

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN**

**TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
LANSING CITY HALL, 10th FLOOR
124 W. MICHIGAN AVENUE**

July 22, 2024 at 7:00 PM



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 at the Tony Benavides Lansing City Council Chambers, 10th Floor, City Hall.

Roll Call

Meditation And Pledge Of Allegiance

Approval Of Printed Council Proceedings

1. July 8, 2024

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.)

Tabled Items

Special Ceremonies And Presentations

2. Lansing Gateway Corridor Improvement Authority, Development & Tax Increment Finance Plan

Comments By Council Members And City Clerk

Community Event Announcements (Time, place, purpose, or definition of event – 1 minute limit)

Speaker Registration For Public Comment On Legislative Matters

Virtual Participation is available for Public Comment on Legislative Matters. Legislative Matters consist of the following items on the agenda: Public Hearings (other than show cause hearings), Consent Agenda Items, Resolutions, Ordinances for Introduction, and Ordinances for Passage. Sign up by 3 p.m. on Council Meeting days using the following link:

<https://events.gcc.teams.microsoft.com/event/b427205f-f325-4730-bc11-8584b7b6b42f@87509dee-095b-4ff8-ba5a-0035cdfc715d>

Mayor's Comments

Show Cause Hearings

Public Comment On Legislative Matters (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on BLUE form.)

Scheduled Public Hearings

3. Substantial Amendment, FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan (PEND-3723)

Council Consideration Of Legislative Matters

Referral Of Public Hearings

Consent Agenda

4. Setting a Show Cause Hearing on Orders to Make Safe or Demolish to the owners of 1342 N. Walnut St. (PEND-3740)
5. Setting a Public Hearing on Lansing Gateway Corridor Improvement Authority, Development & Tax Increment Finance Plan (PEND-3736)
6. Liquor License; Jollof Afro Caribbean Lounge, Development District Class C License, Outdoor, Dance, Extended Hours, Catering, Sunday Sales AM/PM at 221 S. Washington Sq. (PEND-3744)
7. Grant Acceptance; Financial Empowerment Center Grant (PEND-3738)
8. Grant Acceptance; Ingham County Parks and Trails Millage reallocation and contract extensions (PEND-3742)

Resolutions For Action

9. Appointment; Byron Haskins as an At-Large member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2027 (PEND-3612)
10. Appointment; Terrence L. Frazier as the 1st Ward member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2025 (PEND-3726)
11. Tribute; in recognition of Disability Pride Month (PEND-3756)
12. Fees; establish Electric Vehicle Charging Station fees for City-owned stations (PEND-3739)
13. Sale of City Property; David C. Hollister Lansing City Hall Building (PEND-3751)

Reports From Council Committees

Ordinances For Introduction And Setting Of Public Hearings

Ordinances For Passage

14. Re-Adopting the Codified Ordinances (PEND-3693)

Speaker Registration For Public Comment On City Government Related Matters

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)

Item(s) from the City Clerk re:

15. Minutes of Boards and Commissions placed on file in the Clerk's Office
16. Grant Acceptance; 2023 Municipal Facilities Infrastructure Election Grant (PEND-3746)
17. Grant Acceptance; 2024 Enhancement Grant for Facilities the support Election Administration (PEND-3747)
18. Board of Water and Light proposed Electric, Water, Steam and Chilled Water Rate Changes

Item(s) from the Mayor re:

19. Appointment; Hannah Jones-Nelson as the 2nd Ward member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2026 (PEND-3755)
20. Payment in Lieu of Taxes (PILOT); Genesee Senior Apartments, 835 W Genesee St (PEND-3754)
21. Setting a Public Hearing on Payment in Lieu of Taxes (PILOT); Genesee Senior Apartments, 835 W Genesee St. (PEND-3753)
22. Grant Acceptance; HUD Community Project sponsored by U.S. Rep. Elissa Slotkin to support the development of a new publicly owned music and arts venue (PEND-3749)
23. Traffic Control Order Nos. 24-01 and 24-02; parking prohibition between 2 a.m. and 5 a.m. on Westchester Rd. and East Westchester Rd. (PEND-3711)
24. Board of Water and Light Return on Equity Agreement, Amendment #7 (PEND-3745)
25. Brownfield Plan #81 Amendment No.1; NEOGEN Expansion, 720 E. Shiawassee St. and 703 E. Michigan Ave. (PEND-3758)
26. Setting a Public Hearing on Brownfield Plan #81 Amendment No.1; NEOGEN Expansion, 720 E. Shiawassee St. and 703 E. Michigan Ave. (PEND-3757)

Communications and Petitions

27. Notice from the Michigan Liquor Control Commission; Parinaaz, Inc. request for transfer ownership 2024 SDD and SDM licensed business; New Sunday Sales permit (AM); New Sunday Sales permit (PM) for SDM license – Mixed Spirit Drink; New Sunday Sales permit (PM) for SDD license – Spirits at 200 S Martin Luther King Jr Blvd. (RID # (RQ-2407-08299))
28. Communication from David Ellis in objection to the Michigan Avenue redesign
29. Communication from 20 people in support of "quality-of-life policing"
30. Update from State Representative Kara Hope about the recently approved State Budget funding for Lansing area projects

Motion Of Excused Absence

Remarks By Council Members

Remarks By The Mayor Or Executive Assistant

Public Comment On City Government Related Matters (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on YELLOW form.)

Adjournment

A handwritten signature in black ink that reads "Chris Swope". The signature is written in a cursive, flowing style.

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 request.

LANSING CITY COUNCIL MEETING

DATE & TIME: 7/22/2024 7:00 PM

Starting Time_____

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

COUNCIL MEMBER	PRESENT	ABSENT	ARRIVED
BROWN	☒	☐	_____
CARTER	☒	☐	_____
GARZA	☒	☐	_____
HUSSAIN	☒	☐	_____
JACKSON	☒	☐	_____
KOST	☒	☐	_____
PEHLIVANOGLU	☒	☐	_____
SPADAFORE	☒	☐	_____

MEDITATION IN MEMORY OF: _____

PLEDGE LED BY: _____

Adjournment Time_____

CHRIS SWOPE
LANSING CITY CLERK

S:\Clerk_Staff\City Council\Administrative\Council Attendance Sheet 2024.doc



**Official Proceedings of the City Council
City of Lansing
July 8, 2024**

Tony Benavides Lansing City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:09 p.m. by President Garza

PRESENT: Council Members Carter, Garza, Jackson, Kost, Pehlivanoglu

ABSENT: Council Members Brown, Hussain, Spadafore

A quorum was present.

Council Member Pehlivanoglu asked people to remember Evita Salinas, who recently passed away, during the moment of Meditation. Mayor Schor asked people to remember Linda Sanchez Gazella's grandson, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Garza.

Approval of Printed Council Proceedings

By Council Member Kost

To approve the printed Council Proceedings of June 10 and June 24, 2024

Motion Carried

Special Ceremonies

Substantial Amendment, FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan

Motion Carried

President Garza recognized Tyler Blakey who presented on behalf of HOME-ARP.

Comments by Council Members and the City Clerk

Chief Deputy City Clerk Brian Jackson, on behalf of City Clerk Swope, spoke about information on ballots for the upcoming election and Fall and Spring internships.

Community Event Announcements

Nicklas Zande spoke about the Old Everett Association Neighborhood meeting.

Loretta Stanaway spoke about a volunteer opportunity for Mount Hope Cemetery.

Daniel Arnold spoke about the One Faith Event.

Alyssa Turcsak spoke about alcohol-free meet ups at the Turner Dodge House.

Speaker Registration for Public Comment on Legislative Matters

Chief Deputy City Clerk Brian Jackson 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.

Mayor's Comments

Mayor Schor recognized participants in the Independence Day Parade and Lansing's concerts in the park and spoke about the 15,000 incorrect Property Tax notices sent out. He congratulated Police Chief Ellery Sosebee on his retirement and former Deputy Mayor Shelbi Frayer on her new opportunity. He spoke about the Human Relations and Community Services Department's Health and Wellness Fair, a ribbon cutting at the Fulton Park Overlook, and yard waste pickup is now every two weeks until late September.

Public Comment on Legislative Matters

Legislative Matters included the following public hearings:

Repealing and replacing the existing Sign Ordinance in its entirety

Readopting the Codified Ordinances

Sale of City Property; David C. Hollister Lansing City Hall Building

Council President Garza gave an overview of the public hearings.

Public Comment on Legislative Matters:

Loretta Stanaway spoke about various Legislative matters.

Nicklas Zande spoke about Eastern High School being used as a psychiatric facility.

Chief Deputy City Clerk Brian Jackson acknowledged several written communications.

Legislative Matters

Consent Agenda

By Council Member Kost to approve all items on the Consent Agenda

Motion Carried

Resolution #2024-146

By Council Members Brown, Carter Garza, Hussain, Jackson, Kost, Pehlivanoglu, Spadafore
Resolved by the City Council of the City of Lansing

WHEREAS, Tri-County Office on Aging (TCOA) was founded as the Area Agency in 1974 as a Consortium with Clinton, Eaton, and Ingham counties and the cities of Lansing and East Lansing; and

WHEREAS, as a non-for-profit organization, TCOA helps older adults, adults with disabilities, and caregivers access programs and benefits, improve their health, and remain active in their communities; and

WHEREAS, working in partnership with agencies and service providers across the area, TCOA embraces a person-centered philosophy that focuses on how a person wants to live their life while honoring their preferences; and

WHEREAS, to accomplish their mission, they connect people who need help to service providers, volunteers, donors, businesses and governments throughout Clinton, Eaton, and Ingham counties and the cities of Lansing and East Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby, wishes to congratulate the Tri-County Office on Aging on their 50th Anniversary and recognize the management and staff on their commitment and hard work. We wish you continued success!

Adopted as part of the Consent Agenda

Resolution #2024-147

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

CONFIRMATION OF SNOW AND ICE REMOVAL ASSESSMENT ROLL WINTER 2023-2024

WHEREAS, pursuant to resolution 2024-128, adopted by this Council, the City Council held a public hearing on June 24, 2024, regarding Assessment Roll #SR-2024, for the removal of snow and ice on public sidewalks adjacent to certain properties; and

WHEREAS, the cost incurred between December 1, 2023 and April 30, 2024, by the City totals \$4,676.00; and

WHEREAS, the Committee on City Operations met on July 3, 2024 to review the public hearing findings and removed several properties from the assessment roll; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby directs that special assessment roll number #SR-2024 as returned by the City Assessor, be ratified and confirmed.

BE IT FINALLY RESOLVED, the Lansing City Council hereby directs the City Assessor notify the owners of properties affected by this roll in accordance with City Ordinance 1020.06.

PARCEL ID	SITE ADDRESS	DATE OF SERVICE	SERVICE TIME	COST
33010505327003	5505 S M L KING JR BLVD	01/22/2024	F: 101-120 MIN	\$499.00
33010129258121	1120 VICTOR AVE	01/22/2024	B: 21-40 MIN	\$219.00
33010129204021	1222 COOPER AVE	01/23/2024	C: 41-60 MIN	\$289.00
33010129258041	1220 VICTOR AVE	01/22/2024	B: 21-40 MIN	\$219.00
33010129203201	1321 LENORE AVE	01/22/2024	C: 41-60 MIN	\$289.00
33010129258201	1125 W RUNDLE AVE	01/22/2024	B: 21-40 MIN	\$219.00
33010129258191	1121 W RUNDLE AVE	01/22/2024	C: 41-60 MIN	\$289.00
33010129206262	1205 COOPER AVE	01/23/2024	C: 41-60 MIN	\$289.00
33010129204001	2003 MARION AVE	01/22/2024	F: 101-120 MIN	\$499.00
33010128426003	2701 S CEDAR ST	01/18/2024	F: 101-120 MIN	\$499.00
33010129128241	2012 PATTENGILL AVE	01/22/2024	C: 41-60 MIN	\$289.00
33010129208041	1218 GORDON AVE	01/23/2024	C: 41-60 MIN	\$289.00
33010129257051	1406 VICTOR AVE	01/22/2024	C: 41-60 MIN	\$289.00
33010504201150	410 E JOLLY RD	01/22/2024	F: 101-120 MIN	\$499.00
				\$4,676.00

Adopted as part of the Consent Agenda

Resolution #2024-148

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Act-3-2024, Eaton Road, Street Vacation

WHEREAS, The City of Lansing Department of Public Service has requested to vacate a section of Eaton Road located south of West Greenlawn Avenue for the purpose of reducing the maintenance cost to the City in conjuncture with the combined sewer overflow CSO 034E project; and

WHEREAS, no City utilities will remain within the subject right-of-way; and

WHEREAS, on June 4, 2024, the Planning Commission reviewed the location, character, and extent of the proposal for the vacation of the subject right-of-way in accordance with its Act 33 review procedures and voted unanimously (4-0) to recommend approval of Act-3-2024, Eaton Road, Street Vacation, subject to reservation of easement rights requested by the Lansing Board of Water and Light; and

WHEREAS, the Public Service Department updates the Public Street System in accordance with Public Act 51 of 1951, which requires that streets that are not open to automobile traffic be decertified and removed from the Act 51 Street System; and

WHEREAS, the Public Service Department requests to decertify the following street that has been vacated and is no longer open for use by the public:

Eaton Road: Southbound from West Greenlawn Avenue, 148.4 feet; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Commission and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the request to vacate the Eaton Road right-of-way south of West Greenlawn Avenue, to a distance of 148.4 feet, legally described as:

Beginning at the northwest corner of Lot 193, Greencroft Subdivision; thence along the west line of Lots 193, 192, and 191, south 00°00'00" east 148.40 feet to the south line of the plat of Greencroft Subdivision; thence along the south line of said plat, south 89°30'27" west (recorded as south 89°33' west) 50.00 feet to the southeast corner of Lot 140, Greencroft Subdivision; thence along the east line of said Lot 140, north 00°00'00" west 148.93 feet (recorded as 148.3 feet) to the northeast corner of said Lot 140; thence south 89°23'45" east 50.00 feet to the northwest corner of said Lot 193 and the point of beginning.

With the following condition:

Easement rights for the Lansing Board of Water and Light shall be reserved; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the decertification of a total of 148.4 feet from the Act 51 Street System; and

BE IT FURTHER RESOLVED that the Act 51 Street System Map be updated to reflect these changes; and

BE IT FINALLY RESOLVED, that upon the condition above being met, and evidence of the same being presented to the City Clerk, the City Clerk shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Licensing and Regulatory Affairs, Office of Land Survey and Remonumentation (OLSR), the Planning and Assessor's Offices, the Department of Public Service, and the applicant. The vacation shall be effective upon the date of recording of the resolution with the Ingham County Register of Deeds.

Adopted as part of the Consent Agenda

Resolution #2024-149

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for July 22, 2024, 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed substantial amendment to the Annual Action Plan for FY 2021 (July 1, 2021 to June 30, 2022).

Adopted as part of the Consent Agenda

Resolution #2024-150

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the reappointment of Jon Scott as an At-Large member of the Board of Public Service for a term to expire June 30, 2028; and

WHEREAS, the Mayor's office has confirmed that this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on City Operations met on July 3, 2024 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Jon Scott as an At-Large member of the Board of Public Service for a term to expire June 30, 2028.

Adopted as part of the Consent Agenda

Resolution #2024-151

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the reappointment of Tirstan Walters as an At-Large member of the Park Board for a term to expire June 30, 2028; and

WHEREAS, the Mayor's office has confirmed that this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on City Operations met on July 3, 2024 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Tirstan Walters as an At-Large member of the Park Board for a term to expire June 30, 2028.

Adopted as part of the Consent Agenda

Resolution #2024-152

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has recommended the appointment of Dustin Howard as a member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2028; and

WHEREAS, the Mayor's office has confirmed with this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter ; and

WHEREAS, the Committee on Development and Planning met on June 26, 2024, and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Dustin Howard as a member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2028.

Adopted as part of the Consent Agenda

Resolution #2024-153

By the Committee on Development and Planning

Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has recommended the appointment of Dustin Howard as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire June 30, 2027; and

WHEREAS, the Mayor's office has confirmed with this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on June 26, 2024, and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Dustin Howard as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire June 30, 2027.

Adopted as part of the Consent Agenda

Resolution #2024-154

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing desires to adopt more specific guidelines for the granting of poverty exemptions from real property taxation, pursuant to Section 7u of the General Property Tax Act, MCL 211.7u (the "Act"); and

WHEREAS, the Act requires that the guidelines must be determined by the City Council; and

WHEREAS, the Assessor has made recommendations for the guidelines, and the City Attorney has reviewed the same as to form and legal sufficiency.

