residential-Multiple
E-1 Apartment Shop
E-2 Local Shopping
F Commercial
F-1 Commercial
G-1 Business
G-2 Wholesale
H Light Industrial
I Heavy Industrial
J Parking
ROW Right of Way
North

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-9-2019
Parcel Number's:	33-01-01-03-102-002
Address:	3440 N. East Street
Legal Descriptions:	Lots 7 & 8, Woodlawn Subdivision, City of Lansing, Ingham County, MI, from "F" Commercial District to "G-2" Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2020, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-9-2019, 3440 N. East Street
Rezoning from "F" Commercial District to "G-2" Wholesale District

The Lansing City Council will hold a public hearing on March 16, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-9-2019. This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District, with a condition restricting the allowable uses. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be continued to be held on Monday, April 27, 2020 at 7:00 p.m. during the regularly schedule City Council Meeting, via ZOOM Conferencing, Meeting ID 211 422 506, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new Section 884.13 for the purposes of providing for an extension of a service charge in lieu of taxes for ninety-eight (98) low income elderly dwelling units in a project known as the porter senior apartments, pursuant to the provisions of The State Housing Development Authority Act of 1966, As Amended.

With Executive Order 2020-4, Governor Whitmer declared a statewide State of Emergency due to the spread of the novel coronavirus (COVID-19). To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the public hearing will be conducted via audio/video conference.

The public hearing will be electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Michigan Executive Order 2020-15 provides temporary authorization of remote participation in public meetings and hearings. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website https://zoom.us/j/211422506 (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling 646-876-9923 and entering Meeting ID: 211 422 506.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 884.___ FOR THE PURPOSES OF PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR NINETY-EIGHT (98) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE PORTER SENIOR APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 884 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW SECTION 884.___ TO READ AS FOLLOWS:

884.___ THE PORTER SENIOR APARTMENTS

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

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

(B) *DEFINITIONS.*

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

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

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

(4) "*ELDERLY PERSON(S)*" MEANS (i) A SINGLE PERSON WHO IS 55 YEARS OF AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55 YEARS OF AGE OR OLDER OR (ii) A PERSON WITH DISABILITIES, A DISABLED FAMILY, OR DISPLACED FAMILY ALL AS DEFINED IN 24 CFR 5.403.

(5) "*HOUSING DEVELOPMENT " OR " DEVELOPMENT*" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS THE PORTER SENIOR APARTMENTS, AND CONSISTS OF NINETY-EIGHT (98) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT PART OF LOTS 8, 9, 10, 11 & 12 COM NW COR BLOCK 148, E 122 FT, S 90 FT, SW 7.1 FT, S 72 FT, E 4 FT, S 163 FT, W 121 FT, N 330 FT TO BEG, ALSO E 36 FT OF W 99 FT LOT 7 BLOCK 148 ORIG PLAT, COMMONLY KNOWN AS 505 TOWNSEND STREET, LANSING (PARCEL ID: 33-01-01-16-380-073).

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

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

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

(9) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY OR A LOAN INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE

FINANCING OF THE PURCHASE OR REHABILITATION OF THE HOUSING DEVELOPMENT.

(9) "PREVAILING WAGE" MEANS THE WAGES AND FRINGE BENEFITS RECEIVED BY MECHANICS AND LABORERS THAT ARE AT LEAST THE PREVAILING WAGES AND FRINGE BENEFITS FOR CORRESPONDING CLASSES OF MECHANICS AND LABORERS, AS DETERMINED BY STATISTICS COMPILED BY THE UNITED STATES DEPARTMENT OF LABOR AND RELATED TO THE GREATER LANSING AREA, AND THAT ARE TO BE DESCRIBED AND POSTED UNDER SECTIONS 206.18 AND 206.19 OF THESE CODIFIED ORDINANCES FOR CITY CONTRACTS.

(10) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE PORTER SENIOR APARTMENTS IS GL HOLDINGS, LLC, OR ITS SUCCESSORS OR ASSIGNS.

(11) "*UTILITIES*" MEANS FUEL, WATER, HEAT, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT, AS DEFINED IN THE ACT.

(12) OTHER TERMS. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE SAME MEANING GIVEN IN THE ACT.

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

(1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE PORTER SENIOR

APARTMENTS IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE NINETY-EIGHT (98) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS SECTION, AND PROVIDED THAT PREVAILING WAGE IS PAID FOR ALL WORK PERFORMED AT THE HOUSING DEVELOPMENT AFTER THE ENACTMENT OF THIS SECTION.

(2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND THE ACT, THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS THE PORTER SENIOR APARTMENTS AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR FORTY (40) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021.

(3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FIVE PERCENT (5%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND THE ANNUAL AMOUNT OF UTILITIES PAID DURING THE SAME PERIOD.

(4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL RESCIND AND REPLACE ANY PRIOR EXEMPTIONS AND SHALL COMMENCE EFFECTIVE AS OF JANUARY 1, 2021 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1)

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

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

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

B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO ELDERLY PERSONS OF LOW 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 MATERIAL FORM, WITH THE EXCEPTION OF LIKE

KIND REPLACEMENTS OR REPAIRS NEEDED IN THE ORDINARY COURSE OF BUSINESS, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION; AND

D. IF REQUESTED BY THE CITY, PROOF, IN THE MANNER CONSISTENT WITH SECTION 206.18(A) OF THESE CODIFIED ORDINANCES, THAT ALL WORK IS CONTRACTED, AGREED OR ARRANGED TO BE PERFORMED OR IS DONE AT THE HOUSING DEVELOPMENT AT PREVAILING WAGE.

