



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
JANUARY 23, 2014**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in special session and was called to order at 7:05 p.m. by President Boles

PRESENT: Councilmembers Boles, Brown Clarke, Dunbar, Houghton, Quinney, Washington, Wood, Yorko

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Boles.

**SPEAKER REGISTRATION FOR
PUBLIC COMMENT ON LEGISLATIVE MATTERS**

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Willy Williams spoke about the time for the January 30 City Council meeting.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #2014-008

BY COUNCILMEMBER BOLES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor presents the State of the City Address annually as part of a City Council session; and

WHEREAS, the Mayor has requested to hold the State of the City Address on January 30, 2014 as part of the City Council meeting at 7:00 p.m. at the GM Lansing Grand River Assembly Plant (LGR)'s Oldsmobile Auditorium, located at 920 Townsend Street;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will convene on January 30, 2014 at 5:00 p.m. in the City Council Chambers, then recess and reconvene at 7:00 p.m. at the call of the President at the GM Lansing Grand River Assembly Plant (LGR)'s Oldsmobile Auditorium, located at 920 Townsend Street.

By Councilmember Boles

Motion Carried

RESOLUTION #2014-009

NOTICE OF INTENT TO ISSUE BONDS
FOR PUBLIC SERVICE DEPARTMENT

WET WEATHER CONTROL PROGRAM - SANITARY SEWER

PROJECTS

City of Lansing
Counties of Ingham and Eaton, Michigan

WHEREAS, the State of Michigan Department of Environmental Quality has issued Administrative Consent Order ("ACO") No. ACO-SW02-030 requiring the City of Lansing (the "City") to abate sanitary sewer overflows ("SSOs") from its sanitary sewer collection system; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451") MCL 324.4301, *et seq.* enables a City to issue and sell bonds to finance construction of improvements required by a permit or order issued by the State of Michigan Department of Environmental Quality; and

WHEREAS, the City Council of the City intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.50% and in an aggregate amount not to exceed \$9,000,000 for the purpose of financing the sanitary sewer system improvement projects associated with the City's Wet Weather Control Program and compliance with the ACO, including:

- The Sanitary Sewer Siphon 11 Replacement Project; and
- The Central Interceptor / Sycamore-Lindbergh Interceptor Rehabilitation Project;

as further described in plans on file with the City related to the Wet Weather Control Program State Revolving Fund Project Plan, which Bonds will be payable from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

WHEREAS, Notice of Intent to Issue Bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, the City must appoint bond counsel for the issuance of the Bonds; and

WHEREAS, prior to issuance of each series of Bonds the City must (i) receive prior approval of the Bonds from the Michigan Department of Treasury, or (ii) be granted qualified status as provided in Act 34, Public Acts of Michigan, 2001, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before January 24, 2014 in the LANSING STATE JOURNAL, or other newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.

2. The Notice of Intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS
OF THE CITY OF LANSING
OF INTENT TO ISSUE BONDS SECURED BY THE
TAXING
POWER OF THE CITY AND RIGHT OF REFERENDUM
THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$9,000,000 for the purpose of financing the Sanitary Sewer Siphon 11 Replacement Project and the Central Interceptor / Sycamore-Lindbergh Interceptor Rehabilitation Project as further described in plans on file with the City (the "Improvements"), related to Wet Weather Control Program State Revolving Fund Project Plan and required by the ACO. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.50%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

The principal and interest of the Bonds shall be payable primarily from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

The Bonds will be issued without vote of the electors unless a PETITION requesting an election of the question of issuing the Bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this Notice. If such a petition is filed, the Bonds cannot be issued without an approving vote by a majority of electors voting on the question.

This Notice is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this Notice may be secured from the City Clerk's Office.

Chris Swope,
City Clerk

3. The City Council hereby determines that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the Bonds.

4. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for combined sewer overflow control Improvements with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:

- (A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.
- (B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$9,000,000, which may be issued in one or more series.
- (C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.
- (D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.

5. Either the Finance Director or the Public Service Director are authorized to request qualified status from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue and order granting prior approval to issue Bonds, and to request any related waivers.

6. Dykema Gossett PLLC, of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.

7. All Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

By Councilmember Wood to place an affirmative roll on the Resolution

By Councilmember Wood to adopt a substitute for the Resolution

Motion Carried

The question being the motion to place an affirmative roll on the Resolution (as substituted)

Motion Carried

Motion Carried by the following roll call vote:

Yeas: Council Members Boles, Brown Clarke, Dunbar, Houghton, Quinney, Washington, Wood, Yorko

Nays: None

RESOLUTION #2014-010

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

WHEREAS, on January 23, 2014 the Personnel Committee confirmed the selection of Amanda Spilling as the new Administrative Secretary – Level 28 position for City Council; and

NOW THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appoints Amanda Spilling to the position of Administrative Secretary-Level 28 for the City Council contingent on passing the background review and to begin on January 24, 2014.

BE IT FURTHER RESOLVED that the initial salary will be Level 28, Step 6.

By Councilmember Brown Clarke to place an affirmative roll on the Resolution

By Councilmember Brown Clarke to adopt a substitute for the Resolution

Motion Carried

The question being the motion to place an affirmative roll on the Resolution (as substituted)

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Washington announced her 1st Contact meeting.

Councilmember Yorko announced the Westside Neighborhood annual meeting, Old Oakland Neighborhood annual meeting, and Downtown Neighborhood annual meeting.

Councilmember Dunbar spoke about the Downtown Neighborhood annual meeting and the Mid-MEAC meeting.

Councilmember Wood asked the administration about branch pickup from the December ice storm.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Chief of Staff to Mayor Bernero, Chad Gamble, gave an update on debris pickup.

ADJOURNED TIME 7:38 P.M.

CHRIS SWOPE, CITY CLERK