NOW, THEREFORE, BE IT RESOLVED, that Lansing City Council adopts the following guidelines for granting poverty exemptions for real property taxation in the City of Lansing:

- 1) To be eligible for a poverty exemption from such taxation, a person shall meet all the following on an annual basis:
 - a. Be an owner of and occupy as a principal residence, as defined in the Act, the property for which an exemption is requested;
 - b. File a claim with the City Assessor or Board of Review on a form provided by the City Assessor, accompanied by Federal and State income tax returns for all persons residing in the principal residence, including the contributions of other parties to support the claimant;
 - c. Produce a valid driver's license or other form of identification if requested;
 - d. Produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested, if such proof of ownership is requested by the Assessor or Board of Review;
 - e. Meet the Federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under authority of Section 673 of Subtitle B of Title VI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, 42 U.S.C. 9902;
 - f. File a claim for exemption after January 1, but before the day prior to the last day of the December Board of Review meeting; and
 - g. Have assets, not including the principal residence, less than five times annual household income.
- 2) All poverty exemption applications are considered on a case-by-case basis within the framework of the aforementioned requirements. The amount of relief due to poverty that will be granted by the Board of Review for any qualified applicant will be determined as follows:
 - a. Household income less than or equal to the Federal Poverty Income Standards will be eligible for a 100% exemption.
 - b. Household income greater than 100% and less than or equal to 125% of the Federal Poverty Income Standards will be eligible for a 50% exemption.
 - c. Household income over 125% of the Federal Poverty Income Standards will not be eligible for an exemption.
- 3) The Board of Review may deny any appeal, regardless of income, if the financial hardship appears to be self-created by the actions of the person or persons making the application. The Board of Review shall also reject any application where the information contained in it appears fraudulent, misleading, or incomplete. An application is considered incomplete when required supporting documents and information is not included with the application.

Adopted as part of the Consent Agenda

Resolutions

President Garza shared that the resolution for Charles Paul Calati Jr. as an At Large member of the Arts and Culture Commission will be postponed until further notice.

Resolution #2024-155

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has recommended the appointment of Tim Daman as a member of the Michigan Avenue Corridor Improvement Authority Board of Directors for a term to expire June 30, 2026; and

WHEREAS, the Mayor's office has confirmed with this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on June 26, 2024, and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tim Daman as a member of the Michigan Avenue Corridor Improvement Authority Board of Directors for a term to expire June 30, 2026.

By Council Member Kost

Motion Carried

Resolution #2024-156

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Alyssa Turcsak as an At-Large member of the Arts and Culture Commission for a term to expire June 30, 2028; and

WHEREAS, the Mayor's office has confirmed that this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on City Operations met on July 3, 2024 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Alyssa Turcsak as an At-Large member of the Alyssa Turcsak as an At-Large member of the Arts and Culture Commission for a term to expire June 30, 2028.

By Council Member Kost

Motion Carried

Resolution #2024-157

By Council Member Kost
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing City Council supports U of M Health-Sparrow in its desire to bring a new psychiatric facility to Lansing and also supports efforts to preserve the historic Eastern High School building; and

WHEREAS, historic Eastern High School was built in 1927 and has been a Lansing community landmark and a beloved Eastside educational institution and Eastern High School is one of only a few buildings left standing in the City of Lansing that has been well preserved and become a landmark for Lansing much like the "Big House" is in Ann Arbor; and

WHEREAS, there are numerous examples of schools of this age being repurposed in Lansing, in Michigan, and around the country instead of being demolished; and

WHEREAS, historic Eastern High School is the alma mater to tens of thousands of proud Quakers who live and work within our community, and the loss of a historic building would be devastating to the identity of Lansing; and

WHEREAS, U of M Health-Sparrow is committed to being a good neighbor in this community, and the community is committed to being a good neighbor to U of M Health-Sparrow; and

WHEREAS, U of M has proposed a 120-unit facility to address one of the most pressing needs in the city with mental healthcare. There is a massive shortage of mental health beds nationally and currently only a few dozen beds in Lansing currently and we are firmly in favor of the additional beds.

NOW THEREFORE BE IT RESOLVED, that the City of Lansing City Council urges the Board of Regents of the University of Michigan to add a psychiatric facility while also or separately preserving the landmark historic Eastern High School building and auditorium.

BE IT FINALLY RESOLVED that the Lansing City Council requests the Lansing City Clerk to send a copy of this resolution to the Board of Regents of the University of Michigan and the President of the University of Michigan.

By Council Member Kost

Motion Carried

Speaker Registration for Public Comment on City Government Related Matters

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

Reports From City Officers, Boards, and Commissions; Communications and Petitions; and Other City Related Matters

By Council Member Kost that all items be considered as being read in full and that President Garza make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:

Item(s) from the City Clerk re:

Minutes of Boards and Commissions placed on file in the Clerk's Office
Placed on File

Item(s) from the Mayor re:

Reappointment; Kimberly Whitfield as the 4th Ward member of the Park Board for a term to expire June 30, 2028
Referred to the Committee on City Operations

Setting a Public Hearing on Lansing Gateway Corridor Improvement Authority, Development & Tax Increment Finance Plan
Referred to the Committee on Development and Planning

Lansing Gateway Corridor Improvement Authority, Development & Tax Increment Finance Plan
Referred to the Committee on Development and Planning

Grant Acceptance; Financial Empowerment Center Grant
Referred to the Committee on Ways and Means

Grant Acceptance; Ingham County Parks and Trails Millage reallocation and contract extensions
Referred to the Committee on Ways and Means

Fees; establish Electric Vehicle Charging Station fees for City-owned stations
Referred to the Committee on Ways and Means

Orders to Make Safe or Demolish to the owners of 1342 N. Walnut St.
Referred to the Committee on Public Safety

Setting a Show Cause Hearing on Orders to Make Safe or Demolish to the owners of 1342 N. Walnut St.
Referred to the Committee on Public Safety

Sale of City Property; David C. Hollister Lansing City Hall Building
Referred to the Committee of the Whole

Liquor Application; Jollof Afro Caribbean Lounge, Developmental District Class C License, Outdoor, Dance, Extended Hours, Catering, Sunday Sales
AM/PM 221 S. Washington Square, Lansing, MI 48933
Referred to the Committee on City Operations

Motion of Excused Absence

By Council Member Kost to excuse Council Members Brown, Hussain, and Spadafore from tonight's proceedings.

Motion Carried

Remarks by the Mayor Or Executive Assistant

Mayor Schor spoke in support of the resolution about the University of Michigan adding a psychiatric facility at the former Eastern High School.

Public Comment on City Government Related Matters

Daniel Arnold spoke about the homeless population.

Loretta Stanaway spoke about the Board of Water and Light.

Linda Appling spoke about various City matters.

Nicklas Zande spoke about fireworks.

Adjourned Time 8:01 P.M.

Chris Swope, City Clerk

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

*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*.*

Agenda Item Number(s) or Description(s) HILLSDALE PLACE -#3 HOME ARP

Name (print) SEAN CANCRO E-Mail (optional) seancanco@adventhouse.com

Address (street, city, zip) 415 WEST ST, LANSING 48915

Company or organization represented, etc. (if applicable) ADVENT HOUSE MINISTRIES

Signature [Handwritten Signature] Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

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.

You will not be called to speak unless all required blanks on this form are completed.



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Agenda Item Number(s) or Description(s) #3

Name (print) Tim Hovey E-Mail (optional) thovey@gryphon-llc.com

Address (street, city, zip) 4933 Hawk Hollow Dr. East Bath, MI 48808

Company or organization represented, etc. (if applicable) Hillside Place Apts.

Signature [Signature] Pronouns _____

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Agenda Item Number(s) or Description(s) ~~Item #13, City Hall~~

Name (print) Nickolas Zante E-Mail (optional) nwzante@gmail.com

Address (street, city, zip) 419 W Willow Ave Lansing MI 48906

Company or organization represented, etc. (if applicable) CENA

Signature Nickolas Zante Pronouns he/him

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Agenda Item Number(s) or Description(s) item 13

Name (print) Loretta Stanaweg E-Mail (optional) _____

Address (street, city, zip) 546 Centerville

Company or organization represented, etc. (if applicable) _____

Signature [Signature] Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
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NOTICE OF PUBLIC HEARING
HOME ARP (American Rescue Plan) Allocation Plan
Substantial Amendment
to the Annual Action Plan FY2021

Notice is hereby given that the City of Lansing City Council will hold a public hearing to solicit public input on the substantial amendment to the City of Lansing's Annual Action Plan FY21 HOME ARP Allocation Plan. More specifically, this substantial amendment will increase the amount of funding for the development of rental Housing from \$1,539,251.00 to \$2,102,301.00. This amendment will allow the city to provide needed gap funding for Hillsdale Place: a 40-unit rental development that will provide 20 units of permanent supportive housing to qualifying populations per Lansing's HOME ARP Allocation Plan. This substantial amendment also adds a preference for households who are chronically homeless and who meet at least one of the definitions of the qualifying populations. A preference permits an eligible applicant that qualifies for a participating jurisdiction adopted preference to be selected for HOME-ARP assistance before another eligible applicant that does not qualify for a preference.

The city encourages participation at the public hearing to allow citizens an opportunity to provide input on the proposed amendments to the HOME ARP Allocation Plan and the projected use of the funds, Comments received will be considered prior to final submission to the Department of Housing and Urban Development (HUD)

The proposed substantial amendment is available for public review and comment and can be found on the City of Lansing Development office website at www.lansingmi.gov/development. There is another opportunity to comment on the proposed amendment at the Lansing City Council Public Hearing on Monday, July 22, 2024 at 7:00 p.m. at 124 W. Michigan Avenue, 10th floor., City Hall, Lansing, MI 48933

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., 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.

Persons with disabilities who need an accommodation to fully participate in the public hearing 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.

If you cannot participate in the hearing and wish to submit comments, or if you have questions about the public hearing, please contact Tyler Blakey, Community Development Coordinator of the City of Lansing Department of Economic Development and Planning Office, 316 North Capitol Avenue, Lansing, MI, tyler.blakey@lansingmi.gov (517) 483-4056.

Resolution #2024-158

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 1342 N WALNUT ST. 33-01-01-09-180-011 S 21 FT LOT 8 & N 26 FT LOT 7; SMITH'S SUB OF LOT 3 & PART OF LOT 4 BLOCK 25, to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on 3/06/2014 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on MAY 23, 2024, the Lansing Demolition Board held a meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Property Maintenance Code (Ord. 1460.01, et seq.), and ordered the property owner to make safe or demolish the structure by 6/27/2024; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Lansing Codified Ordinances require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that a show cause hearing for Monday, August 12, 2024 at 7:00 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 1342 N WALNUT ST., as legally described above, to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Compliance Officer notify the owner(s) of said property of the opportunity to appear and present testimony at the hearing, as required by law.

PUBLIC ACCURACY TEST
The Election Commission will hold a public meeting at 3:00 p.m., on Thursday, 01 August 2024, in the Council Chambers, City Hall, 310 Greenwood St., Grand Ledge MI 48837, to conduct a public accuracy test of the electronic tabulating equipment to be used in all City of Grand Ledge precincts at the Tuesday, 06 August 2024 election. The Election Commission invites anyone interested to attend and witness the public accuracy test.
Gregory Newman, City Clerk

CP#24-589

STATE OF MICHIGAN PROBATE COURT, INGHAM COUNTY, NOTICE TO CREDITORS,
Decedent's Estate, Case No. 24-000624-DE-P33. Estate of Adrian Duval Smith – Date of Birth: 3/15/59. NOTICE TO ALL CREDITORS: The decedent, Adrian Duval Smith, died 7/23/22. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Tekisha McGowan, personal representative, or to both the probate court at 313 West Kalamazoo St., Lansing, MI 48933, 517-483-6300 and the personal representative within 4 months after the date of publication of this notice, 07/24/2024. Personal representative: Tekisha McGowan, 1202 W. Allegan St., Lansing, MI 48915.

CP#24-593

WILLIAMSTOWN TOWNSHIP Board Meeting July 10, 2024 Synopsis

The Williamstown Township Board held a regular meeting on Wednesday, July 10, 2024 at 7:00 PM with Supervisor Bloomquist, Clerk Cleveland, Treasurer Cutshaw, Trustee Eyster, and Trustee Steinberg present. The Board approved the following:

- Consent Agenda
- Zoning Ordinance Amendment for Parking Standards
- Resolution #132-2024 Senior Center Millage for November election
- Revised Policy 12, rescinding Policy 3

The next regular Board meeting will be at 7:00 PM on Wednesday, August 14, 2024 in the Community Room of the Township Hall, 4990 Zimmer Rd., Williamston. Visit williamstownmi.gov for the latest agenda, documents, and updates. Phone (517) 655-3193.
Robin A. Cleveland, Township Clerk

CP#24-585

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a Public Hearing will be held on **August 26** at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI, on the proposed Lansing Gateway Corridor Improvement Authority Development and Finance Plan in accordance with the provisions of Part 6, Corridor Improvement Authorities, of the Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended (the Act) and as defined by Public Act 57 of 2018 as:

In 2019 the City of Lansing used the adopted State Law (Act 280 of 2005) to create what is known as the Lansing Gateway Corridor Improvement Authority (LG CIA) and established a District with eligible property within 500 feet of the centerline of North Grand River, east on Franette Road to Old US 27 on East North Street with branches on North Martin Luther King Boulevard, Turner Road and Capital City Boulevard.

The purpose of the Corridor Improvement Authority Act is to help communities plan for and fund improvements along a corridor. The overall goal is to help support economic development and redevelopment of this area. The types of improvements could include sidewalks/pathways, streetlights, streetscape enhancements, façade improvements, and other public investments which could support and enhance economic development and the quality of life for business owners and residents within this district. The CIA's first task to be able to fund these improvements is to create a Development and Tax Increment Financing Plan. This plan describes the types of activities that the CIA can participate in as well as how those activities are financed. The plan covers a 15-year period and explains how Tax Increment Financing (TIF) will work, which is the primary means in which new projects would be funded. **It is important to note that TIF is not a new tax nor does it raise property owner's taxes.**

City Council will hear comments from citizens, taxpayers and property owners, officials from any affected taxing jurisdiction and any other interested persons. All aspects of the Plan will be open for discussion at the public hearing. Maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at the Lansing City Clerk's Office, 124 W Michigan Avenue, 9th Floor of City Hall, Lansing, MI 48933. The Development and Finance Plan can be found on the Lansing Economic Development website: [Lan Gateway Com Corridor | Lansing Economic Development Corp. \(lansingedc.com\)](http://Lan Gateway Com Corridor | Lansing Economic Development Corp. (lansingedc.com)).

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.

CP#24-594

There's no democracy in Democratic anointing Harris as its next nominee

President Joe Biden's decision to mercifully abandon his reelection plans came two years too late and has put his Democratic Party in a self-induced crisis.

On July 14, 2022, I wrote that it was hard to believe Biden could be a winning nominee for reelection. He proved me right.

Policy decisions aside, it was clear his staff was deep into its "Weekend at Bernie's" sham of shielding Biden's declining acuity from the public.

Outside of Ronald Reagan (who suffered from his own cognitive decline from advanced age) and Richard Nixon (who had something to hide), no president since the 1920s has had fewer press conferences than Biden, according to the American Presidency Project.

Biden's professional campaign team and top Democrats ignored all the warning signs: the president tripping up the steps of Air Force One multiple times, falling off a stopped bicycle, struggling to answer reporter questions when he did make himself available.

Instead of convincing Biden then that he should be the "bridge" president that he pledged to be in 2020, self-preservation took over, as I wrote about last week.

The result is this: the Democrats rolling over democracy a second time in 2024 to anoint a presidential nominee.

Is Vice President Kamala Harris a better presidential candidate than Biden? Does she give the Democrats a better chance to beat Donald Trump in November?

Yes, and yes.

But is she the best candidate?

Honestly, we'll never really know.

Harris has never won a single state's primary election. Harris has never won a caucus. Shoot, she ended her 2020 presidential campaign before the Iowa caucuses. Her electoral history in California isn't exactly impressive. She defeated her Republican opponent in 2010, 46.1% to 45.3%. In blue-state California.

I know 2010 was a Republican year, but every other California Democrat running for statewide office that year got at least 50%, including the Dem's lieutenant governor. His name was Gavin Newsom, and he unseated an incumbent in that election.

Biden's bullheadedness deprived Democrats of having a primary election

season when Harris could have been vetted against some other candidates.

Maybe she would have rolled over her competition like Trump rolled over Ron DeSantis, Nikki Haley and friends. Maybe it would have been a landslide like her 2016 U.S. Senate primary and general election victories.

SOMEONE would have run against her. Maybe not Newsom or U.S. Transportation Secretary Pete Buttigieg or even Gov. Gretchen Whitmer, but she would have had to win Iowa, New Hampshire, South Carolina, Nevada, Michigan or some Super Tuesday states against SOMEBODY.

Now, we can't even wish for a competitive Democratic convention.

The Democrats' grand poohbahs are now confessing that they set their convention date (Aug. 19-22) too late to make some states' ballots. They just presumed long ago Biden would be the nominee and the convention would be another staged hype machine.

Now they want a virtual roll call by Aug. 7 to anoint Harris and fix the mistake they made, according to The Washington Post.

What would have been wrong with a competitive convention? Four days of speeches bashing Trump that would get more eyeballs? A result in question? That would have been some compelling TV.