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

(E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE GENERAL PROPERTY TAX IN THE PREVIOUS YEAR, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION

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

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

(G) *COMMENCEMENT AND DURATION.* THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT ACKNOWLEDGED BY THIS AGREEMENT SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, BUT NOT TO EXCEED FORTY (40) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME ELDERLY PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM OR AS DETERMINED BY THE HAP CONTRACT, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE

NINETY-EIGHT (98) UNITS OF HOUSING WITHIN THE DEVELOPMENT TO SOMETHING OTHER THAN PROVIDING HOUSING FOR ELDERLY RESIDENTS OF LOW OR MODERATE INCOME 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. IF THE PREVAILING WAGE IS NOT PAID FOR ALL WORK PERFORMED AT CONSTRUCTION OF THE HOUSING DEVELOPMENT AFTER ENACTMENT OF THIS SECTION AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION AFTER NOTICE IS GIVEN AS PROVIDED IN THE MANNER CONSISTENT WITH THE METHOD CONTAINED IN THESE CODIFIED ORDINANCES, THEN, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT. IF THE CONSTRUCTION OF THE HOUSING DEVELOPMENT DOES NOT COMMENCE WITHIN 2 YEARS FROM THE EFFECTIVE DATE OF THIS SECTION, 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 the Porter Senior Apartments, as contemplated herein.

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

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, March 16, 2020 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 the Code of Ordinances of the City of Lansing by adding a new Section 884.13 for the purposes of providing for an extension of a service charge in lieu of taxes for ninety-eight (98) low income elderly dwelling units in a project known as the porter senior apartments, pursuant to the provisions of The State Housing Development Authority Act of 1966, As Amended.

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

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

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DRAFT

XIII B 1 a

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

WHEREAS, the Mayor made the reappointment as stated below:

Historic District Commission:
Cassandra L. Nelson as an At-Large Member for a term to expire June 30, 2022; and

WHEREAS, the Mayor's office has verified that the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment as stated below:

Historic District Commission:
Cassandra L. Nelson as an At-Large Member for a term to expire June 30, 2022; and

DRAFT

XIII B 1b

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

WHEREAS, the Ingham County Board of Commissioners made the reappointment Monica Jahner as the Community Alternative Program to the Ingham County/City of Lansing Community Corrections Advisory Board for a term to expire of September 17, 2020;

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

BE IT RESOLVED, that the Lansing City Council hereby affirms the reappointment of Monica Jahner as the Community Alternative Program Representative to the Ingham County/City of Lansing Community Corrections Advisory Board for a term to expire of Sept 17, 2020

DRAFT

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

WHEREAS, the Mayor made the appointment of Mike Dombrowski 213 N. Hayford Ave. Lansing, MI 48912 as a First Ward Member of the Park Board for a term to expire June 30, 2021; and

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

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment Mike Dombrowski 213 N. Hayford Ave. Lansing, MI 48912 as a First Ward Member of the Park Board for a term to expire June 30, 2021.

DRAFT

XIII B 1d

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

WHEREAS, the Mayor made the appointment of Kimberly Whitfield, 435 McPherson Ave. Lansing, MI 48915 as a Fourth Ward Member of the Park Board for a term to expire June 30, 2024; and

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

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Kimberly Whitfield, 435 McPherson Ave. Lansing, MI 48915 as a Fourth Ward Member of the Park Board for a term to expire June 30, 2024.

BY COUNCIL MEMBER BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD
RESOLBED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, on April 27, 2020 the AFL-CIO America's Unions will adopt a resolution declaring Workers Memorial Day to be celebrated April 28, 2020 in perpetuity; and

WHEREAS, Workers Memorial Day will be an observance to remember workers killed or injured on the job and to renew the fight for strong safety and health protections; and

WHEREAS, the labor movement has trained, educated and equipped their members with the tools they need to be safe on the job for decades, and

WHEREAS, Unions and their allies have fought hard in winning protections that have made jobs safer and saved lives with new rules to protect workers and stronger anti-retaliation protections for workers who report job injuries; and

WHEREAS, in 2019 unions and their members helped pass the Workplace Violence Protection for Health Care and Social Service Workers Act as they fought and won for emergency training grants to train frontline workers; and

WHEREAS, the Workers Memorial Day theme is "Protect Our Rights. Speak Up for Safe Jobs." Every worker has the right to a safe workplace and able to speak up against unsafe working conditions; and

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council does hereby proclaim April 28, 2020 as Workers Memorial Day in the City of Lansing, and encourages City of Lansing residents to become educated and informed about programs, services, and opportunities to support a safe work environment.

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

WHEREAS, on April 27, 2020 the House of Representatives will adopt a resolution declaring May, 2020 as Prisoner Family Month in perpetuity; and

WHEREAS, families of prisoners deserve to have the necessary information to advocate and stay connected with loved ones who are inside the prison system, allowing them to be more supportive upon their return home; and

WHEREAS, parental incarceration may increase a child's risk of living in poverty, elevate the risk for school problems, mental health diagnosis, family disconnection, drug and alcohol abuse, delinquent behavior, continuing a social and economic disadvantage; and

WHEREAS, African American and Latino children are among the highest at risk of having a parent incarcerated. These children also have a higher chance of being placed in foster care when a mother is incarcerated; and

WHEREAS, in research that was done in 2017, it was determined that children whose parents were incarcerated are at a higher risk for increased antisocial behaviors and psychological problems; and

WHEREAS, it is necessary for the input of impacted families and communities to inform and partner on viable and equitable solutions, prevent entanglement in the justice system, improve prison conditions, promote successful reentry, and stop the revolving door to prison; and

WHEREAS, for families to have proper access to the services and resources needed to keep their loved ones safe and at home; that civil and human rights of those who are incarcerated are respected and upheld; that the prisons, jails and community-based programs foster learning and growth by facilitating opportunities for education and employment; and that families have opportunities to participate in decision-making that directly impacts them; and.

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council does hereby proclaim May, 2020 as Prisoner Family Month in the City of Lansing.

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

WHEREAS, every April, the Office of Victims of Crime (OVC) helps lead communities throughout the country in their annual observances of National Crime Victims' Rights Week (NCVRW) by promoting victims' rights and remembering crime victims and those who advocate on their behalf. This year's NCVRW is held from April 19th-25th. This year's theme –Seek Justice. Ensures Victim's. Inspire Hope. This theme helps to raise awareness about crime victims' issues and rights and introduce the community to the important resources and services available. This matters to Lansing because, according to the most recent National Crime Victimization Survey from the Bureau of Justice Statistics, about 3.3 million Americans age 12 or older were victims of violent crime; and

WHEREAS, victimization and its aftermath may be one of the most difficult periods in a person's life—and victims' families, friends, and communities often face their own challenges as well. Loved ones may struggle to understand what kind of support victims need, or even how to talk to them about what happened. Service professionals may be uncertain how their roles intersect with victims' own sense of what justice looks like for them. Each crime victim's healing process will be different, but one step everyone can take is to learn what rights crime victims have. These rights will be best protected when all participants in the criminal justice process—and not only victims—are appropriately educated about victims' rights; and

WHEREAS, recovering from crime is a complex and deeply personal process for victims, but you can help ensure they have the support they need—and inspire them to hope for future progress and healing—by making education about victims' rights a priority for yourself and your community.

WHEREAS, victims who feel understood and supported are more likely to disclose their victimization, seek services and participate in the justice process. A multidisciplinary response, involving collaboration among victim service professionals, criminal justice officials, legal professional, medical and mental health providers, and community leaders is essential to reach and serve all victims—especially those who are marginalized, have disabilities, or live in remote locations; and

WHEREAS, strengthening the multidisciplinary response—bring diverse skills, perspectives, and understandings together in the service of victims—also serves to build the resilience of those responders, by strengthening the confidence in their roles, abilities, and sense of contribution; and

WHEREAS, the Victims of Crime Act has supported efforts for victims of once-hidden crimes such as domestic and sexual violence. Outreach is increasingly focused on previously underserved victim populations, including victims of color, religious and ethnic minorities, LGBTQ victims, and immigrant populations to name a few. Efforts are

being made to ensure that all victims, regardless of their background or the crime committed against them, receive the support they deserve.

NOW, THEREFORE, BE IT RESOLVED THAT, the Lansing City Council appreciates the unwavering commitment and tireless dedication to victims of crime throughout the Nation and especially in the Lansing community. If victims are to trust that the system will work for them, we must meet them where they are—physically, culturally, and emotionally. By serving victims, building trust, and restoring hope, the field can more effectively help victims as they rebuild their lives. While crime victims have legally protected rights, many different groups face significant barriers not only in accessing the resources they need and deserve, but also in reaching out and we must help bridge that gap. We must engage the entire community and maximize and leverage existing resources to better serve all victims of crime and provide the necessary support through their journey of today and tomorrow.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT

DRAFT

XIII C 2 a

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

WHEREAS, the City Council of the City Lansing previously approved the sale of the former Red Cedar Golf Course containing approximately 32.29 acres of land, to Continental/Ferguson Lansing, LLC (the "Developer") pursuant to the Amended and Restated Real Estate Purchase Agreement (the "Agreement"), in Resolution 2018-204, passed on July 23, 2018, and subsequent substantive amendments to the Agreement were also approved by City Council in Resolution 2019-111, passed on April 22, 2019; and

WHEREAS, the sale of the Red Cedar Golf Course closed, pursuant to the terms of the approved Agreement as amended, on October 4, 2019; and

WHEREAS, in light of economic changes as well as subsequent discussions between the Developer, the City, and the Michigan Economic Development Corporation a certain Eleventh Amendment to the Agreement has been proposed that contains substantive changes to the duties and obligations of both parties, including: the elimination of an Integrated Parking Structure with significant savings to both public and private infrastructure costs, as well as a reduction in total number of student housing capacity on the project site; and

WHEREAS, the Eleventh Amendment to the Amended and Restated Real Estate Purchase And Development Agreement is attached to this Resolution; and

WHEREAS, the terms of the Agreement require the consideration and approval of the City Council of the City of Lansing, even though the sale of City land has already closed.

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves the Eleventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement for the Red Cedar Property.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the amendment, subject to prior approval as to content and form by the City Attorney.

DRAFT

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

WHEREAS, the City of Lansing Department of Public Service will be partnering with McLaren Greater Lansing and the Lansing Board of Water & Light to construct underground utility improvements in the Forest Road right-of-way; and

WHEREAS, these utility improvements, including new potable watermain and new sanitary sewer, are necessary to support and serve the forthcoming, new McLaren Greater Lansing Hospital Development; and

WHEREAS, this sanitary sewer work is atypically deep (i.e., an average of approximately 18 feet deep) resulting in complete removal of the roadway and the full closure to vehicular traffic of this City major street, Forest Road; and

WHEREAS, in accordance with the construction contract, the contractor, E.T. MacKenzie Company, is required to complete a large amount of work in a short timeframe prior to the mid-September completion date; and

WHEREAS, for the period May 12, 2020, through September 19, 2020, E.T. MacKenzie Company has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 4:00 PM; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, May 11, 2020, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for granting a waiver of the noise ordinance on Saturdays from 8:00 AM to 4:00 PM for the period May 12, 2020, through September 19, 2020.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the May 11, 2020 meeting agenda. Michigan Executive Order 2020-48 provides for temporary authorization of remote participation in public meetings and hearings.

DRAFT

XIII C 2 c

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

WHEREAS, during the COVID-19 crisis the Lansing Police Department and Lansing Fire Department have continued responding to emergencies for Lansing residents every day; and

WHEREAS, the George F. Eyde Company recognizes this dedication and coordinated donations from area restaurants in the amount of $1,000; and

WHEREAS, the George F. Eyde Company requests for those donations to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments to show their gratitude for the work of first responders; and

WHEREAS, the City Charter requires such donations to be accepted by the Lansing City Council and the contribution appropriated;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the $1,000 donation to the City of Lansing to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments and thanks the George F. Eyde Company for their donation to Lansing; and

BE IT FINALLY RESOLVED that the Administration is authorized to create appropriation accounts and to make the necessary operating transfers for control of the expenditures in connection with the donation.