Somehow, American political parties used the convention system to pick nominees for well over 100 years without needing to turn it into a pre-ordained production.

Don't tell me this emergency anointment is needed for campaign fundraising, either.

If Harris raised more than \$80 million in one day on July 22, she could raise at least that or more on Aug. 22. The Democrats already have an enormous money advantage and have reserved ad time in most media markets anyway.

Ironically, the Democratic Party has become the antithesis of democracy. They go to great lengths to discourage competitive primaries or conventions in favor of anointed candidates.

They believe this will win elections against the Republicans. But when you're starting as behind as they are, wouldn't you think they'd want a candidate that at least delegates can say they had a hand in picking?

(Email Kyle Melinn of the Capitol news service MIRS at melinnky@gmail.com.)



POLITICS

Resolution #2024-159

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

A RESOLUTION TO SET A PUBLIC HEARING ON THE DEVELOPMENT
AND TAX INCREMENT FINANCE PLAN OF
THE LANSING GATEWAY CORRIDOR IMPROVEMENT AUTHORITY OF
THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing, MI, by Resolution 2019-333, passed on December 16, 2019, authorized the creation of the Lansing Gateway Corridor Improvement Authority (the "Authority") by the provisions of the State of Michigan's Corridor Improvement Authority Act, previously Act 280 of 2005 (MCL 125.2871, et seq.), recently reorganized as Part 6 of Act 57 of 2018 (125.4602, et seq.), as amended (the "Act"); and

WHEREAS, the Board of Directors of the Authority met and approved a joint Development and Tax Increment Finance Plan (the "Plan") on June 25th, 2024 at a duly noticed public hearing of the Authority; and

WHEREAS, the Board of Directors for the Authority have transmitted the Plan to the City Council of the City of Lansing for review and approval after public hearing; and

WHEREAS, prior to the adoption of a resolution approving the Plan, the City Council of the City of Lansing must hold a public hearing and receive written and spoken comments from members of the public on all aspects of the Plan, in compliance with Section 622 of the Act; and

WHEREAS, prior to the adoption of a resolution approving the Plan, the City Council of the City of Lansing must also provide reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to meet with the governing body, and allow those taxing jurisdictions to present their recommendations at the public hearing on the Plan, in compliance with Section 618 of the Act.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be set for August 26th, 2024, at 7:00 P.M. in the City Council Chambers, 10th Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comment from all members of the public and taxing jurisdictions specified herein, on all aspects of the Plan.

BE IT FURTHER RESOLVED that the Lansing City Clerk shall ensure that:

- notice of the time and place of the hearing to be given by publication twice in a newspaper of general circulation, the first of which shall be not less than 20 days before the date set for the hearing; and
- notice of the hearing to be posted in at least 20 conspicuous and public places in the development area not less than 20 days before the hearing; and

- notice to also be mailed to all property taxpayers of record in the development area not less than 20 days before the hearing; and
- notice to also be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the tax increment financing plan is approved.

BE IT FURTHER RESOLVED that the notice of hearing shall contain all the following:

- a description of the proposed development area in relation to highways, streets, streams, or otherwise; and
- a statement that maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at the Lansing City Clerk's Office, and online at the City of Lansing's website; and
- a statement that all aspects of the development plan will be open for discussion at the public hearing.

BE IT FINALLY RESOLVED that the City Council of the City of Lansing will make and preserve a record of the public hearing, including all data presented at the hearing.

Resolution #2024-160

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a, which established the criteria for Development District or Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended (“Act”) the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, the issuance of a Development District Liquor License under Section 521a(1)(b) of the Act requires a proposed licensed premises to be located in one of the development districts or areas listed in MCL 436.1521a(1)(b); and

WHEREAS, pursuant to Public Act 120 of 1961 for Principal Shopping Districts, the Lansing City Council created the Lansing Principal Shopping District by Resolution in 1996 which is listed as a qualifying development district or area under MCL 436.1521a(1)(b); and

WHEREAS, the City of Lansing received a request from M&S1, LLC. DBA, JOLLOF AFRO CARIBBEAN LOUNGE (“Applicant”) regarding its intention to apply to the Michigan Liquor Control Commission for a new Class C Development District or Area Liquor License for its business located at 221 S. Washington Square, Lansing, MI 48933 (“Proposed Licensed Premises”) which is located within the Lansing Principal Shopping District; and

WHEREAS, the Applicant has affirmed that the Proposed Licensed Premises meets the statutory requirements for a Development District or Area Liquor License under the Act including 1) that its business must be engaged in activities of dining, entertainment, or recreation, and 2) the licensed business must be open to the general public and have a seating capacity of not less than 25 persons; and

WHEREAS, the Applicant will provide evidence with its application that it can document the expenditure to the Michigan Liquor Control Commission, of not less than \$75,000.00 in the rehabilitation or restoration of the building that will house the licensed premises over a period of the preceding five (5) years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license, as required by the Act; and

WHEREAS, the Committee on City Operations met on July 17, 2024, to review the request with affirmative action taken;

WHEREAS, the Applicant has been informed that licensure of the Proposed Licensed Premises will be subject to approval by the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that City Council recommend for the reasons stated above that the Michigan Liquor Control Commission consider the request from M&S1, LLC. DBA, JOLLOF AFRO CARIBBEAN LOUNGE, for a new Class C License issued under the provisions of MCL 436.1521a(1)(b) for its business located at 221 S. Washington Square, Lansing, MI 48933.

BE IT FURTHER RESOLVED, the City Council affirms that the Proposed Licensed Premises, 221 S. Washington Square, Lansing, MI 48933 is within the established boundaries of the Lansing Principal Shopping District; and

BE IT FURTHER RESOLVED, the City Council directs the City Assessor to verify via an Affidavit the total amount of public and private investment in real and personal property within the Lansing Principal Shopping District amounts to \$200,000.00 or more over the preceding 5 years.

BE IT FURTHER RESOLVED, the Applicant meets the qualifications of Lansing's City Liquor Ordinances, and those required under MCL 436.1521a(1)(b) and that the license is approved "Above all others."

BE IT FINNALLY RESOLVED, the City Council directs the City Clerk to complete the Local Governmental Unit Approval Form (LCC-106) for the specific license approval of a New Class C license issued under MCL 436.1521a(1)(b) and to forward a copy of the certified form and this resolution to M&S1, LLC. DBA, JOLLOF AFRO CARIBBEAN LOUNGE, and the Michigan Liquor Control Commission.

Resolution #2024-161

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing submitted a grant proposal on March 11, 2024, to request funding in the amount of \$60,000.00 to support the Financial Empowerment Center (FEC) program; and

WHEREAS, the City of Lansing's Office of Financial Empowerment, which is as of July 1, 2024 part of the Department of Economic Development and Planning, will be receiving said funding from Jackson National Charitable Foundation (JNCF) for the purposes of increasing the capacity of the Financial Empowerment Center in the 2024-2025 fiscal year; and

WHEREAS, this funding was the result of a competitive proposal process; and

WHEREAS, the award for \$60,000.00 does not require a local match.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Financial Empowerment Center funding in the total amount of \$60,000.00 for the period beginning on the date of council approval for the City of Lansing and ending on June 30, 2025.

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

Resolution #2024-162

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, the Ingham County Board of Commissioners under Resolution #24-178 approved reallocation of funding from TR028/TR071 Bear Lake Pathway/US127 Pathway to #TR133 Corporate Research Park Pathway in the amount of \$283,067.99 toward the projected project and #TR041 Fenner Pathway in the amount of \$173,935.75 for a total project amount of \$629,185.75; and

WHEREAS, the Ingham County Board of Commissioners under Resolution #24-178 approved to extend the expiration date of projects #TR040 (Bridge #CL-21-LTE-RC Removal and Replacement), #TR072 (CL-26-LT-GR Bridge Rehabilitation), TR073 (CL-25-LT-GR Bridge Rehabilitation), #TR076 (CL-11-LTE-RC Bridge Rehabilitation), #TR077 (CL-28-LT-GR Bridge Rehabilitation), and #TR109 (River Trail Overband and Crack Sealing) to December 31, 2024; and

WHEREAS, the Parks and Recreation Department is requesting acceptance of the Ingham County trails and parks millage re-allocation funding and extensions; and

WHEREAS, the City of Lansing recognizes the importance of the continued maintenance of these and other enhancements and has committed to implementing a maintenance plan/program over the design life of the facilities and has budgeted specific monies to ensure the continued maintenance of the enhancements; and

WHEREAS, the Administration and the City Council recognize the importance and need for safe recreation and non-motorized transportation facilities.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Ingham County parks and trails millage re-allocation funding and contract extensions.

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for their administration in accordance with the requirements of the grantor.

Resolution #2024-163

By the Committee on Equity Diversity and Inclusion
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the recommendation for appointment of Byron Haskins as an At-Large member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2027; and

WHEREAS, the Mayor's office has confirmed with this resolution that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Equity Diversity & Inclusion met on July 10, 2024 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment Byron Haskins as an At-Large member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2027.

Resolution #2024-164

By the Committee on Equity Diversity and Inclusion
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Terrence Lanier Frazier as the 1st Ward member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2025; and

WHEREAS, the Mayor's office has confirmed with this resolution that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Equity Diversity and Inclusion met on July 10th, 2024 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Terrence Lanier Frazier as the 1st Ward member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2025.

Resolution #2024-165

By Council Members Carter, Jackson, Pehlivanoglu
Resolved by the City Council of the City of Lansing

WHEREAS, Disability Pride Month is an annual observance celebrated in July to honor the history, achievements, experiences, and struggles of the disability community; and

Whereas, the historic Capitol Crawl protest of March 12, 1990, where dozens of disability rights activists abandoned their wheelchairs and mobility aids to crawl up the steps of the U.S. Capitol, drew national attention to the barriers faced by people with disabilities and significantly contributed to the passage of the Americans with Disabilities Act (ADA) which provides legal protection and advocates for the rights of individuals with disabilities; and

WHEREAS, the first Disability Pride Day was held in Boston in July 1990, coinciding with the signing of the Americans with Disabilities Act on July 26, 1990, and has since grown into a month-long celebration and recognition of the disability community's culture, history, and contributions; and

WHEREAS, recognizing July as Disability Pride Month encourages public awareness, education, and dialogue about disability issues, promoting a more inclusive and equitable society for all, while also providing an opportunity to reflect on the progress made in advancing disability rights, while acknowledging the ongoing work needed to eliminate barriers and ensure full participation in all aspects of life; and

WHEREAS, the Disability Pride Flag, designed by Ann Magill in 2019 and later revised to be more visually accessible, features a black background with diagonal stripes of red, yellow, white, blue, and green, symbolizing the disability community's resilience, diversity, and intersectionality.

NOW THEREFORE BE IT RESOLVED, that the City of Lansing hereby recognizes July as Disability Pride Month, and calls upon all citizens to observe this month with appropriate programs, activities, and events that honor the disability community and promote understanding, inclusion, and accessibility.

BE IT FURTHER RESOLVED, that the City of Lansing encourages the display of the Disability Pride Flag during the month of July as a symbol of solidarity and celebration of the disability community.

BE IT FURTHER RESOLVED, that the City of Lansing reaffirms its commitment to upholding the rights of individuals with disabilities and to working towards a society that values and embraces diversity in all its forms.

SUBSTITUTE

Resolution #2024-###

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS the City of Lansing has installed publicly available electric vehicle charging stations at a number of locations within the City; and

WHEREAS the City intends to charge users to cover the costs incurred to operate and maintain a public available charging network, including electricity, capital replacement and network expansion costs; and

WHEREAS the user charge may be per minute, per kilowatt hour of electricity used, or a combination of the two.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves maximum user fee of up to \$.10 per minute and \$.30 per kilowatt hour (Kwh) for Level 2 chargers.

BE IT FURTHER RESOLVED that these fees will be reviewed at least annually to ensure they are covering all costs associated with these charging stations and that appropriate fees will be established for Level 3 chargers if they are installed.

Resolution #2024-166

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS the City of Lansing has installed publicly available electric vehicle charging stations at a number of locations within the City; and

WHEREAS the City intends to charge users to cover the costs incurred to operate and maintain a public available charging network, including electricity, capital replacement and network expansion costs; and

WHEREAS the user charge may be per minute, per kilowatt hour of electricity used, or a combination of the two.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves maximum user fee of up to \$.10 per minute and \$.30 per kilowatt hour (Kwh) for Level 2 chargers.

BE IT FURTHER RESOLVED that these fees will be reviewed at least annually to ensure they are covering all costs associated with these charging stations and that appropriate fees will be established for Level 3 chargers if they are installed.

Resolution #2024-167

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing proposes to sell and the Beitler Real Estate Services, LLC, (Beitler) has offered to purchase a parcel of land located 124 W. Michigan Ave., Lansing, MI 48933, commonly known as the David C. Hollister Lansing City Hall, more specifically described herein (the Property); and

WHEREAS, the Property was appraised by Valbridge Property Advisors on March 7, 2023 at \$2,780,000.00; and

WHEREAS, Beitler has offered to purchase the Property at the appraised price, as is, and will not seek public financial incentives for its redevelopment; and

WHEREAS, the Redevelopment Agreement detailing the sale and redevelopment of the property into a hotel was placed on file with the City Clerk on June 3, 2024; and

WHEREAS, the City Council held a public hearing on July 8, 2024 in consideration of the sale and redevelopment; and

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the Redevelopment Agreement placed on file with the City Clerk on June 3, 2024, and sale of the Property, legally described as:

LOTS 6 & 7, W 50 FT LOT 8, LOTS 4 & 5 EXC N 105 FT, ALSO COM 16 FT W OF SE COR LOT 3, TH N 25 FT, W 24 FT, N 6 FT, W 26 FT, S 31.12 FT TO SW COR LOT 3, E 50 FT TO BEG; BLOCK 101 ORIG PLAT

Parcel No.: 33-01-01-16-183-009

For the sum of \$2,780,000.00.

BE IT FURTHER RESOLVED, that the City Council finds the Property no longer necessary for public purposes, after all operations currently at the Property have relocated, as described in the Redevelopment Agreement.

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

PASSAGE OF ORDINANCE

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

Is read a second time by its title. The Ordinance was reported from the Committee of the Whole and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
Brown	☐	☐
Carter	☐	☐
Garza	☐	☐
Hussain	☐	☐
Jackson	☐	☐
Kost	☐	☐
Pehlivanoglu	☐	☐
Spadafore	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

ORDINANCE No. _____

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

THE CITY OF LANSING ORDAINS:

SECTION 1. That the Code of Ordinances of the City of Lansing, Michigan, as amended and republished by municipal code corporation through Supplement 61, and all general and permanent legislation of the City from the date of entry through December 31, 2023, except any ordinance repealed as provided by law, as revised, codified, arranged, numbered, edited, and consolidated into component codes, titles, chapters, and sections are hereby approved and readopted as the Codified Ordinances of Lansing, Michigan 2023, complete to December 31, 2023.

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

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

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

24 Section 5. This ordinance shall take effect on the 30th day after enactment unless given
25 immediate effect by City Council and shall expire December 31, 2033.

Ordinance #1322

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

THE CITY OF LANSING ORDAINS:

SECTION 1. That the Code of Ordinances of the City of Lansing, Michigan, as amended and republished by municipal code corporation through Supplement 61, and all general and permanent legislation of the City from the date of entry through December 31, 2023, except any ordinance repealed as provided by law, as revised, codified, arranged, numbered, edited, and consolidated into component codes, titles, chapters, and sections are hereby approved and readopted as the Codified Ordinances of Lansing, Michigan 2023, complete to December 31, 2023.

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

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

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

Section 5. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council and shall expire December 31, 2033.

**CITY OF LANSING
SUMMARY OF
ADOPTED ORDINANCE # 1322**

Lansing City Council adopted an Ordinance of the City of Lansing, Michigan, to Re-Adopting the Codified Ordinances of the City of Lansing.

Effective date: August 22, 2024

Notice:

The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

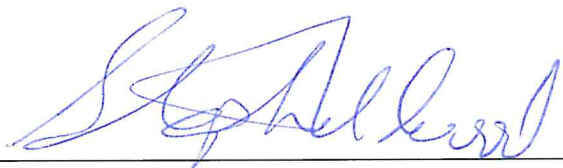
Chris Swope, Lansing City Clerk, MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#24-597

AFFIDAVIT OF PUBLICATION

I, Stephen Underwood, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement – **CP#24-594 – City of Lansing Notice of Public Hearing** – was published Wednesday, July 31, 2024, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 31st day of July 2024



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on July 31, 2024

By Stephen Underwood



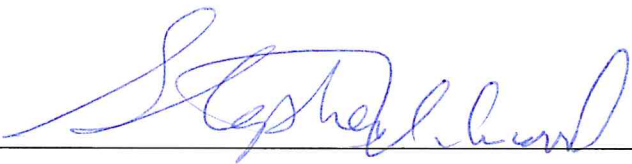
Berl Schwartz, Notary Public

My commission expires January 24, 2025

AFFIDAVIT OF PUBLICATION

I, Stephen Underwood, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement – **CP#24-597 – City of Lansing Summary of Adopted Ordinance #1322** – was published Wednesday, July 31, 2024, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 31st day of July 2024



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on July 31, 2024

By Stephen Underwood



Berl Schwartz, Notary Public

My commission expires January 24, 2025



Chris Swope

Lansing City Clerk

July 19, 2024

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: [Agendas & Minutes | Lansing, MI - Official Website \(lansingmi.gov\)](#)

BOARD NAME

DATE OF MEETING

Board of Water & Light Board of Commissioners

April 09, 2024
May 21, 2024

Board of Ethics

May 14, 2024

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4133.