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INTRODUCTION OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to: amend Section 260.05 of the Lansing Codified Ordinances to allow for the Lansing Housing Commission to own and transact real property in its own name, and remove certain approvals by the city as to selection and compensation of officers and employees of the commission; and amend section 260.07 of the Lansing Codified Ordinances to clarify insurance requirements, and remove certain approvals by the City related to the Commission's annual audit.

The Ordinance is referred to the Committee of the Whole

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 11, 2020 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering an Ordinance of the City of Lansing, Michigan, to: amend Section 260.05 of the Lansing Codified Ordinances to allow for the Lansing Housing Commission to own and transact real property in its own name, and remove certain approvals by the city as to selection and compensation of officers and employees of the commission; and amend section 260.07 of the Lansing Codified Ordinances to clarify insurance requirements, and remove certain approvals by the City related to the Commission's annual audit.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the May 11, 2020 meeting agenda. Michigan Executive Order 2020-48 provides for temporary authorization of remote participation in public meetings and hearings.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO: AMEND SECTION 260.05 OF THE LANSING CODIFIED ORDINANCES TO ALLOW FOR THE LANSING HOUSING COMMISSION TO OWN AND TRANSACT REAL PROPERTY IN ITS OWN NAME, AND REMOVE CERTAIN APPROVALS BY THE CITY AS TO SELECTION AND COMPENSATION OF OFFICERS AND EMPLOYEES OF THE COMMISSION; AND AMEND SECTION 260.07 OF THE LANSING CODIFIED ORDINANCES TO CLARIFY INSURANCE REQUIREMENTS, AND REMOVE CERTAIN APPROVALS BY THE CITY RELATED TO THE COMMISSION'S ANNUAL AUDIT.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 260.05 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

260.05 – Deeds; contracts; leases; purchases

(a) The compensation of all officers and employees of the Housing Commission shall be fixed by the Commission ~~with the approval of the Mayor~~.

(b) All deeds, contracts, leases, or purchases entered into by the Commission shall be in the name of the ~~City~~ COMMISSION OR THE COMMISSION'S DESIGNEE ~~and shall be approved by Council before they have any force or effect. However, contracts for the purchase of necessary materials, leases with tenants and options need not be so approved~~. REAL PROPERTY PREVIOUSLY HELD IN THE NAME OF THE CITY PURSUANT TO THIS ORDINANCE SHALL BE TRANSFERRED AND

CONVEYED BY APPROPRIATE INSTRUMENT INTO THE NAME OF THE COMMISSION TO BE OWNED AND OPERATED BY THE COMMISSION.

~~(c) Employees of the Commission shall be selected and paid by such method as Council may prescribe by resolution.~~

Section 2. That section 260.07 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

260.07 – Responsibilities re special assessments, insurance, payment in lieu of taxes; audits.

(a) The Housing Commission shall be responsible for the payment of all special assessments which are authorized by these Codified Ordinances. This subsection shall be applicable to all special assessments which are accrued but unpaid on the date of adoption of this section (Ordinance 774, passed February 29, 1988).

(b) The Commission shall maintain adequate insurance, as determined by the City, on its buildings and property, and shall maintain adequate liability insurance, as determined by the City. The City shall be named AS AN ADDITIONAL INSURED on the Commission's LIABILITY insurance policies, AND ANY BUILDING AND PROPERTY INSURANCE POLICIES FOR BUILDINGS AND PROPERTY IN WHICH THE CITY HAS AN INTEREST.~~, as an additional insured, and the~~THE Commission shall furnish the insurance policies to the City Clerk. The insurance policies shall provide that the City Clerk shall receive notice at least 30 days prior to the date of cancellation, termination, expiration or any material modification of such insurance policies.

(c) The Commission shall make its payment in lieu of taxes to the City Controller not later than September 1 and February 1 of each year. Failure to make such payment in lieu of

taxes on time, as set forth in this subsection, shall obligate the Commission to pay, in addition to its payment in lieu of taxes, an interest charge as determined by Council resolution.

(d) The books and records of the Commission shall be open to inspection and audit by the City at all reasonable times. The Commission shall have an annual audit made of its financial transactions by an independent certified public accountant, which audit shall be submitted to the City Clerk's office not later than ~~October 1 of each year~~NINETY (90) DAYS AFTER THE END OF THE COMMISSION'S FISCAL YEAR and which audit shall be open to public inspection at all reasonable times. The cost of such audit shall be borne by the Commission~~, but Council shall be responsible for the selection of the independent certified public accountant~~.

Section 3. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

Section 4. 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 5. This ordinance shall take effect 30 days following adoption, unless given immediate effect by City Council, and pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2028.

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XV A.1.a

Chris Swope
Lansing City Clerk

April 24, 2020

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	February 11, 2020

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, MMC/MiPMC
Lansing City Clerk

BY THE COMMITTEE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION NO: _____

WHEREAS, during the COVID-19 crisis the Lansing Police Department and Lansing Fire Department have continued responding to emergencies for Lansing residents every day; and

WHEREAS, the George F. Eyde Company recognizes this dedication and coordinated donations from area restaurants in the amount of $1,000; and

WHEREAS, the George F. Eyde Company requests for those donations to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments to show their gratitude for the work of first responders; and

WHEREAS, the City Charter requires such donations to be accepted by the Lansing City Council and the contribution appropriated;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the $1,000 donation to the City of Lansing to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments and thanks the George F. Eyde Company for their donation to Lansing; and

BE IT FINALLY RESOLVED that the Administration is authorized to create appropriation accounts and to make the necessary operating transfers for control of the expenditures in connection with the donation.

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

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

RESOLUTION AUTHORIZING ISSUANCE OF NOTES IN ANTICIPATION OF OPERATING TAXES

WHEREAS, the City of Lansing (the "City"), a municipal corporation of the State, has been duly created under the provisions of the Home Rule City Act, Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"), pursuant to which the City has the comprehensive home rule power conferred upon it by Act 279 and the Constitution of the State of Michigan (the "Constitution"), subject only to the limitations on the exercise of that power contained in the Constitution, by statute of the State of Michigan (the "State"), or by provisions of the Charter;

WHEREAS, the City determines that it is in the City's best interest to borrow an amount for each series of notes not to exceed that set forth in paragraph 6 of Exhibit A and to issue its Tax Anticipation Notes (the "Notes") payable from the City's ad valorem real and personal property taxes to be received by it, including delinquent taxes receivable by the City from the Ingham County delinquent tax revolving fund and from the Eaton County delinquent tax revolving fund (collectively the "Operating Taxes"), in order to pay for certain operating expenditures;

WHEREAS, the Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), provides that the City may borrow money to pay for operating expenditures (as defined in Act 34) and issue its notes therefor: (i) in its current fiscal year ending June 30, 2020, in anticipation of the collection of Operating Taxes for the next succeeding fiscal year beginning July 1, 2020; (ii) in its fiscal year ending June 30, 2021, in anticipation of the collection of Operating Taxes to be collected in its fiscal year ending June 30, 2021; and/or (iii) in its fiscal year ending June 30, 2021, in anticipation of the collection of Operating Taxes for the next succeeding fiscal year beginning July 1, 2021, and pledge for the payment of principal of and interest on such Notes its Operating Taxes, which Notes shall be full faith and credit obligations of the City;

WHEREAS, Act 34 authorizes the City's borrowing of money in anticipation of the collection of the Operating Taxes for the above-described purposes in a principal amount not to exceed 50% of the operating tax levy for the then current fiscal year, or if the operating tax levy for the next succeeding fiscal year is determined, then 50% of the levy for such next succeeding fiscal year;

WHEREAS, if the Notes are issued to pay operating expenses of the City, the principal amount of the Notes shall not exceed 75% of the amount of the Operating Taxes as provided for in the budget of the current fiscal year and that remain to be collected at

the time this Resolution is passed. If this Resolution is passed before the day upon which taxes for the year become due and payable, the principal amount of the municipal security shall not exceed 50% of the tax levy made for debt service or operating expenditures, respectively, for the preceding fiscal year.

WHEREAS, the Operating Taxes will be due and payable as described in paragraph 1 of attached Exhibit A, the operating tax levy for the current fiscal year is set forth in paragraph 2a of Exhibit A and the estimated amount of the operating tax levies for the next two succeeding fiscal years are set forth in paragraphs 2b and 2c of Exhibit A;

WHEREAS, the currently outstanding aggregate principal amount of notes which the City has previously issued in anticipation of the collection of the Operating Taxes for the next succeeding fiscal years, if any, are set forth in paragraphs 3 and 4 of Exhibit A;

WHEREAS, the City may need to borrow, in one or more series of Notes, an amount not to exceed that set forth in paragraph 6 of Exhibit A for each series of Notes to pay operating expenditures for fiscal years ending June 30, 2020, June 30, 2021, and June 30, 2022 the total amount for each series of Notes may not be more than 50% of the operating tax levy for its then current fiscal year, or if the operating tax levy for the next succeeding fiscal year is determined, 50% of the levy for such next succeeding fiscal year;

WHEREAS, Act 34 permits the City to authorize an Authorized Officer (defined below) to sell and deliver and receive payment for obligations, and to make certain determinations concerning the terms of the Notes and the procedures necessary to complete the transactions authorized;

WHEREAS, the City Council of the City of Lansing (the "Council") wishes to authorize the determination of the method of sale of the Notes, which sale will be by either (a) negotiated sale to one or more underwriters, (b) competitive sale, or (c) private placement with a designated purchaser including, but not limited to, the Michigan Finance Authority (the "Authority");

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

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

WHEREAS, if the Notes are sold pursuant to a private placement, the City expects to receive a commitment letter or other offer to purchase (collectively, the "Commitment") from a bank, underwriter, other financial institution, or the Authority (the "Purchaser") setting forth the terms upon which the Purchaser will either: (i) purchase Notes directly from the City; or (ii) purchase from the Authority a tax anticipation note or notes (the "Authority Notes"), pursuant to a conduit financing whereby the City will issue its Notes to the Authority as security for the Authority Notes issued to the Purchaser;

WHEREAS, the Notes may be issued as federally taxable or tax-exempt notes pursuant to the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), in reliance on the advice of the City's Municipal Advisor and the City's Bond Counsel, each as appointed and defined below; and

WHEREAS, the City must obtain prior approval for the issuance of the Notes from the Michigan Department of Treasury ("Treasury") pursuant to Act 34 and obtain any and all necessary waivers and/or exemptions.

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

ARTICLE I
PROVISIONS RELATED TO THE SALE OF THE NOTES

Section 101. Subject to any express parameters contained in this Resolution, the City hereby authorizes the Mayor, the City Clerk, and the Chief Strategy and Financial Officer (serving as the Finance Director) of the City (each an "Authorized Officer"), or any one of such Authorized Officers, to negotiate, approve and accept the terms of the Commitment.

Section 102. Pursuant to Act 34, the City may borrow, in one or more series of Notes, for the above-described purposes an amount not to exceed the principal amount set forth in paragraph 6 of Exhibit A for each series of Notes or such portion thereof as Treasury may approve if prior approval is necessary, with the final amount of each of the Notes to be determined by an Authorized Officer prior to the sale of the Notes, and shall issue its Notes therefor in anticipation of the collection of the Operating Taxes.

Section 103. The Notes may be structured so that the aggregate purchase price of the Notes is received on their date of delivery, or they may be structured as drawdown Notes such that interest accrues only on the portion of the proceeds drawn and received by the City. The aggregate principal amount of each series of Notes shall not exceed that set forth in paragraph 6 of Exhibit A, shall bear interest on the amount currently outstanding at the fixed or variable rate or rates as determined upon sale of the Notes or as set forth in the Commitment, but not to exceed the maximum rate permitted by law, shall be dated the date of delivery, and shall be due and payable on a date as mutually agreed by the City, the Purchaser and/or the Authority in the Commitment or as

determined by an Authorized Officer at the time of sale of the Notes (the "Maturity Date"). The Notes shall be payable in lawful money of the United States of America at a bank or trust company in the State qualified to act as paying agent as shall be designated by the Purchaser and/or the Authority or as designated by an Authorized Officer. The Notes shall be in the denomination of $1,000 or multiples or combinations thereof, or $5,000 or multiples or combinations thereof. The Notes shall be subject to redemption as determined by an Authorized Officer. The Notes shall be designated as the City's "Tax Anticipation Notes," followed by a series designation containing the year of issuance and an appropriate letter, as determined by an Authorized Officer or her or his designee, who may vary the foregoing designations as may be necessary or appropriate.