Sincerely,

Chris Swope, MMC/MiPMC
Lansing City Clerk

By the Committee of _____
Resolved by the City Council of the City of Lansing

WHEREAS, pursuant to Section 702 of Public Act 321 of 2023, the Michigan Department of Treasury awarded the City of Lansing a Municipal Facilities Infrastructure Election Grant Agreement in the amount of \$1,000,000; and,

WHEREAS, the agreement stipulates funding is to be used only to support the administration of elections activities including, but not limited to the storage of elections equipment, secure spaces for tabulation or processing of ballots, and training of elections workers;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the Department of Treasury grant, subject to the terms of the grant agreement.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds, and to execute any necessary agreements upon approval as to form by the City Attorney.

Municipal Facilities Infrastructure Election Grant Agreement

The purpose of this agreement between the Department of Treasury and the City of Lansing is to define the requirements of the Municipal Facilities Infrastructure Election Grant.

Public Act 321 of 2023 provided for the Municipal Facilities Infrastructure Election Grants:

Sec 702. From the funds appropriated in part 1 for municipal facilities infrastructure, the department must allocate grants for facilities that support the administration of elections activities including, but not limited to, the storage of elections equipment, secure spaces for tabulation or processing of ballots, and training of elections workers.

The department must allocate grants of \$1,000,000.00 to each of the following municipalities:

(a) A city with a population between 106,000 and 108,000 in a county with a population between 280,000 and 290,000 according to the most recent federal decennial census.

City of Lansing Requirements:

By signing this agreement, the City of Lansing agrees to spend the Municipal Facilities Infrastructure Election Grants funds received by the Michigan Department of Treasury only to support the administration of elections activities including, but not limited to, the storage of elections equipment, secure spaces for tabulation or processing of ballots, and training of elections workers.

City of Lansing

By the Committee of _____
Resolved by the City Council of the City of Lansing

WHEREAS, pursuant to Section 1050c(15) of 2024 SCB 747, the City of Lansing as an eligible city is to be awarded an Enhancement Grant for facilities that support the administration of election activities in the amount of \$1,000,000; and,

WHEREAS, the grant is to support the administration of elections activities including, but not limited to the storage of elections equipment, secure spaces for tabulation or processing of ballots, and training of elections workers;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby authorizes the administration to accept the proposed grant, subject to the terms of the grant agreement.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds, and to execute any necessary agreements upon approval as to form by the City Attorney.



Chris Swope

Lansing City Clerk

July 19, 2024

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

Dear President and Council Members:

Pursuant to Article 5, Chapter 2, Section 5-205.2 of the Lansing City Charter, on July 3, 2024 the Board of Water and Light placed on file with my office:

Board of Water and Light proposed rate changes with a Public Hearing scheduled for Tuesday, August 20, 2024, at 5:30 p.m.

This document is available for review at the office of the City Clerk and on the City Clerk's website (www.lansingmi.gov/clerk).

Sincerely,

Chris Swope, CMC
Lansing City Clerk

Resolution #2024-###

By the Committee _____
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Hannah Jones-Nelson as the 2nd Ward member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2026; 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 _____ took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Hannah Jones-Nelson as the 2nd Ward member of the Diversity, Equity, and Inclusion Advisory Board for a term to expire June 30, 2026.

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 a service charge in lieu of taxes for fifty-four (54) low-income elderly dwelling units in a project known as Genesee Senior Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

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 _____ to read as follows:

_____ **Genesee 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 elderly 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 persons of low or moderate income, occupying the housing development representing rents for occupancy, which rental amounts shall be exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.
- (3) **"Authority"** means the Michigan State Housing Development Authority.
- (4) **"Housing development" or "Development"** means a development which contains a significant element of housing for persons of low and moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the authority may determine will improve the quality of the development as it relates to housing for persons of low and moderate income. For the purpose of this section, the name of this development is Genesee Senior Apartments, and consist of fifty-four (54) units of rental housing located within Lansing at:

Land in the City of Lansing, Ingham County, Michigan, described as follows:

The North 66 feet of the West 241.312 feet of Lot 3; and the North 66 feet of the west 99 feet of Lot 2, Block 2, Claypool Subdivision, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, Ingham County Records; ALSO lots 5 through 11, inclusive, Dodge & Daniels Subdivision East of Butler, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, Ingham County Records.

- (5) **"HUD"** means The Department of Housing and Urban Development of the United States government.

- (6) **"Low-income housing tax credit program"** means the program established by Section 42 of the United States internal revenue code.
 - (7) **"Low or moderate income"** means low- or moderate-income eligibility under the authority act or rules.
 - (8) **"Mortgage loan"** means a loan that is federally aided (as defined in Section 11 of the act) or a loan or grant made or to be made by the authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project and secured by a mortgage on the housing project.
 - (9) **"Sponsor"** means a person or other entity with a housing development which is financed or assisted pursuant to the act. For purposes of this section, the Sponsor of Genesee Senior Apartments is Volker Development Inc., or its successors or assigns.
 - (10) **"Utilities"** means fuel, water, sanitary sewer and/or electrical service, which is paid for by the housing development.
- (c) ***Establishment of annual service charge.***
- (1) The City acknowledges that the Sponsor and the authority have established the economic feasibility of Genesee Senior Apartments in reliance upon the enactment and continuing effect of this section and upon the qualification of the fifty-four (54) units of housing in the housing development for exemption from all property taxes as established in this section,
 - (2) Subject to the conditions and requirements of this section and the act, the fifty-four (54) units in the housing development for elderly persons of low and moderate income identified as Genesee Senior Apartments and the property on which they are

constructed shall be exempt from all property taxes for not more than forty-five (45) years, commencing with and including tax year 2025.

- (3) In lieu of all said property taxes on the fifty-four (54) units in the housing development, the Sponsor shall pay, and the City will accept, an annual service charge for public services in the sum equal to four percent (4%) of the annual shelter rents.**
- (4) The exemption provided under this section shall commence when the Sponsor complies with section 15a(1) of 1966 PA 346, as amended, codified as MCL 125.1415a(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 persons of low or moderate income; and**

- C. If requested by the City, proof that the housing development units have not increased, decreased, or been altered in any form, unless the City has otherwise amended the provisions of this section.**
- (d) *Limitation on the payment of the annual service charge.*** Notwithstanding Subsection (c), the service charge to be paid each year in lieu of taxes for the part of the housing development project that is tax exempt and occupied by other than low- or moderate-income 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, 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 procedures 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) *Duration.*** This section shall remain in effect and shall not terminate for forty-five (45) years, commencing with and including tax year 2025, 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, as the same maybe further amended or superseded, or there is an authority-aided or federally-aided mortgage on the housing development as provided in the act, or the authority or HUD has an interest in the property; but in no event beyond December 31, 2070. If (a) the construction of the housing development project does not commence or the Sponsors fail to obtain a mortgage loan within two (2) years from the effective date of this ordinance, or (b) if transfer of title is not effectuated to Genesee Limited Dividend Housing Association LLC within two (2) years from the effective date of this ordinance or (c) if the Sponsors change the scope or purpose of the fifty-four (54) units of housing within the housing development project without the consent of the City, by and through its representatives, and in accordance with the requirements of the Lansing City charter, and the Sponsor or other responsible party does not cure the violation within ninety (90) days after written notice is given to the Sponsor, then this ordinance shall automatically expire, terminate and be of no further effect.

Section 2. All ordinances, resolutions or rules, ordinances, parts of ordinances, resolutions or rules inconsistent with the provisions hereof including the payment in lieu of taxes agreement dated December 1, 2023, are hereby repealed as they pertain to Genesee Senior Apartments at the time this exemption commences.

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.

GENERAL INFORMATION

APPLICANT: (Sponsor/Developer)	Volker Development Inc. 464 S. Hickory Street Fond du Lac, WI 54935
OWNERSHIP ENTITY:	Genesee Limited Dividend Housing Association LLC
STATUS OF APPLICANT:	Newly Formed Ownership Entity
REQUESTED PILOT:	4% of rents received (less utilities) as payment in lieu of taxes.
REQUESTED TERM OF PILOT:	45 years
EXISTING LAND USE:	Vacant former elementary school
EXISTING ZONING:	R-AR- Residential Adaptive Reuse
PROPERTY SIZE & SHAPE:	2.166-acre site. Rectangular property with flat features with frontage on W. Genesee Street and N. Butler Blvd.
SURROUNDING LAND USE:	N: Residential S: Residential E: Residential W: Residential
SURROUNDING ZONING:	N: R-6B- Urban Residential S: R-6B- Urban Residential E: R-6B- Urban Residential W: R-6B- Urban Residential

PROJECT ANALYSIS

Request and description of project: The request for a site-specific PILOT ordinance is submitted by Volker Development Inc. The request is for a 45-year 4% PILOT for property located at 835 W. Genesee Street (TPN33-01-01-17-232-002). This project combines historic adaptive reuse of the now vacant Genesee Street School (22 units) and a 3-story new construction building (32 units), utilizing LIHTC funding. The completed project will contain a combined total of fifty-four (54) units including thirty-six 1-bedroom units and sixteen 2-bedroom units designated as affordable housing for the elderly, including 9 barrier free units. The project

will be submitted for Low Income Housing Tax Credit award in October 2024. Construction will begin in May 2025 and will be completed in June 2026. The comprehensive \$18,450,853 new construction and rehabilitation will include historic rehabilitation of the Genesee Street School as well as a new 3-story apartment building.

Project Financing: This project includes rehabilitation of a historic school as well as construction of a new 3 story apartment building. It will be competing for Low Income Housing Tax Credits to be awarded by MSHDA. If approved for tax credits, the basic criteria will be met in order to be considered for a 4% PILOT. The Owner anticipates permanently financing the project using Historic Tax Credits, Low Income Housing Tax Credits, a mortgage and deferred developer fee, for a total development cost of \$18,453,434.

FINANCIAL ANALYSIS

Assessor's Financial Analysis:

The project includes one parcel that has a current Taxable Value of \$155,785. The parcel is currently an improved property with off-street parking. The building is vacant and was previously used as a public school.

- Estimated taxes for 2024: \$12,425

The fully developed property will contain a total of 54 units, all of which are subsidized. It will consist of 36-one bedroom units and 16-two bedroom units. The Taxable Value “as if” fully developed is \$2,020,600.

- Estimated taxes “as if” fully developed **w/out** a PILOT: \$ 161,167
- Estimated taxes “as if” fully developed **with** a 5% PILOT: \$28,348

RECOMMENDATION

Staff recommends adoption of the PILOT ordinance based on the following:

The project is consistent with the City's Form-Based Zoning Code. Significant investment will take place to create 54 affordable housing units for elderly and disabled residents. Rehabilitation of the historic building as proposed will help retain the existing character of the area.



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2024 APPLICATION FOR PAYMENT IN LIEU OF TAXES (PILOT)

PROJECT NAME:	Genesee Senior Apartments		
PILOT PERIOD REQUESTED:	45	Years (Should match term of qualifying mortgage)	
NUMBER OF PARCELS IN PROJECT:	One (1)	Parcels	
APPLICATION TYPE: (Check all that apply)	☒ NEW PROJECT ☐ RESTRUCTURE OF PROJECT FINANCING ☐ CHANGE IN OWNERSHIP		
PILOT Percentage Requested:	Less than 10% PILOT		

A. OWNERSHIP INFORMATION

NAME OF OWNERSHIP ENTITY:	Genesee Limited Dividend Housing Association LLC
---------------------------	--

TYPE OF OWNERSHIP:	☒ LIMITED DIVIDEND HOUSING ASSOCIATION
	☐ QUALIFIED NONPROFIT HOUSING CORPORATION
	☐ CONSUMER HOUSING COOPERATIVE
	☐ OTHER: (DESCRIBE)

DEVELOPER/SPONSOR:	Volker Development Inc.
DEVELOPER ADDRESS:	464 S. Hickory Street, Fond du Lac, WI 54935

CONTACT PERSON:	Greg Baron
TELEPHONE:	216-409-4801
EMAIL:	g.baron@volker.co

LIHTC Application Date:	October 1, 2024		
LIHTC Status:	Applying For		
Initial Use Commitment in LIHTC Application:	30	Years	
Extended Use Commitment in LIHTC Application:	15	Years	



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Total Length of Affordability Commitment in LIHTC Application:	45 Years
--	----------

Contact Person for Qualifying Federal or State Financing:	Elizabeth Rademacher
Phone Number:	517-335-9864
Email:	rademachere3@michigan.gov

B. CITY APPROVALS NEEDED

PLANNING BOARD	☒ YES ☐ NO ☐ NOT APPLICABLE STATUS: To-be scheduled in response to this PILOT Application
ZONING BOARD OF APPEALS	☐ YES ☒ NO ☐ NOT APPLICABLE STATUS: N/A
HISTORIC DISTRICT COMMISSION	☐ YES ☒ NO ☐ NOT APPLICABLE STATUS: N/A
OTHER:	STATUS:
EXPECTED PROJECT START DATE:	May 2025
EXPECTED PROJECT COMPLETION DATE:	June 2026

C. PROJECT INFORMATION

Project Address:	835 West Genesee Street, Lansing, MI 48915
General Location (e.g., cross streets)	Corner of W. Genesee St. & N. Butler Street
Is Project located in a Renaissance Zone?	☐ Yes ☒ No
Is Project located in a Neighborhood Enterprise Zone?	☐ Yes ☒ No
Is Project located in an Opportunity Zone?	☐ Yes ☒ No
Is Ownership Entity able to demonstrate site control?	☒ Yes ☐ No

Note: Project is not eligible for PILOT if Ownership Entity is not able to demonstrate site control. Site control is demonstrated through ownership, purchase/option agreement, etc. Contact the Community Development Department with questions regarding sufficient documentation.



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D. BUILDING INFORMATION

Building Type (e.g., single/multi-family, number of floors)	Adaptive Reuse and 3-story new construction
Total Number of Units:	Fifty-Four (54)
Number of Rent Restricted Units:	Fifty-Four (54)
Number of Market Rate Units:	Zero (0)
Total Number of Barrier-Free Units:	Nine (9) units, or 15% of total
Target Demographic(s) (seniors, families, persons with disabilities)	Elderly/Seniors

Transitional Housing for Homeless Project	☐ Yes ☒ No
Emergency Shelter Project	☐ Yes ☒ No
Permanent Supportive Housing?	☐ Yes ☒ No Number of PSH Units <u>N/A</u>
Targeted Income (% of Area Median Income)	30% AMI - 70% AMI
Residential Space Square Footage:	41,947
Non-Residential (N/R Space):	☐ Yes ☒ No
Square Footage (of N/R Space):	N/A
Use (of N/R Space):	N/A
Neighborhood District:	R-AR - Residential Adaptive Reuse

Note: The number of units included this application must be final. Council will not vote on a PILOT that contains a unit range.



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E. UNIT INFORMATION

Unit Type	Number of Units	Average Unit Size (sq. ft.)	Projected Monthly Rent per Unit (including utility allowances)	
Rent Restricted Units			Restricted Rate	Market Rate *
0- Bedroom				
1- Bedroom	36	784 SF	\$493 -\$1150	\$493 -\$1150
2- Bedroom	16	900 SF	\$592 - \$1380	\$592 - \$1380
3- Bedroom				
4- Bedroom				
5- Bedroom				
Subtotal	54			

*The expected market rate for the rent restricted unit. The information is used for comparison purposes.

Provide a description of the units in the project:

Twenty-two (22) total units in school building - mix of 1-bds & 2-bds
Thirty-two (32) total units in new con building - mix of 1-bds & 2-bds

Unit Type	Number of Units	Average Unit Size (sq. ft.)	Projected Monthly Rent per Unit (including utility allowances)
Market Rate Units			
0- Bedroom	N/A		
1- Bedroom	N/A		
2- Bedroom	N/A		
3- Bedroom	N/A		
4- Bedroom	N/A		
5- Bedroom	N/A		
Subtotal	N/A		
Total	N/A		



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F. PROJECT FINANCING

Federally-aided Mortgage, Advance, or Grant	☐ Yes	☐ No
Name of Loan/Credit Program	Term of Financing	Amount
	N/A	\$
		\$
		\$

State-aided Mortgage, Advance, or Grant	☐ Yes	☒ No
Name of Loan/Credit Program	Term of Financing	Amount
Federal Historic Tax Credit Equity	N/A	\$ 1,385,822
		\$
		\$

City-aided Mortgage, Advance, or Grant	☐ Yes	☒ No
Name of Loan/Credit Program	Term of Financing	Amount
Permanent Loan - First Mortgage	7.50%, 35 yr. AM	\$ 2,662,000
		\$
		\$

Low Income Housing Tax Credits (LIHTC)	☒ Yes	☐ No
Name of Loan/Credit Program	Term of Financing	Amount
Federal Low Income Housing Tax Credit Equity	N/A	\$ 14,023,598
		\$
		\$

Description and status of other (private) financing:	
Deferred Developer Fee currently estimated at \$382,014	



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G. NARRATIVE

Provide a complete description of the project including the parties involved, necessary background information, number of parking spaces being provided, and any special certification (e.g. LEED) the project will target. Include all amenities that will be included in the development.