Section 104. As applicable, the City hereby irrevocably covenants and pledges to levy its ad valorem real and personal property taxes in its next succeeding fiscal year beginning July 1, 2020 after issuance of the Notes so that the Operating Taxes will be in an amount not less than the amount set forth in paragraphs 2b of Exhibit A, and hereby appropriates a sufficient amount of the Operating Taxes to repay the principal of and interest on the Notes. From the first collections of the Operating Taxes, there shall be set aside, in a special account to be used for the payment of principal of and interest on the Notes, a portion of each dollar collected that is not less than 125% of the percentage that the principal amount of the Notes bears to the amount of the Operating Taxes until the amount set aside is sufficient for such payment.

Section 105. The City hereby irrevocably covenants to levy, and pledges for the payment of the Notes, ad valorem real and personal property taxes in each fiscal year while the Notes are Outstanding so that the Operating Taxes will be sufficient to pay, when due, the principal of and interest on the Notes. The City hereby appropriates a sufficient amount of the Operating Taxes to pay, when due, the principal of and interest on the Notes. Furthermore, the City hereby covenants to comply with the set-aide requirements of Act 34. Accordingly, to the extent that the City has issued Notes in anticipation of Operating Taxes to be collected in a respective fiscal year, the City shall set aside, in a special account to be used for the payment of principal of and interest on the Notes, a portion of each dollar collected in that fiscal year that is not less than 125% of the percentage that the principal amount of the Notes bears to the amount of the Operating Taxes for such respective fiscal year until the amount set aside is sufficient for such payment.

Section 106. The full faith and credit of the City is hereby irrevocably pledged for payment of principal of and interest on the Notes and in case of the insufficiency of the Operating Taxes, the City shall pay the Notes from any funds legally available therefor. The foregoing full faith and credit pledge is subject to any applicable constitution, statutory, and charter limitations. The City reserves the right to issue additional notes of equal standing as to the pledge of Operating Taxes, subject to the limitations provided by law, and, if applicable, by a purchase contract between the Authority and the City with respect to the Notes (the "Purchase Contract") and by the Commitment. The City also hereby irrevocably pledges all funds payable to it from the Ingham County

Treasurer and the Eaton County Treasurer from such County's delinquent tax revolving fund created pursuant to the General Property Tax Act, being Act 206, Public Acts of Michigan, 1893, as amended (the "Delinquent Taxes"), which shall be transferred immediately upon receipt by the City in the event of the insufficiency of non-homestead property taxes to pay the principal of and interest on the Notes and the expenses of the Purchaser related thereto.

Section 107. Moneys to pay the principal of and interest on the Notes when due shall be set aside in a separate account in installments (the "Installment" or "Installments") on such payment dates (the "Payment Date" or "Payment Dates"), if any, as determined by an Authorized Officer.

Section 108. The Notes shall be executed in the name of the City by the Mayor and City Clerk, and the seal of the City shall be impressed or imprinted on the Notes. After the Notes have been executed and authenticated the Notes shall be delivered to the Purchaser or the Authority, as applicable, upon the receipt of the purchase price therefor.

Section 109. Any Authorized Officer or his/her designee is authorized to select a method of sale of the Notes pursuant to a competitive or negotiated sale, or a direct placement with a designated purchaser, as shall be determined to be in the best interest of the City and not in conflict with the limitations set forth in this Resolution. An Authorized Officer or her or his designee is hereby authorized to approve the specific interest rate to be borne by the Notes (but not exceeding the maximum rate permitted by law), the purchase price of the Notes (but not less than the price set forth in paragraph 7 of Exhibit A), a guaranteed investment agreement or other permitted investment, if applicable, in accordance with State law for funds paid to the depository of the Installments, direct deposits(s) of Operating Taxes, if required by the Purchaser, and other terms and conditions relating to the Notes and the sale thereof. Subject to any express parameters contained in this Resolution, an Authorized Officer or her or his designee is hereby further authorized to: (i) approve and execute any agreements or documents creating and granting a lien on the pledged Operating Taxes and the pledged Delinquent Taxes as security for the payment of the principal of and interest on the Notes and otherwise specifying the relative priorities (such as parity, senior or subordinate) of any liens or security interests authorized by this Resolution with respect to the Notes; and (ii) negotiate, approve and execute any additional agreements, instruments or other documents which are deemed necessary by the Authorized Officer, in order to satisfy any terms and conditions set forth by the Purchaser.

ARTICLE II
PROVISIONS RELATED TO THE SALE OF THE NOTES TO THE AUTHORITY

Section 201. If the Notes are sold to the Authority the following provisions shall apply:

A. Each Authorized Officer or her or his designee is hereby authorized and directed to negotiate, execute and deliver a Purchase Contract with the Authority to provide the terms and conditions for the Authority's purchase of the Notes from the City.

B. Each Authorized Officer or her or his designee is hereby authorized to approve the specific interest rate to be borne by the Notes (but not exceeding the maximum rate permitted by law), the purchase price of the Notes (but not less than the price set forth in paragraph 7 of Exhibit A), a guaranteed investment agreement or other permitted investment in accordance with State law for funds paid to the depository of the Installments, direct payment(s) of Operating Taxes, if required by the Authority, and other terms and conditions relating to the Notes and the sale thereof.

C. The form of the Notes may (if required by the Authority) contain the following paragraph:

> To the extent permitted by law, the principal of and interest on this Note which remains unpaid after the Maturity Date shall bear interest until paid at an interest rate per annum (based upon a 360-day year comprised of twelve 30-day months or such other interest rate methodology as established by an Authorized Officer) equal to the Default Interest Rate as defined on Schedule I to the Purchase Contract.

D. Subject to any express parameters contained in this Resolution, each Authorized Officer or her or his designee is hereby authorized to approve and execute any agreements or documents creating and granting a lien on the pledged Operating Taxes as security for the payment of the principal of and interest on the Notes and otherwise specifying the relative priorities (such as parity, senior or subordinate) of any liens or security interests authorized by this Resolution with respect to the Notes.

E. Each Authorized Officer or her or his designee is hereby authorized to negotiate, approve and execute any additional agreements, instruments or other documents directly with the purchaser of the Authority Notes, which are deemed necessary by the Authorized Officer, in order to satisfy any terms and conditions set forth by the Authority and the Purchaser.

ARTICLE III
GENERAL MATTERS

Section 301. If the Notes are sold on a tax-exempt basis, the City covenants to comply with existing provisions of the Code that must be satisfied subsequent to the issuance of the Notes and/or Authority Notes, if applicable, in order that the interest on

the Notes and/or Authority Notes, if applicable, be or continue to be excluded from gross income for federal income tax purposes, including without limitation requirements relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Note proceeds and money deemed to be Note proceeds.

Section 302. Each Authorized Officer is hereby authorized to make application for and on behalf of the City to Treasury for qualified status, a reconsideration of qualified status or an order approving the issuance of the Notes, to request any and all waivers, including without limitation rating waivers, or exemptions from Treasury necessary to the issuance of the Notes, and to pay any applicable fee(s) therefor, or a post-filing fee, as applicable.

Section 303. Each Authorized Officer is hereby authorized and directed to cause to be filed with Treasury any and all documentation required subsequent to the issuance of the Notes, including a Security Report, along with any statutorily required fee.

Section 304. The representation of the City by Dykema Gossett, PLLC as note counsel ("Note Counsel") is hereby approved. Each Authorized Officer is authorized to approve an engagement letter with Note Counsel that shall set forth the terms of Note Counsel's engagement.

Section 305. The City hereby appoints Robert W. Baird & Co., Incorporated to act as municipal advisor with reference to the issuance of the Notes authorized by this Resolution.

Section 306. The City reserves the right to issue additional notes or other obligations of equal standing with the Notes as to the Operating Taxes and the full faith and credit pledge of the City.

Section 307. Each Authorized Officer and other officers, administrators, agents and attorneys of the City are authorized and directed to execute and deliver all other agreements, documents and certificates and to take all other actions necessary to complete the issuance and delivery of the Notes in accordance with this Resolution, including without limitation any certificates relating to federal or State securities laws, rules or regulations.

Section 308. Any actions taken by an Authorized Officer prior to the date hereof to effectuate the transactions contemplated by this Resolution are hereby ratified.

Section 309. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution hereby are rescinded.

Ayes: Members:

_____

_____

Nays: Members:

_____

Resolution Declared Adopted.

STATE OF MICHIGAN) ss.

COUNTIES OF INGHAM AND EATON)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the City Council of the City of Lansing, Michigan held on the 27th day of April, 2020 and said resolution is on file in the office of the City Clerk and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the City's Charter. The members of the City Council present at the meeting constituted a quorum.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of April, 2020

_____
Chris Swope
City Clerk, City of Lansing

EXHIBIT A

1. Operating Taxes due and payable: July 1 of each year

2. a. Actual Operating Taxes levied for fiscal year ending June 30, 2020:

   Due July 1, 2019: $43,630,630
   Due December 1, 2019: NONE

   b. Estimated Operating Taxes levied for fiscal year ending June 30, 2021:

   Due July 1, 2020: $43,630,630
   Due December 1, 2020: NONE

   c. Estimated Operating Taxes to be levied for fiscal year ending June 30, 2022:

   Due July 1, 2021: $43,630,630
   Due December 1, 2021: NONE

3. Amount of tax anticipation notes, not including this borrowing, issued in anticipation of the Operating Taxes for fiscal year ending June 30, 2020: NONE

4. Amount of tax anticipation notes, not including this borrowing, issued in anticipation of the Operating Taxes for fiscal year ending June 30, 2021: NONE

5. Amount of tax anticipation notes, not including this borrowing, issued in anticipation of the Operating Taxes for fiscal year ending June 30, 2022: NONE

6. Amount of borrowing in any series of notes not to exceed: $21,815,000 (or the maximum amount allowable under Act 34)

7. Purchase price as a percentage of the par amount of the Notes: 98%

4847-3447-3146.9

Brian J. Lefler
Managing Director
Public Finance

MEMORANDUM

To: Shelbi Frayer, Chief Strategy & Finance Officer
City of Lansing, Michigan

Date: April 21, 2020

Re: Tax Anticipation Notes for Cash Flow Borrowing Purposes

Background

Since the outbreak of the coronavirus nationally, in Michigan, and locally, the collection of State sales taxes, State and local income taxes, and local property taxes are expected to be significantly reduced or delayed. The City has also been advised that the amount of State distributable aid and Michigan Transportation Fund revenue payable to the City is expected to be reduced. For FY2020 and FY2021, the City's general fund revenue is mostly comprised of property taxes (32%), State distributable aid (14%) and income taxes (27%), and more than 50% of the City's general fund is spent on police and fire services, operations, and legacy costs.

Proposed Tax Anticipation Notes

Prior to receiving updated financial information from the State or receiving income taxes, property taxes, or state distributable aid, the City may have to secure additional funding to pay for essential services in the current or subsequent fiscal years. The Revised Municipal Finance Act, Act 34, Public Acts of Michigan 2001, as amended ("Act 34"), provides that the City may borrow money to pay for these operating expenditures and issue its notes therefore and pledge for the payment of the principal and interest of such notes its property taxes (as described in Act 34). The maximum borrowing amount of any tax anticipation notes series is limited to 50% of the operating taxes to be levied in a fiscal year.