*** See Narratives Attached**

Does the proposed development comport with Lansing's Form Based Code found at [Zoning | Lansing, MI - Official Website \(lansingmi.gov\)](https://www.lansingmi.gov/zoning)

*** See Narratives Attached**

Provide a narrative explaining why the PILOT is needed, and how the requested PILOT will assist with the operation of the affordable housing development.

*** See Narratives Attached**

If project financing is being restructured, detail all physical improvements to the project completed within the last five (5) years and any planned rehabilitation. (attach additional pages if necessary)

*** See Narratives Attached**

Describe how the project is designed to fit into and compliment the surrounding neighborhood:

*** See Narratives Attached**

Provide results of neighborhood feedback sought regarding any proposed new construction:

*** See Narratives Attached**



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H. Required Documents

Attach the following required documents to this application.

- ☒ Ownership Entity Organizational Documents
- ☒ Description of Project
- ☒ Legal Description of property (electronic version should be available on request)
- ☒ Evidence of Site Control
- ☒ Sources and Uses Statement (indicate if the funding is committed or pending)
- ☒ Development Proforma
- ☒ Operating Proforma (highlighting PILOT contribution to project)
- ☒ Financing Mortgage
- ☒ Financing Note
- ☒ Financing or Development Agreement/Copy of Regulatory Agreement
- ☒ Location Map of Project Parcels
- ☒ Statement of Development Team Experience (be specific)
- ☒ Summary of Market Study supporting need for your development
- ☒ Property Manager Information and Portfolio (of properties)
- ☐ Most Recent Financial Statement of Developer
- ☒ Capital Improvements Schedule
- ☒ Site Plan
- ☒ Exterior Elevations
- ☐ Other Attachment (Describe)

Provide explanation below if any required documents are unavailable at the time of this application:

Note: If exterior elevations are not available, please provide a description of exterior building materials: Brick, siding, doors, fenestrations, window, door, corner and cornice trim, roofline, below:



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The applicant is responsible for providing written notification to the Development Office of any change in the information contained in this application or its attachments as soon as the applicant becomes aware of the change.

The Development Office reserves the right to request additional information and/or supporting documentation related to this application.

The undersigned hereby attests that to the best of his or her knowledge the information presented herein, including the attachments, is true and correct.

Gregory Baron

Date: 6/28/2024

Signature of Authorized Representative

Name: Greg Baron

Title: Managing Director

Genesee Senior Apartments

NARRATIVE

- 1. Provide a complete description of the project including the parties involved, necessary background information, number of parking spaces being provided, and any special certification (e.g. LEED) the project will target. Include all amenities that will be included in the development.**
 - a. Volker Development Inc. (Volker) and Equity First Community Development, LLC (Equity First) are proposing the Genesee Senior Apartments Project, a combined adaptive-reuse and new construction project in the City of Lansing. The former school building is located on the corner of West Genesee Street and North Butler Boulevard, just outside of downtown Lansing. In partnership with Equity First, the redevelopment of the Genesee school will capitalize on the lack of senior affordable housing development in the City of Lansing. The project scope involves the historic adaptive reuse of the former Genesee School into twenty-two (22) units and the new construction of a thirty-two (32) unit, three (3) story elevator-serviced building on the same parcel. Tenants will enjoy several on-site amenities including a large community room that will include a kitchenette and sitting area.
 - b. The current preliminary site design assumes a total of sixty-eight (68) parking spaces. The development will be ADA compliant and will include handicap accessible parking stalls.
 - c. The Project will achieve LEED-Silver for Homes and Multifamily
- 2. Does the proposed development comport with Lansing's Form Based Code found at Zoning / Lansing, MI - Official Website (lansingmi.gov)**
 - a. The zoning for the proposed development is R-AR- Residential Adaptive Reuse, which allows for the construction of the proposed project. Preliminary site plan approval has been obtained from the City of Lansing.
- 3. Provide a narrative explaining why the PILOT is needed, and how the requested PILOT will assist with the operation of the affordable housing development.**
 - a. As a rent-restricted affordable housing development, the Genesee Senior Apartments will be set aside for seniors at 30% to 70% AMGI. The development will commit to forty-five (45) years of housing affordability. As a result, the development cannot support full real estate taxes during the compliance period. The 10% PILOT will allow Volker and Equity First to provide much-needed affordable housing for seniors in the City of Lansing.
- 4. If project financing is being restructured, detail all physical improvements to the project completed within the last five (5) years and any planned rehabilitation. (attach additional pages if necessary)**
 - a. N/A – The Genesee Senior Apartments Project includes the adaptive reuse of the currently vacant, former Genesee School and the new construction of a new three-story building.

Genesee Senior Apartments

NARRATIVE

5. *Describe how the project is designed to fit into and compliment the surrounding neighborhood*

- a. The Genesee Street School has significance as one of the oldest public-school buildings in Lansing and one of two of the oldest three school buildings that appears to retain adequate integrity. It is also significant as the last of its type built in the city. The development of the Genesee Senior Apartments will maintain and improve the beautiful historic structure. Additionally, the new construction portion will require that Volker and Equity First design a building that compliments the school building and preserves the historic integrity of the neighborhood.

6. *Provide results of neighborhood feedback sought regarding any proposed new construction*

- a. As part of the MSHDA LIHTC application process, as well as the overall due diligence for the Project, Volker and Equity First will complete a robust community outreach process. This will include direct interactions and meetings with City Staff, City Council Members, neighbors, neighborhood community groups and neighborhood businesses.

PASSAGE OF ORDINANCE

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 a service charge in lieu of taxes for fifty-four (54) low-income elderly dwelling units in a project known as Genesee Senior Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The "Act").

Is read a second time by its title. The Ordinance was reported from the Committee on Development and Planning and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
Brown	☐	☐
Carter	☐	☐
Garza	☐	☐
Hussain	☐	☐
Jackson	☐	☐
Kost	☐	☐
Pehlivanoglu	☐	☐
Spadafore	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

EXHIBIT E

Genesee Senior Apartments

Exhibit E – Sources & Uses Statement

PROJECT SOURCES		
Source	Amt	Status
Federal Low Income Housing Tax Credits	\$14,023,598	Applying for in the MSHDA October 2024 LIHTC Funding Round
Federal Historic Tax Credits	\$1,385,822	Pending - The building is already listed on the National Register of Historic Places, and as such, qualifies for FHTC
First Mortgage	\$2,662,000	Pending - Commitment Letter will be available for LIHTC application submission
Deferred Developer Fee	\$382,014	Committed
TOTAL	\$18,453,434	

PROJECT USES	
Acquisition	\$339,900
Hard Cost + Construction Contingency	\$13,637,445
Design	\$659,561
Professional Fees	\$164,750
Construction and Permanent Financing Costs	\$1,375,867
Soft Costs and Developer Fees	\$1,892,847
Tax Credit Fees	\$135,330
Reserves	\$247,734
TOTAL	\$18,453,434

EXHIBIT F

Development Proforma

USES	Cost	LIHTC Basis
A. Land & Buildings	339,900	-
Building Basis	\$ 339,900	\$ -
Sub Total		
C. Hard Costs	11,128,066	11,128,066
Hard Construction	-	-
Special Allocation for Historic with New Construction	667,684	667,684
General Requirements	222,561	222,561
Overhead	667,684	667,684
Contractor P & L	-	-
Other:	-	-
Other:	-	-
Sub Total Rehab and New Construction	\$ 12,685,995	\$ 12,685,995
Total Contract Amount	\$ 12,685,995	\$ 12,685,995
Construction Contingency	951,450	951,450
Total Land + Site Work + Hard Costs + Contingency	\$ 13,977,345	\$ 13,637,445
D. Design & Engineering Fees	304,000	304,000
Architect - Design	76,000	76,000
Architect - Supervision	82,459	82,459
Builder's Risk Insurance	27,648	27,648
SAC/WAC/Park Dedication/Impact Fees	59,454	59,454
Engineering	20,000	20,000
Surveying	5,000	5,000
Geotechnical Soil Borings	55,000	55,000
FF&E	15,000	15,000
Other: Planning and Zoning	15,000	15,000
Other: Carbon Offset Credits	-	-
Sub Total	\$ 659,561	\$ 659,561
E. Professional Fees	10,000	10,000
Appraisal	6,000	6,000
Market Study	10,000	10,000
Environmental Assessment	25,000	25,000
Energy Consultant & Green	50,000	25,000
Legal Fees, Borrower - Partnership	20,000	10,000
Legal Fees, Borrower - Local	30,000	30,000
Historic Consultant	13,750	13,750
Cost Cert/Audit	164,750	129,750
Sub Total	\$ 164,750	\$ 129,750
F. Construction and Permanent Financing Costs	10,000	
Pre Dev Loan - Origination - Interest	144,488	96,325
Origination Fee	35,000	23,333
Lender Counsel	1,020,260	618,894
Construction Interest at:		
Permanent Loan/Bonds:	26,620	-
Origination Fee/Cost of Issuance	22,000	-
Other: Third Party Fees	50,000	-
Title Insurance - Filing - Recording (Equity/Construction)	12,500	-
Permanent Loan Title & Recording	55,000	-
Tax Credit Syndicator Due Diligence Fee	1,375,867	738,553
Sub Total	\$ 1,375,867	\$ 738,553
G. Other Soft Costs	10,747	10,747
Taxes During Construction	18,900	-
Hazard and Liability Insurance (First Year Escrow)	43,200	-
Rent-up Marketing	20,000	20,000
Soft Cost Contingency	92,847	30,747
Sub Total	\$ 92,847	\$ 30,747
H. Tax Credit Fees	2,430	-
Application Fee	107,250	-
Reservation Fee	25,650	-
Agency Compliance Fee	135,330	-
Sub Total	\$ 135,330	\$ -
I. Developer Fee	1,800,000	1,800,000
Developer Fee	1,800,000	1,800,000
Sub Total	\$ 1,800,000	\$ 1,800,000
J. Development Reserves	107,690	-
Debt Service Reserves	140,044	-
Operating Reserves	247,734	-
Sub Total	\$ 247,734	\$ -
Soft Cost Total	4,476,089	3,358,611
Total Development Cost	\$ 18,453,434	\$ 16,996,055

EXHIBIT G

Operating Budget

Operating Expenses

Expenses		Monthly	Annual
Personnel		4,361	52,337
Property Management	6%	2,639	31,669
Administrative/Office Expenses		1,575	18,900
Cable TV/Internet		338	4,050
Accounting/Audit		472	5,665
Legal		158	1,890
Compliance		-	-
Resident Services		-	-
Marketing & Retention		450	5,400
Grounds Maintenance		1,125	13,500
Elevator		675	8,100
Trash		900	10,800
Repairs & Maintenance		2,475	29,700
Utilities (Sewer/Water & Common Areas)		4,050	48,600
Property Taxes		1,198	14,377
Insurance		1,575	18,900
		\$ 21,991	\$ 263,888
Replacement Reserves		1,350	16,200
Total Operating Expenses		\$ 23,341	\$ 280,088

Less Than 10% PILOT Calculation

Less Than 10% PILOT	
\$527,821	Actual Rent collected
<u>(\$48,600)</u>	Utilities
\$479,221	
3%	10% PILOT
\$14,377	Annual Taxes
54	# of units
\$266	Per Unit, Per Yr

15-Year Operating Proforma

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
REVENUE															
REV Growth %	2.00%														
Gross Potential Revenue	\$ 555,108	\$ 566,210	\$ 577,534	\$ 589,085	\$ 600,867	\$ 612,884	\$ 625,142	\$ 637,645	\$ 650,397	\$ 663,405	\$ 676,674	\$ 690,207	\$ 704,011	\$ 718,091	\$ 732,453
Other Income	12,442	12,690	12,944	13,203	13,467	13,737	14,011	14,291	14,577	14,869	15,166	15,470	15,779	16,095	16,416
Less: Vacancy	(39,728)	(40,523)	(41,334)	(42,160)	(43,003)	(43,863)	(44,741)	(45,636)	(46,548)	(47,479)	(48,429)	(49,397)	(50,385)	(51,393)	(52,421)
Total Income	\$ 527,821	\$ 538,378	\$ 549,145	\$ 560,128	\$ 571,331	\$ 582,757	\$ 594,412	\$ 606,301	\$ 618,427	\$ 630,795	\$ 643,411	\$ 656,279	\$ 669,405	\$ 682,793	\$ 696,449
Operating Expenses															
Annual % Expense Growth	3.00%														
Operating Expenses	232,218	239,185	246,361	253,751	261,364	269,205	277,281	285,599	294,167	302,992	312,082	321,445	331,088	341,021	351,251
Property Management Fee	31,669	32,619	33,598	34,606	35,644	36,713	37,815	38,949	40,118	41,321	42,561	43,838	45,153	46,507	47,903
Reserves for Replacement	16,200	16,686	17,187	17,702	18,233	18,780	19,344	19,924	20,522	21,137	21,771	22,425	23,097	23,790	24,504
Total Operating Expenses	\$ 280,088	\$ 288,490	\$ 297,145	\$ 306,059	\$ 315,241	\$ 324,698	\$ 334,439	\$ 344,473	\$ 354,807	\$ 365,451	\$ 376,414	\$ 387,707	\$ 399,338	\$ 411,318	\$ 423,658
Net Operating Income	\$ 247,733	\$ 249,887	\$ 252,000	\$ 254,069	\$ 256,089	\$ 258,059	\$ 259,973	\$ 261,828	\$ 263,620	\$ 265,344	\$ 266,997	\$ 268,572	\$ 270,067	\$ 271,475	\$ 272,791
Temporary Income - TIF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service: First Mortgage Loan	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380	\$ 215,380
MIP / Guarantee Fee (on declining loan balance)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service: Second Mortgage Loan	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service: TIF Mortgage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cash Flow After Debt Service	\$ 32,353	\$ 34,507	\$ 36,620	\$ 38,689	\$ 40,709	\$ 42,679	\$ 44,593	\$ 46,448	\$ 48,240	\$ 49,964	\$ 51,617	\$ 53,192	\$ 54,687	\$ 56,095	\$ 57,411
Accumulated Cash Flow	\$ 32,353	\$ 66,861	\$ 103,481	\$ 142,169	\$ 182,878	\$ 225,557	\$ 270,150	\$ 316,598	\$ 364,838	\$ 414,802	\$ 466,418	\$ 519,611	\$ 574,297	\$ 630,392	\$ 687,803
DSCR - HARD	1.15	1.16	1.17	1.18	1.19	1.20	1.21	1.22	1.22	1.23	1.24	1.25	1.25	1.26	1.27

EXHIBIT H

Genesee Senior Apartments

Exhibit H – Financing Mortgage

To-be-provided

EXHIBIT I

Genesee Senior Apartments

Exhibit I – Financing Note

To-be-provided

EXHIBIT J

Genesee Senior Apartments

Exhibit J – Financing or Development Agreement / Copy of Regulatory Agreement

To-be-provided

EXHIBIT K

Genesee Senior Apartments
835 West Genesee Street
Lansing, Michigan 48915
Parcel #: 33-01-01-17-232-002



Genesee Senior Apartments
835 West Genesee Street
Lansing, Michigan 48915
Parcel #: 33-01-01-17-232-002

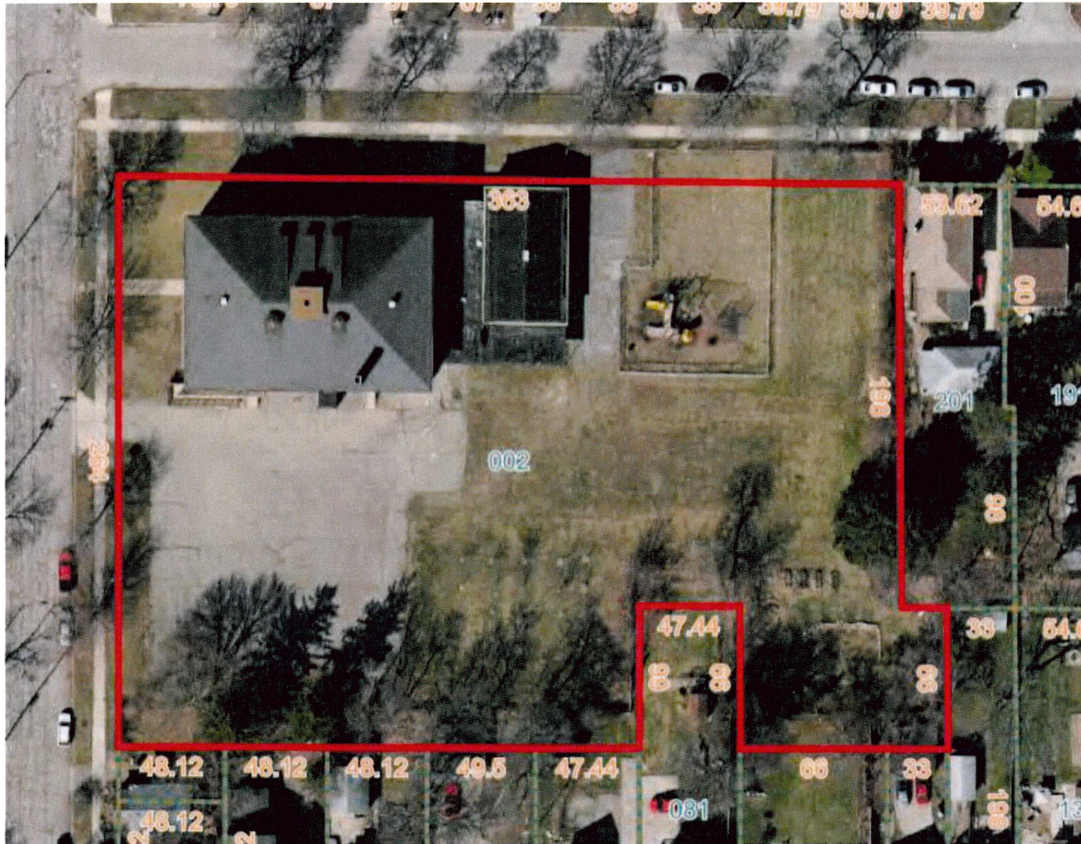


EXHIBIT L

Genesee Senior Apartments

Exhibit L – Statement of Development Team Experience

Please see the attached narratives related to Volker Development Inc. and related entities. In September of 2023, the three partners of the Commonwealth Companies made the mutual business decision to separate ownership. Kristi Morgan purchased Louie Lange's interest in Commonwealth Development, Commonwealth Construction and M+A, as well as the properties owned by Commonwealth Holdings. The three partners agreed that Louie would start and launch a new development company (Volker Development Inc.) contemporaneously with the sale of his Commonwealth interests.