The adoption of the resolution does not obligate the City to issue its tax anticipation notes. The resolution empowers the City to secure the lowest borrowing costs by only issuing the necessary amount of notes needed, structure the notes with beneficial repayment terms, and sell the tax anticipation notes via competitive sale or a negotiated sale to a financial institution, underwriter, or the Michigan Finance Authority.

Robert W. Baird & Co.
Public Finance Department
124 W. Allegan St. Suite 2200
Lansing, MI 48933
(517) 371-2607

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RECEIVED
2020 JAN 23 PM 12: 29
LANSING CITY CLERK

CITY OF LANSING AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK DATE: 2/7/2020

I Jane Bidwell make the following disclosure under oath:
(Name)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

☐ Yes ☐ No

1 ☒ ☐ I am an ☐ elected or appointed ☐ officer or ☒ employee of the City of Lansing holding the position of Social Worker in the LPD Department

☐ ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department

☐ ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the Department.

2 ☐ ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1)

☐ ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(l) of the Code of Ordinances]

☐ ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(l) of the Code of Ordinances]

☐ ☒ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3 My City of Lansing position is:
☒ Full-time ☐ Part-time (less than 25 hours/wk.) ☐ Unpaid

4 ***PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.***

I am the Field Instructor in the LPD for the Michigan State University School of Social Work & am seeking a Clinical Appointment, which offers no income, but some discounts on CEU events, and access to the library & parking permits (not free parking).

There is no obvious conflict of interest, but I have been advised to submit this request to clarify my intent to seek this unpaid appointment.

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

FEB 1 1 2020

The foregoing Affidavit of Disclosure was executed on this_____day of_____, 20____.

Jane Bidwell

State of Michigan, County of _____

Subscribed and sworn to before me this _____gned day of_____, 20_____ FEB 1 1 2020

KENNETH D LUCAS
Notary Public - State of Michigan
County of Shiawassee
My Commission Expires Apr 1, 2024
Acting in the County of INGHAM

Notary Public/or Deputy Clerk
_____County, Michigan
My Commission Expires:_____

Kenneth D Lucas

8/11

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For <u>each</u> business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? ____; Michigan State University : 0% %
- Are you self-employed? No
- Who is your employer, if applicable? N/A Unpaid appointment
- What are the things you actually do in the business? I am a field instructor for MSU's School of Social Work. I supervise a masters level social work student.
- Who are your clients and who receives your goods or services? n/a
- How and where are your services performed? During work hours the student works alongside me, managing needs of additional clients.
- How often do you do outside work? N/a

Does your business or employer contract with the City? I am unsure if MSU contracts w/ the City.

- In performing your business or outside employment, do you use any City facilities or equipment?

Yes If so, describe: My intern assists me & officers w/ the needs of citizens.

- Is any of your business or employment conducted in the City? Yes If so, describe:

See above

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? No

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe:

As an Official Field Instructor for MSU, I am able to get a Clinical Appointment, which

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

affords me no compensation, but does discount CEU costs should I choose to take CEU courses from MSU. I would be able to pay faculty rates for performances on campus, use the library, & buy a parking pass.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

GRETCHEN WHITMER
GOVERNOR

ORLENE HAWKS
DIRECTOR

Tuesday, April 21, 2020

Scott Ellis, Applicant
C/O MASH MAVERICKS, INC.
sellis@michigrain.net

RID # RQ-2004-06122 **Reference/Transaction:** NEW MICRO BREWER LICENSE; NEW BEER AND WINE TASTING PERMIT AT 523 E SHIAWASSEE ST, LANSING, MI 48912-1213 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: MASH MAVERICKS, INC.

Business address and phone number: 523 E SHIAWASSEE ST, LANSING, MI 48912-1213 IN LANSING CITY IN INGHAM COUNTY

Home address and phone number of partner(s)/subordinates:
Scott T. Ellis; 521 Riverwalk Dr Mason MI 48854; Business and Cell phone: 517-719-4834
Michael W. Bird; 416 W Hillsdale St Lansing MI 48933; Business phone: 517-220-5600
Donald D. Kowalk; 2241 Cedarbend Dr Holt MI 48842; Cell phone: 517-897-7140
Gregory Hagedorn; 4586 Ranch Ln Bloomfield Hills MI 48302; Cell phone: 206-669-9994
Shirley A. Kowalk; 2241 Cedarbend Dr Holt MI 48842; Business phone: 517-374-9611; Cell phone; 517-256-6917
Patrick B. Scully; 1743 Mary Lynn Ct Marne MI 49435; Business phone: 616-735-2000; Cell phone; 616-862-9965
Ryan Cressman; 2317 W Price Rd St Johns MI 48879; Cell phone: 517-290-2145
Jeremy Bowen; 154 Post Rd N Hampton NH 03862; Cell phone: 978-816-6522
Yaser M Berry; 22547 Morley Ave Dearborn MI 48124; Business phone: 734-844-2420; Cell phone: 313-779-0444
Thomas A Ellis; 1466 Shane Dr Bitely MI 49309; Cell phone: 734-341-6667
James Mitte; 5248 Praire View Brighton MI 48116; Business phone: 810-360-0180; Cell phone: 248-763-4270
Joseph Mitte; 5190 Mystic Lake Dr Brighton MI 48116; Cell phone: 810-623-8540
Willaim D Towns; 3770 Baumhoff Comstock Park MI 49321; Cell phone: 616-485-6719
Cheryl A Kowalk; 12740 Crescent Dr Grand Ledge MI 48837; Cell phone: 517-627-2825
William E Ellis; 17033 Renton Rd Belleville MI 48111; Cell phone: 734-320-6962
James Mathes; 37524 Legends Trail Dr Farmington Hills MI 48331; Cell phone; 734-276-0259
Jason Russell; 10680 Sun Da Go Dr SE Middleville MI 49333; Business phone: 616-308-7626; Cell phone: 616-516-0662
Dennis J. De Kok; 4045 Maracaibo Shores Dr SE Grand Rapids MI 49546; Business phone: 616-323-0021; Call phone: 616-340-8868

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 (517) 284-6330

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.**

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: LANSING CITY chris.swope@lansingmi.gov