The attached narratives and supporting documentation describe the change.

Additionally, we have included Staff Bios and Experience for Volker Development Inc. and a listing of Volker developed properties

- **VOLKER FORMATION NARRATIVE**
- **VOLKER ENTITIES NARRATIVE**
- **VOLKER ENTITY STRUCTURES**
 - **VOLKER DEVELOPMENT INC.**
 - **VOLKER HOUSING PARTNERS, LLC**
 - **VOLKER HOLDINGS INC. & VOLKER MANAGEMENT, LLC**
- **VOLKER DEVELOPMENT INC**
 - **ORGANIZATIONAL CHART**

VOLKER FORMATION NARRATIVE

VÖLKER

Louie founded Commonwealth in 2001 with the incorporation of Commonwealth Management Corporation, Commonwealth Development Corporation of America and Commonwealth Construction Corporation. A few years later Louie purchased the established architectural firm Meiklejohn and Associates and rebranded as M+A Design. Commonwealth's mission was to Open Doors to Opportunity through developing affordable housing.

Between 2001 and 2018 Commonwealth developed 62 affordable housing rental communities ("Original Properties") in 12 states creating 2,553 homes.

In late 2018, Louie brought on two business partners, Kristi Morgan and Chris Jaye, as equal owners of Commonwealth Development, Commonwealth Construction and M+A. Together this ownership group developed 29 Properties, 1,732 units in 11 states with Commonwealth Holdings as the managing member. In 2023, the three partners made the mutual business decision to separate ownership. Kristi will purchase Louie's interest in Commonwealth Development, Commonwealth Construction and M+A, as well as the properties owned by Commonwealth Holdings. The three partners agree that Louie would start and launch a new development company (Volker Development Inc.) contemporaneously with the sale of his Commonwealth interests.

Volker comprises four entities, three of which are newly formed: Volker Development Inc., Volker Housing Partners, LLC, Volker Management, LLC along with the re-establishment of Commonwealth Management Corporation as Volker Legacy Holdings Inc.

- Volker Development will serve as Developer and Sponsor for all new projects going forward. The company is founded with six staff from Commonwealth Development employees with the following positions: CEO, President, General Council, Vice President of Development Mid-Atlantic, Vice President of Development Ohio & Michigan and Development Manager. Four projects with 9% LIHTC allocations under Commonwealth are assigned to Volker Development.
- Volker Housing Partners will be the owner of the managing member for all projects developed by Volker Development.

Louie maintained continuous, sole ownership of Commonwealth Management Corporation ("CMC") since 2001. CMC served two functions: first as Managing Member for the Original Properties; and second as a property management company d/b/a CMC Properties. CMC Properties manages most Original Properties and manages for third party owners. It operates in nine states, overseeing 53 properties and 2,132 units.

With Volker, CMC's two functions are split into two discrete entities. The legal entity of Commonwealth Management Corporation changed its name to Volker Legacy Holdings Inc. while retaining the original EIN and organizational documents. Volker Legacy Holdings will continue as the managing member of the Original Properties, which now includes 53 projects totaling 2,201 units in 12 states. Volker Legacy Holdings also retains the balance sheet for all its managing member assets and is assigned the deferred developer fee receivables attributable from the Original Properties. Volker Legacy Holdings is the corporate guarantor for the Volker Companies.

Volker Management, LLC and will continue the property management services formally provided by CMC Properties. All CMC employees, systems, records, agreements, contracts etc. are transferred and assigned to Volker Management. Volker Management will also provide asset management services for all the properties owned by Volker Legacy Holdings and Volker Housing Partners. Volker Development and Volker Management share organizational infrastructure including office space, IT and accounting.

VOLKER ENTITIES NARRATIVE

Völker

Volker Legacy Holdings, Inc.

- Owner of MM SPEs for Louie's wholly owned legacy properties
- Guarantor
- VLH, Inc. will assume Commonwealth Management Corp's balance sheet

Volker Development, Inc.

- New development company
- Louie is majority and controlling shareholder, minority employee shareholders

Volker Housing Partners, LLC

- Owner of MM SPE for Garret Square and projects developed by Volker Development
- Louie is majority owner and managing member, minority employee members

Volker Management, Inc.

- Re-branded property management company (formerly Commonwealth Management Corporation)
- Wholly owned by Louie
- Sibling operating platform with Volker Development, they will have common shared services (accounting, HR, IT...)

Völker Development

High-quality housing solutions for people and communities.

Founded in 2023 by Louie Lange, an industry-recognized affordable housing developer and Marine Corps veteran. Volker translates to 'defender of people'. Louie founded Volker on the dual maxims of People First and Keep it Simple. Volker is committed to excellence to provide the best housing options across diverse communities for people facing increasing housing insecurity. The company is built to be nimble and responsive to current and rapidly changing market conditions.

Volker is launched with an experienced and cohesive leadership team on top of a stable portfolio of properties and proven reputation. Leadership's primary focus is to support and encourage its market leaders who are true local experts creating impactful housing opportunities.

Louie has previously founded, grew and sold a successful suite of integrated development, design and construction companies, as well as other professional services enterprises.

• VOLKER ENTITY STRUCTURES

- VOLKER DEVELOPMENT INC.
- VOLKER HOUSING PARTNERS, LLC
- VOLKER HOLDINGS INC. & VOLKER
MANAGEMENT, LLC

Völker Entity Structures

August 2023

Private and Confidential Material. For distribution by Völker only.

Völker

High-quality housing solutions for people and communities

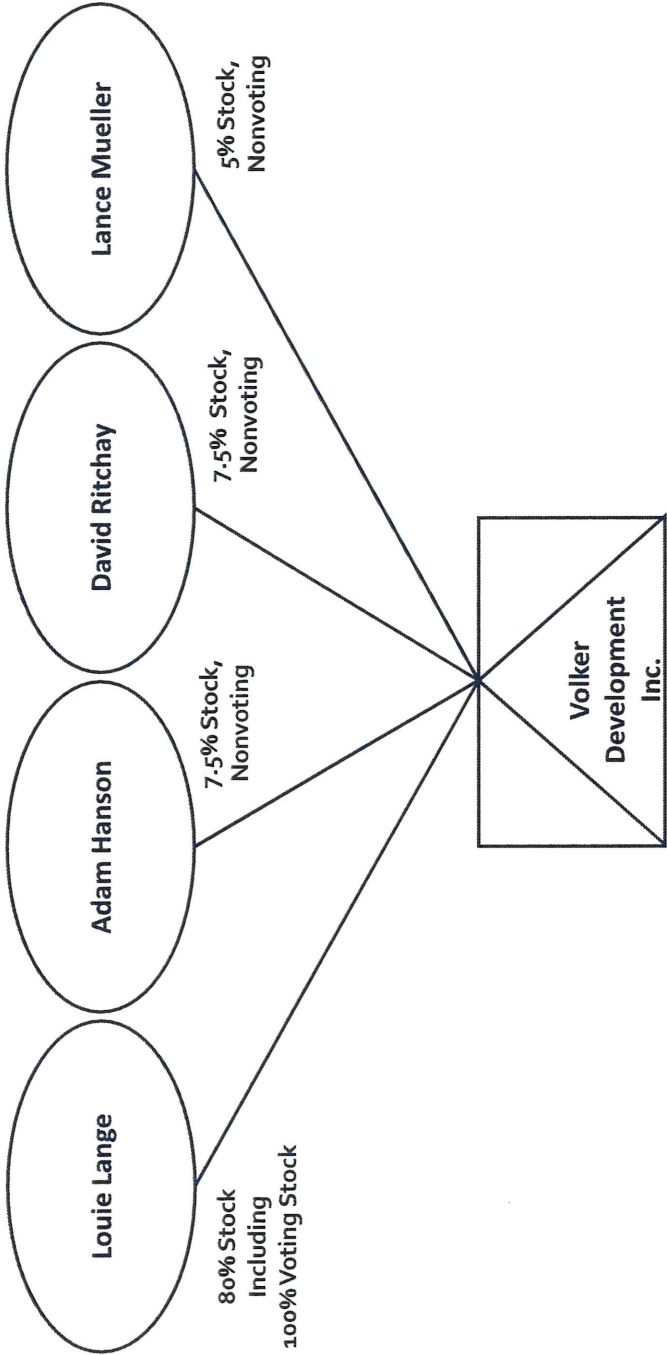
Founded in 2023 by Louie Lange, an industry-recognized affordable housing leader with over 20 years of experience, and a Marine Corps veteran. Völker translates to ‘defender of people’. Louie founded Völker on the dual maxims of *People First* and *Keep it Simple*. Völker is committed to excellence in providing the best housing options across diverse communities for people facing increasing housing insecurity, or who just want a better place to live. Völker is built to be nimble and responsive to current and rapidly changing market conditions.

Völker Development is launched with an experienced and cohesive leadership team on top of a stable portfolio of properties and proven reputation. Leadership’s primary focus is to support and encourage its market leaders who are true local experts creating impactful housing opportunities. Völker Management continues 20+ years of property management services that has spanned coast to coast from Savannah GA to Newport OR.

Louie previously founded, grew and sold a successful suite of integrated development, design and construction companies, as well as other professional services enterprises. If you have talked with Louie, then you’ve probably heard him say: “we reserve the right to get smarter.” Völker puts this mantra into action.

Volker Development Inc.

Volker Development Inc.



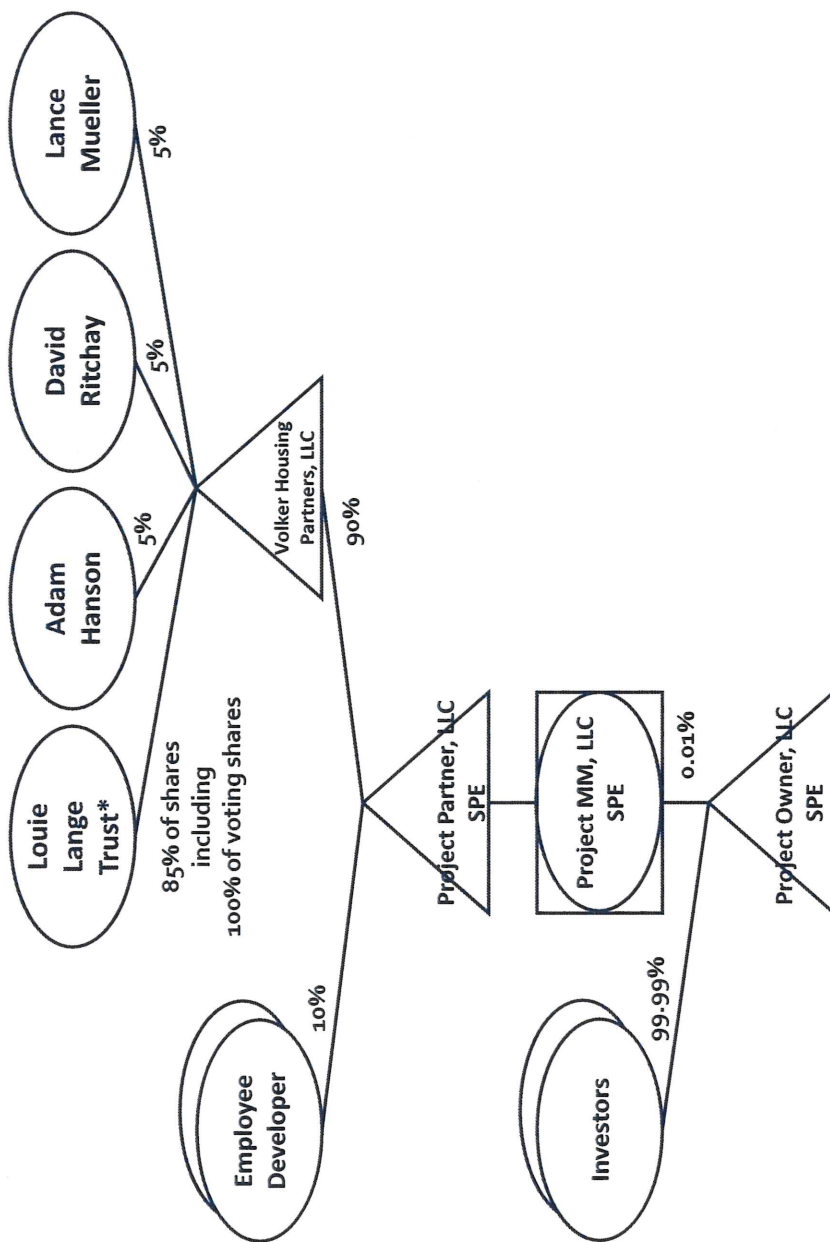
Notes

- Louie will own 80% of stock, including all voting stock of Volker Development. Adam Hanson, David Ritchay, and Lance Mueller will own the remaining stock, all nonvoting.
- Volker Development will serve as sponsor and developer for Volker group's new low-income housing tax credit projects and generate fees from its activities.

Volker Housing Partners, LLC

Project Owner Structure

Volker Housing Partners, LLC

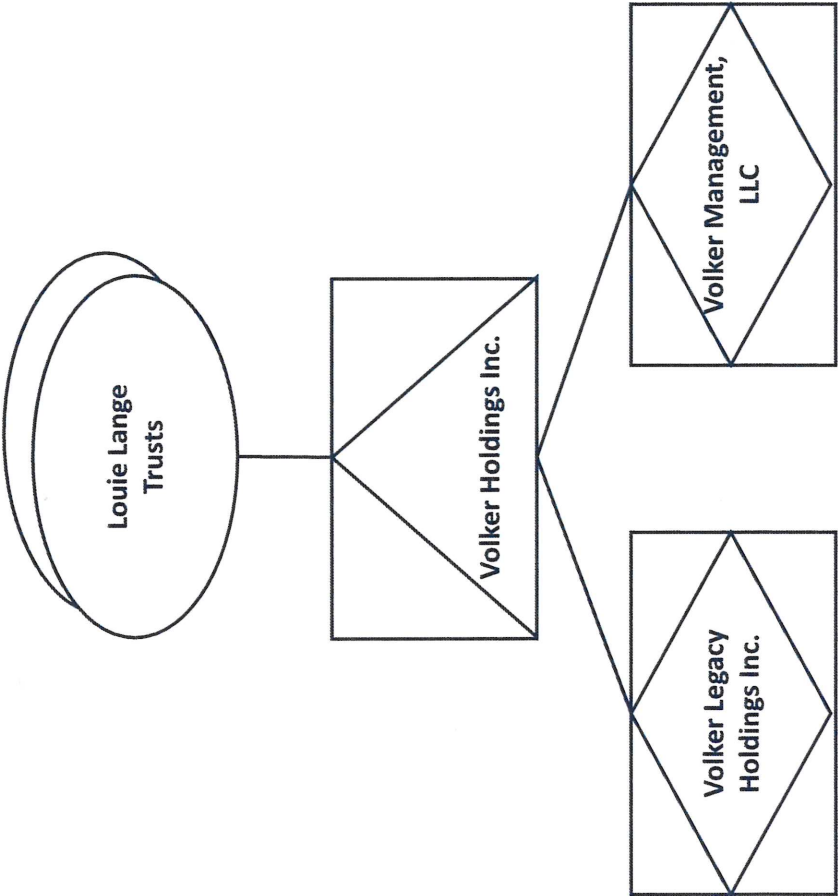


Notes

- Volker Housing Partners, LLC: The Trust holds 85% of shares (Louie's portion), Adam Hanson, David Ritchay, and Lance Mueller will own remaining shares. Louie will hold all voting shares.
- Volker Housing Partners will own a 90% interest in all Project Partners, LLC SPEs. Certain employees will own the remaining 10% interest in Project Partner LLC.
- 3rd Party co-Managing Members would participate through Project MM, LLC

Volker Holdings Inc. & Volker Management, LLC

Volker Legacy Holdings & Volker Management



Trust

- Louie Lange 100% voting stock
- Trusts 100% nonvoting stock

Volker Holdings Inc.

- Trust 100% shareholder

Volker Legacy Holdings Inc.

- Volker Holdings 100% shareholder
- Re-brand of Commonwealth Management Corporation; retains EIN
- Owns MM interests, and related assets, in legacy portfolio of 53 properties
- Assigned deferred developer fees from legacy portfolio
- Guarantor for Volker companies

Volker Management

- New company
- Volker Holdings 100% owner
- Property Management operating platform
- Retain staff, equipment, systems, management agreements from Commonwealth Management Corporation

- **VOLKER
DEVELOPMENT INC**

- **ORGANIZATIONAL CHART**

September 2023

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graph TD
    Louie[Louie Lange  
• CEO] --> Adam[Adam Hanson  
• CFO  
• Shared Services]
    Adam --> Lance[Lance Mueller  
• Risk Officer]
    Adam --> David[David Ritchay  
• Strategy and Implementation]
    Adam --> Greg[Greg Baron  
• Midwest Region]
    Adam --> Matt[Matt Padron  
• Northeast Region]
    David --> GregBaron[Greg Baron  
• Midwest Region]
    David --> MattPadron[Matt Padron  
• Northeast Region]
    MattPadron --> Dorene[Dorene Metz  
• Development support]
    MattPadron --> Ashley[Ashley Kumbler  
• Property Management  
• Asset Management  
• Shared Services]
  
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STATEMENT OF DEVELOPMENT EXPERIENCE

- PROJECT EXPERIENCE LIST – VOLKER LEGACY HOLDINGS INC.

- PROFESSIONAL STAFF BIOS
 - VOLKER DEVELOPMENT INC.
 - LOUIE A. LANGE III
 - ADAM HANSON
 - DAVID RITCHAY
 - GREG BARON
 - LANCE MUELLER (RESUME)
 - DARLENE METZ
 - MATT PADRON

 - VOLKER MANAGEMENT INC.
 - NICOLE NASS
 - JONATHAN CADDY
 - ASHLEY KUMBIER

Volker Legacy Holdings, Inc.

12/31/2022

Name of Project	Legal Name	City	State	Total Number of Units	Number of LIHTC Units	Property Type	LIHTC Type	Occupancy Type	Development Status	Year Placed in Service
Fond du Lac Center	Fond du Lac Center, LLC	Milwaukee	WI	24	22	NC/Apts.	9%	Family	In Service	2006
Prince Hall Village	Prince Hall Village, LLC	Milwaukee	WI	24	24	NC/TH & Apts.	9%	Family	In Service	2008
Fond du Lac Townhomes	Fond du Lac Townhomes, LLC	Fond du Lac	WI	48	48	NC/TH	9%	Family	In Service	2010
Mission Village of Menasha	Mission Village of Menasha, LLC	Menasha	WI	66	66	New Const/Cottages	9%	Senior	In Service	2010
Mission Village of Sheboygan	Mission Village of Sheboygan, LLC	Sheboygan	WI	76	76	NC/Cottages	9%	Family	In Service	2011
The Townhomes of Craftsman Village	The Townhomes of Craftsman Village, LLC	Plover	WI	44	43	NC/TH	9%	Senior	In Service	2011
Auxiliary Court	Auxiliary Court, LLC	West Bend	WI	59	55	NC/Apts.	9%	Senior	In Service	2012
Indianhead Cottages	Indianhead Cottages, LLC	Mosinee	WI	24	23	NC/Rehab/Cottages	9%	Family	In Service	2012
Lynndale Village	Lynndale Village, LLC	Grand Chute	WI	60	60	NC/Apts.	9%	Senior	In Service	2012
Pleasant View Townhomes	Pleasant View Townhomes, LLC	Plymouth	WI	24	23	NC/TH	9%	Family	In Service	2012
Trinity Square	Trinity Square, LLC	Fond du Lac	WI	35	35	NC/TH & Apts.	9%	Family	In Service	2012
Western Townhomes	Western Townhomes, LLC	Neenah	WI	68	64	NC/TH	9%	Family	In Service	2012
Riverside Senior	Riverside Senior, LLC	Fond du Lac	WI	46	41	NC/Apts.	9%	Senior	In Service	2013
The Village on Water	The Village on Water, LLC	Marquette	WI	49	42	NC/TH & Cottages	9%	Family	In Service	2013
Mission Village of Tahlequah	Mission Village of Tahlequah, LLC	Tahlequah	OK	24	21	NC/Cottages	9%	Senior	In Service	2014
Historic Lincoln School	Historic Lincoln School, LLC	Shawano	WI	24	24	Adaptive Reuse-Apt., NC/TH	9%	Family	In Service	2014
Jefferson Street Apartments	Jefferson Street Apartments, LLC	Ripon	WI	24	23	NC/TH & Apts.	9%	Family	In Service	2014
Mission Village of Pecos	Mission Village of Pecos, LLC	Pecos	TX	60	49	NC/TH	9%	Family	In Service	2015
Elementary School Apartments	Elementary School Apartments, LLC	Schofield	WI	36	33	Adaptive Reuse	9%	Family	In Service	2015
Union Square Apartments	Union Square Apartments, LLC	Appleton	WI	50	50	NC/TH	9%	Family	In Service	2015
Mission Village of Greeley	Mission Village of Greeley, LLC	Greeley	CO	50	46	NC/TH & Cottages	9%	Family	In Service	2016
Mission Village of Jacksonville	Mission Village of Jacksonville, LLC	Jacksonville	TX	48	48	NC/Cottages	9%	Family	In Service	2016
Mission Village of Monahans	Mission Village of Monahans, LLC	Monahans	TX	49	44	NC/Cottages	9%	Family	In Service	2016
Station Square	Station Square Apartments, LLC	Roy	UT	31	25	NC/Apts.	9%	Senior	In Service	2016
Historic Berlin School	Historic Berlin School Apartments, LLC	Berlin	WI	40	40	Adaptive Reuse- Apts. NC-TH	9%	Family	In Service	2016
Mission Village of Dodgeville	Mission Village of Dodgeville, LLC	Dodgeville	WI	40	40	NC/Cottages	9%	Family	In Service	2016
Newbury Place	Newbury Place, LLC	Ripon	WI	40	40	NC/Apts & TH	9%	Family	In Service	2016
Historic Blue Bell Lofts	Historic Blue Bell Lofts, LLC	Columbia City	IN	52	52	Adaptive Reuse/Apts	9%	Senior	In Service	2017
Little Crow Lofts	Little Crow Lofts, LLC	Warsaw	IN	42	42	Adaptive Reuse/Apts	9%	Senior	In Service	2017

Name of Project	Legal Name	City	State	Total Number of Units	Number of LIHTC Units	Property Type	LIHTC Type	Occupancy Type	Development Status	Year Placed in Service
Beacon Avenue Cottages	Beacon Avenue Cottages, LLC	New London	WI	40	34	NC/Cottages	9%	Family	In Service	2017
Mission Village of Kaukauna	Mission Village of Kaukauna, LLC	Kaukauna	WI	60	51	NC/Cottages	9%	Family	In Service	2017
Fourteen91 Lofts	Fourteen91 Lofts, LLC	Muncie	IN	72	72	Adaptive Reuse/Apts; NC/TH	9%	Family	In Service	2018
Garden View Senior Apartments	Garden View Senior Apartments, LLC	Elkhart	IN	55	55	Adaptive Reuse/Apts	9%	Senior	In Service	2018
Historic Apartments on 4th	La Sagrada Familia Apartments, LLC	Mandan	ND	39	39	Adaptive Reuse/Apts	9%	Family	In Service	2018
Aftwood Pointe	Mission Village of Florence, LLC	Florence	SC	52	52	NC/Apts	9%	Family	In Service	2018
Lawler School Lofts	Lawler School Lofts, LLC	Prairie du Chein	WI	40	34	Adaptive Reuse/Apts	9%	Family	In Service	2018
Parish School Apartments	Parish School Apartments, LLC	Fond du Lac	WI	47	40	Adaptive Reuse/Apts; NC/TH	9%	Family	In Service	2018
Preserve at Chatham Parkway	Preserve at Chatham Parkway, LLC	Savannah	GA	144	144	NC/Apts.	4%	Family	In Service	2019
15th Street Flats	15th Street Flats, LLC	Willmar	MN	47	47	NC/Apts.	9%	Family	In Service	2019
White Pines	White Pine Apartments Cloquet GP, LLC	Cloquet	MN	35	35	NC/Apts	9%	Family	In Service	2019
The Edge Artist Flats	The Edge Artist Flats, LLC	Fargo	ND	42	42	NC/Apts	9%	Family	In Service	2019
Dunbar Commons	Historic Dunbar School Apartments, LLC	Oklahoma City	OK	52	52	Adaptive Reuse/Apts.	9%	Senior	Stabilizing	2019
Sunset Village Apartments	Sunset Village Apartments, LLC	N. Albany	OR	40	40	NC/Apts	9%	Family	In Service	2019
Barton School Apartments	Barton School Apartments, LLC	West Bend	WI	40	40	Adaptive Reuse/Apts; NC/TH	9%	Family	In Service	2019
Cottages on Main Street	Cottages on Main Street, LLC	Hortonville	WI	40	34	NC/Cottages & TH	9%	Family	In Service	2019
Friar House Flats	Friar House Flats, LLC	Green Bay	WI	40	40	Adaptive Reuse/Apts	9%	Family	In Service	2019
Mission Village of Evans	Mission Village of Evans, LLC	Evans	CO	68	68	NC/Cottages	9%	Family	In Service	2020
The Ridge	Broadmoor Bluffs Apartments, LLC	Colorado Springs	CO	60	60	NC/Cottages	9%	Family	In Service	2020
Cherokee Place	Cherokee Place, LLC	North Branch	MN	48	48	NC/Cottages	4%	Family	Stabilizing	2020
Surf View Village	Surf View Village, LLC	Newport	OR	110	110	NC/Walk up	4%	Family	In Service	2020
Avenue Commons	Avenue Commons Apartments, LLC	Andrews	TX	60	50	NC/Walk up	9%	Family	Stabilizing	2020
Mission Village of Cheyenne	Mission Village of Cheyenne, LLC	Cheyenne	WY	41	41	NC/Walk up	9%	Family	In Service	2020
Magnolia Pointe	Magnolia Pointe Apartments LLC	Florence	SC	24	24	NC/Apts	HOME/AHTF	Senior	Stabilizing	2021
Units Total				2,553	2,451					

PROFESSIONAL STAFF BIOS

- **VOLKER DEVELOPMENT INC.**

- LOUIE A. LANGE III
- ADAM HANSON
- DAVID RITCHAY
- GREG BARON
- LANCE MUELLER (RESUME)
- DARLENE METZ
- MATT PADRON

- **VOLKER MANAGEMENT INC.**

- NICOLE NASS
- JONATHAN CADDY
- ASHLEY KUMBIER

Meet Louie Lange



FOUNDER

Volker

O: Fond du Lac, WI

E: l.lange@volker.co

Volker is ...

“a true community partner who works with everyone from urban planners and government agencies to neighborhood leaders and preservationists”

Focus: With Volker, Louie continues the legacy of growing the firm that started in his basement almost 25 years ago. Louie has a keen eye for opportunity and an entrepreneurial spirit that continues to drive the successful operations of his development, property management and real estate ownership ventures. He remains focused on maximizing both profits and positives outcomes for all stakeholders.

Experience: Louie received his Bachelor of Science degree in Business Administration and Management from Marquette University and an MBA from the University of Notre Dame – Mendoza College of Business. A former officer in the United States Marine Corps, Louie was the founder of The Commonwealth Companies in 2001. As a Principal, Louie is responsible for the development of over 100 affordable housing communities with 5,000+ units in 20+ states. Volker currently owns, develops and operates more than 55 affordable communities in 15 states: exceeding 2,600 units with a capitalization of \$500M.

Impressive Facts: Companies Louie has owned were named the 2020 Best Affordable Housing Developer - USA by BUILD Magazine, ranked consistently as a top Affordable Housing Developer in the U.S. by Affordable Housing Finance and received numerous other awards and accolades over the last two decades.

Fun Stuff: Louie loves to travel and experience new places especially with his family and friends – throw in outdoor activities such as hiking, skiing or boating followed up with a drink (or two) around a fire and he is in his happy place.

Meet Adam Hanson



PRESIDENT

Völker

O: Fond du Lac, WI

P: 608.347.0984

E: a.hanson@volker.co

Völker is ...

"a company with the mission to help create positive opportunities in communities and for the families we serve"

Focus: Responsible for overall management of operations and resources for Völker. Collaborates with executive leadership to set the operating plan meant to achieve short- and long-term strategic objectives. Directly oversees the Finance and Asset Management functions of the operating entities.

Experience: Adam earned his Bachelor's degree in Finance from the University of Wisconsin - Milwaukee and his MBA from Marquette University. He has more than 20 years of experience in public accounting and corporate finance. His most recent positions include Senior Vice President - Finance & CEO of nationally recognized, vertically integrated development, design and construction companies, CFO of a group of specialty subcontracting companies and Senior Manager for a Top 20 CPA firm. He also spent time at a consulting firm based in the Bay Area, working with venture capital-backed startup companies.

Impressive Facts: Adam's vast knowledge, strategic mindset, and passion have enabled him to wear a variety of hats throughout his career. He has held roles overseeing public accounting, finance, audit and tax, and HR services, continuing to broaden his skillset as new challenges are brought before him.

Fun Stuff: Adam is a naturally curious person who enjoys trying new things. Some of his favorite activities include cooking, wine tasting, hunting, fishing, boating, golfing (sometimes), and gardening. He's even attempted to make a few pieces of furniture.

Meet David Ritchay



CHIEF DEVELOPMENT OFFICER

Völker

O: Louisville, KY

P: 502.558.3377

E: d.ritchay@volker.co

At Völker:

"we strive to conduct business in a way that partners seek us out for new opportunities"

Focus: Create and implement development strategies to maximize engagement of our staff and partners to provide superior housing for residents.

Experience: David's whole career has been in affordable housing. He has 20 years of development and asset management experience with broad application in most aspects of the industry. Prior to Völker, David was President of a nationally recognized development company and before that, Executive Vice President of a non-profit housing organization that was a founding member of the Housing Partnership Network. He has a Masters of City Planning degree from MIT, and he serves on numerous boards and advisory groups.

Impressive Facts: David has directed the creation or preservation of more than 4,300 units of affordable housing with a capitalization of \$730,000,000.

Fun Stuff: David prioritizes time with family and friends that often centers around cooking, camping, coaching or card tables. It is a good day that also involves time on a bicycle, skis (alpine, Nordic or roller) or in a garden.

Meet Greg Baron



MANAGING DIRECTOR OF DEVELOPMENT - MIDWEST

Völker

O: Cleveland, Ohio

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E: g.baron@volker.co

Völker is ...

"Strategically positioned to develop exceptional affordable housing opportunities for those most in need"

Focus: Develops new affordable housing communities throughout Ohio and Michigan. Greg works with local and state agencies, community partners, and private lenders and investors to develop affordable housing and facilitates all aspects of the development process from site selection, financial structuring, construction, and project lease-up.

Experience: Greg has over thirteen years of experience working for both non-profit and for-profit affordable housing developers. His experience includes a wide array of project types, including new construction, rehabilitation, historic, mixed-use, HUD and FHA financing, 9% LIHTC, 4% LIHTC and gap financing tools. Greg's past roles include Vice President -Development for a nationally recognized development company and before that, Director of Real Estate Development for a non-profit housing developer in Cleveland, in which he managed and oversaw the organization's multifamily and single-family development activities.

Impressive Facts: Greg has been directly involved in the development and project management of affordable housing projects totaling more than \$200 million, and has managed affordable housing projects throughout the Midwest, including Ohio, Pennsylvania, Michigan, and Illinois.

Fun Stuff: Greg loves to travel and spend time gardening and remodeling his historic century home outside of Cleveland. Greg also enjoys spending time with his wife and three sons, which includes a set of identical twin boys.

Lance E. Mueller

Whitefish Bay, Wisconsin • 920-579-0418 • mueller.lance@gmail.com

PROFESSIONAL SUMMARY

Results-driven General Counsel with more than nineteen (19) years of corporate legal experience. Responsible for all aspects of the legal affairs impacting The Commonwealth Companies and its affiliated companies including separate and distinct development, construction, design, management real estate holding and investment companies. Chief legal advisor to senior management and member of the executive team while working with stakeholders at all levels of the organizations and around the country.

HIGHLIGHTS

Chief legal advisor to Boards of Directors, Presidents and senior management.

Successful negotiation of multi-million dollar construction agreements; ensure compliance and enforcement of terms.

Manage litigation portfolio; represent companies in all aspects of litigation process.

Oversight of a variety of functions within organizations, including Human Resources and Risk Management insurance and bonding programs.

Direct, draft and implement company legal policies and procedures, including those relating to legal, compliance, safety and employment matters.

Established and built in-house legal department.

WORK EXPERIENCE

The Commonwealth Companies General Counsel

**Fond du Lac & Middleton, WI
September 1, 2017 - present**

- Direct the legal affairs of the companies by providing management and oversight regarding all legal matters affecting various business units, affiliates, subsidiaries and related entities for the Commonwealth Companies. Assess known and anticipated risks and develop strategies for addressing the same.

- Manage all company litigation portfolio. Engage outside counsel direct activity of counsel. Provide direction throughout litigation process.

- Extensive experience negotiating a variety of commercial transactions, including mergers and acquisitions, development contracts and related agreements, construction contracts, purchase orders, design contracts, management agreements. Partner with operations teams in negotiating and drafting of complex, multi-million dollar transactions, ensuring compliance and enforcing terms as needed.

- Head of the of Human Resource function; restructured and organized the department to build a successful team.

- Oversees risk management and insurance matters for all organizations including liability insurance and workers compensation programs, among others.

- Directly represent the company in legal proceedings and administrative matters. Communicate with state and federal government agencies including EEOC, DOL, OSHA and others.

Commonwealth Management Corporation
Director, Vice President & Corporate Secretary

Fond du Lac, WI
September 1, 2017 – present

- Engage board members and facilitate board in consulting with management regarding strategic and operational direction of the company and monitoring company performance while working to reduce costs. Serve as the point of contact between management and the board.

Mueller, S.C.
Owner/Founder

Milwaukee, WI
January 2014 – September 2017

- Practice areas include civil and commercial litigation, general corporate law, contracts, real estate, construction, employment law, business acquisitions, mergers and transfers, securities, intellectual property, software, entrepreneurship, banking and insurance matters.

- Serve as legal counsel for individuals, families, and companies ranging from emerging businesses to Fortune 500 organizations in Wisconsin, Illinois, Minnesota and Florida. Clients include both privately owned and publicly traded entities.

Marquette University Law School
Adjunct Professor of Law

Milwaukee, WI
September 2014 – January 2018

- Teach second and third year law students civil pretrial practice and procedure, and develop and design coursework relating to the same.

Celba, LLC
Partner

Milwaukee, WI
June 2009 – December 2013

- Trial practice included engaging in trial planning and preparation for commercial litigation in state and federal courts nationwide, and participate in trials and conduct depositions. First and second chair trial experience. Business and commercial transactional practice included advise businesses regarding general corporate matters including entity formation, taxation issues and corporate governance, and structuring, drafting and negotiating contracts and agreements covering a broad range of subjects.

Herrling Clark Law Firm

Appleton, WI

Partner
Associate

June 2007 – June 2009
August 2002 – June 2007

- Advised businesses concerning legal issues and risks, and managed legal and regulatory compliance as appropriate. Researched potential legal issues, developed legal strategies and advised clients on likely outcomes. Provided routine business related legal services for clients such as forming business organizations, drafting bylaws, corporate minutes and resolutions, maintaining corporate books and records, and drafting, reviewing and negotiating business contracts and leases.

EDUCATION

University of Wisconsin Law School, Madison, WI

- Juris Doctor, *cum laude* 2002
- Class Standing: Top 20%

University of Wisconsin-Milwaukee, Milwaukee, WI

- Bachelor of Business Administration, *summa cum laude* 1999
- Major: Management/Computer Information Systems
- GPA: 3.82/4.00
- Varsity Swimming, 1995-1999

OTHER

Bar Admissions: Wisconsin, Illinois, Minnesota and Florida

Meet Darlene Metz



Völker is ...

"a team dedicated to providing housing that fosters a community's ability to flourish and that residents are proud to call home"

Focus: Assists Developers with a variety of real estate activities. Darlene plays a key role in all phases of the development process, from due diligence and feasibility through closing.

Experience: Darlene received her bachelor's degree in Business Administration with an emphasis in Accounting from UW-Milwaukee and an associate degree in Interior Design with a certificate in Kitchen & Bath Design from Fox Valley Technical College. Darlene's previous roles include Development Manager for a luxury multifamily and condominium developer and Development Director for a nationally recognized commercial and market rate multifamily developer.

Impressive Facts: Darlene handled the interior finish selection, pricing, ordering and installation scheduling for 83 custom condominiums while overseeing the interior construction of the building.

Fun Stuff: Darlene enjoys hiking with her husband and Sadie, their rescued black lab, biking, boating, playing cards & board games, reading, attending plays and live music events and traveling.

DEVELOPMENT MANAGER

Völker

O: Fond du Lac, WI

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Meet Matthew Padron



MANAGING DIRECTOR OF DEVELOPMENT - NORTHEAST

Völker

O: Lancaster, PA

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E: m.padron@volker.co

Völker is

"An organization of kind and capable people dedicated to doing extraordinary things to help communities thrive."

Focus: Leads general occupancy and senior affordable multifamily development projects in the Mid-Atlantic region (Pennsylvania, Delaware, Maryland) from site selection and concept creation through funding, land development, closing, construction, and stabilization.

Experience: Previously, Matt was Vice President of Development at a nationally recognized affordable housing development company and prior to that, was a developer with a non-profit organization based in the MidAtlantic, in which he worked with local communities and regional partners to execute projects and meet their affordable housing needs. Before moving into the affordable housing space, Matt gained considerable experience as a project manager, analyst, and process strategist working with an asset management firm and as a consultant for the federal government. Matt holds an MBA from the University of Baltimore, an MA in History from Penn State, and a BA in History from Millersville University of Pennsylvania.

Impressive Facts: In addition to driving the development of numerous 9% and 4% LIHTC projects in Pennsylvania and Delaware, Matt is skilled in designing creative solutions to unique development challenges and has an outstanding track record of winning a diverse array of soft funding in multiple jurisdictions including millions of dollars in HOME, CDBG, FHLB AHP, PHFA PHARE, PA Act 137 funds, and various private foundation grants and soft loans.

Fun Stuff: Matt enjoys spending as much time as possible with his wife and sons, hiking and exploring Pennsylvania's many state parks, trails, and historic sites. Matt also loves cool weather, history, skiing, and anything to do with cars.

Meet Nicole Nass



PRESIDENT - PROPERTY MANAGEMENT

Volker Management Inc

O: Indiana

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E: n.nass@volker.co

Volker Management is...

a company of world-class products and communities. Our commitment to building quality affordable housing serves as a catalyst to building communities.

Focus: Through collaboration with the Volker Management team, focuses on providing exceptional affordable housing for residents and the communities Volker serves.

Experience: Nicole has worked in the multifamily real estate industry for over 16 years with six of those years specifically focusing in LIHTC, HUD, RD, HOME and CBDG. Nicole has property management, asset management, and portfolio management experience in 21 states including AL, AZ, CO, IA, FL, GA, IL, IN, LA, MI, MO, MS, OH, OK, OR, PA, SC, TN, TX, WI, WY. Throughout her career she has overseen a vast portfolio of communities ranging in size from 400 to 1,000 units in addition to training, auditing, and analyzing systems and procedures. She holds an Indiana real estate sale and broker's license.

Impressive Facts: Nicole is known for her effective leadership approach and has been the recipient of multiple awards. She has also served on a prominent leadership committee.

Fun Stuff: When Nicole is not in the office or volunteering, you'll find her on the golf course and enjoying time with her two beagles.

Meet Jonathon Caddy



REGIONAL VICE PRESIDENT

Volker Management Inc

O: Owosso, MI

P: 317.961.1175

E: j.caddy@volker.co

Volker Management is...

an opportunity to provide quality affordable housing in the communities we serve, through the development and support of compassionate and dedicated team members.

Focus: Sustainably grow revenue and NOI at Volker Management Inc. communities while maintaining exceptional affordable housing for residents to enjoy calling home.

Experience: Jonathon has over 10 years of multifamily management experience with six of those years specifically focusing in LIHTC, HUD, RD, HOME and CBDG. He earned a Bachelor of Arts degree in Psychology with a minor in Sociology, conferred with Honor from Michigan State University, and has Certified Apartment Portfolio Supervisor (CAPS), Certified Apartment Manager (CAM), and Housing Credit Certified Professional (HCCP) designations. Jonathon has excelled in multiple roles throughout his career for student, conventional, and affordable housing for communities ranging in size from 50 units up to 500 units throughout 20 states.

Impressive Facts: Prior to his full-time career in Property Management, Jonathon undertook a summer-long internship with Médecins du Monde (Doctors of the World) in the Moria and Kara Tepe refugee camps in Lesbos, Greece.

Fun Stuff: In his free time, Jonathon enjoys traveling and exploring new destinations with his mom. On the typical weekend, you will find him either with a puzzled look while attempting home remodeling projects or relaxing around the grill with friends and family.

VÖLKER MANAGEMENT INC.

Meet Ashley Kumbier



VP of Finance

Volker Management Inc

O: Fond du Lac, WI

P: 920.539.6432

E: a.kumbier@volker.co

Volker Management is...

supporting quality homes and communities while providing a fun and positive work environment for employees.

Focus: Managing and accounting and finance functions for Volker Inc. and its portfolio of properties. Effectively communicating financial information with investors, lenders and other interested parties and assisting them as needed.

Experience: Ashley is a CPA with over 15 years of experience. She obtained her undergraduate degree in accounting and Master of Accountancy from UW-Madison (go Badgers!). Ashley previously worked as the controller for a manufacturer in Wauwatosa, WI. She started her career in public accounting with Smith & Gesteland, LLP (now part of BDO USA), where she worked with the firm's largest real estate clients, as well as a variety of other family and closely held business, assisting them with income and sales tax, business accounting and forecasting and a variety of consulting projects.

Impressive Facts: Ashley was a two-time PricewaterhouseCoopers National xTAX champion in college (i.e a big accounting nerd!) and has the accounting trophy to prove it.

Fun Stuff: Ashley enjoys boating with her husband and three young kids, as well as working in her large backyard garden with vegetables, fruit trees and bushes, flowers and bees.

VÖLKER MANAGEMENT INC.

EXHIBIT M

Genesee Senior Apartments

Exhibit M – Summary of Market Study

As part of the MSHDA 9% submission on October 1, 2024, the Development Team will engage a MSHDA-approved market analyst to conduct a full Market Study Report for the Genesee Senior Apartments Project. The completed report will be provided to the City of Lansing upon completion.

EXHIBIT N

Genesee Senior Apartments

Exhibit N – Property Manager Information and Portfolio

As previously described in Exhibit L, Commonwealth Management Corporation has changed its name to Volker Legacy Holdings, Inc. As such, all managed properties within the portfolio are now in Volker's portfolio. We have included a list in this Section for your review.

Volker Managed Projects

	Name of Project	City	State	Total Number of Units	Number of LIHTC Units
1	Historic Walnut Square*	Terre Haute	IN	40	34
2	Mission Village of Greeley	Greeley	CO	50	46
3	Mission Village of Evans	Evans	CO	68	68
4	Salida Ridge*	Salida	CO	48	48
5	Preserve at Chatham Parkway	Savannah	GA	144	144
6	Historic Blue Bell Lofts	Columbia City	IN	52	52
7	Little Crow Lofts	Warsaw	IN	42	42
8	Garden View Senior Apartments	Elkhart	IN	55	55
9	Fourteen91 Lofts	Muncie	IN	72	72
10	The Edge Flats on Seward*	Grand Rapids	MI	46	46
11	Century Terrace/Harbor View*	Manistee	MI	167	167
12	Mission Village of Tahlequah	Tahlequah	OK	24	21
13	Dunbar Commons	Oklahoma City	OK	52	52
14	Southern Commons	Oklahoma City	OK	97	97
15	Attwood Pointe	Florence	SC	52	52
16	Magnolia Pointe	Florence	SC	24	24
17	Fond du Lac Center	Milwaukee	WI	24	22
18	Prince Hall Village	Milwaukee	WI	24	24
19	Fond du Lac Townhomes	Fond du Lac	WI	48	48
20	Mission Village of Menasha	Menasha	WI	66	66
21	The Townhomes of Craftsman Village	Plover	WI	44	43
22	Mission Village of Sheboygan	Sheboygan	WI	76	76
23	Lynndale Village	Grand Chute	WI	60	60
24	Auxiliary Court	West Bend	WI	59	55
25	Trinity Square	Fond du Lac	WI	35	35
26	Western Townhomes	Neenah	WI	68	64
27	Indianhead Cottages	Mosinee	WI	24	23
28	Pleasant View Townhomes	Plymouth	WI	24	23
29	Riverside Senior	Fond du Lac	WI	46	41

	Name of Project	City	State	Total Number of Units	Number of LIHTC Units
30	The Village on Water	Marinette	WI	49	42
31	Historic Lincoln School	Shawano	WI	24	24
32	Jefferson Street Apartments	Ripon	WI	24	23
33	Union Square Apartments	Appleton	WI	50	50
34	Elementary School Apartments	Schofield	WI	36	33
35	Newbury Place	Ripon	WI	40	40
36	Mission Village of Dodgeville	Dodgeville	WI	40	40
37	Historic Berlin School	Berlin	WI	40	40
38	Mission Village of Kaukauna	Kaukauna	WI	60	51
39	Beacon Avenue Cottages	New London	WI	40	34
40	Parish School Apartments	Fond du Lac	WI	47	40
41	Lawler School Lofts	Prairie du Chein	WI	40	34
42	Cottages on Main Street	Hortonville	WI	40	34
43	Barton School Apartments	West Bend	WI	40	40
44	Friar House Flats	Green Bay	WI	40	40
45	Muskego School Apartments*	Muskego	WI	40	34
46	River Flats*	Janesville	WI	92	56
47	Horicon School Apartments*	Horicon	WI	40	34
48	Spartan Lofts*	Sparta	WI	40	40
49	Brooke Street Lofts*	Fond du Lac	WI	62	62
50	Greenway Cottages*	Mosinee	WI	24	24
51	Mission Village of Cheyenne	Cheyenne	WY	41	41
52	Dell Range Senior*	Cheyenne	WY	40	40
53	Cambria Commons*	Wisconsin Dells	WI	60	51
54	Retlaw Apartments	Fond du Lac	WI	12	0
Units Total				2,692	2,547

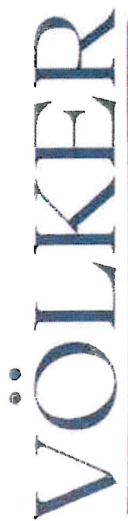
*Owned by third party

EXHIBIT O

Financial Statements

12.31.23 Unaudited Consolidated Financial Statement

4.30.24 Interim Consolidated Financial Statements



December 2023

Consolidated Income Statement

UNAUDITED - PRELIMINARY

	Year-to-Date		
	Volker Legacy Holdings, Inc dba Volker Management	Volker Development Inc	Volker Housing Partners, LP
			Total
Management Fees/Rental Income	1,613,218		1,613,218
Lease Up Fees	100,500		100,500
Asset Management Fees	709,775		709,775
Surplus Cash Distributions	299,286		299,286
Developer Fees	974,885	374,186	1,349,071
Co-Developer Fees		(93,546)	(93,546)
Total Revenue	3,697,664	280,639	3,978,303
Compensation and Benefits	1,538,968	603,159	2,142,128
Sales and Marketing		8,457	8,457
Occupancy	54,980	14,709	69,688
Travel	219,506	19,536	239,042
Computer, Software and Internet	13,305		13,305
Repairs and Maintenance	1,655		1,655
Professional Fees	381,782	16,590	398,371
Insurance	63,277		63,277
Other General and Administrative	69,522	23,746	93,268
Total Ordinary Expense	2,342,995	686,196	3,029,191
Ordinary Income	1,354,669	(405,557)	949,112
Other Income/Expense			
Interest Income	25,213		25,213
Misc Income	2,291,885	1,592	2,293,478
Depreciation/Amortization	(91,180)		(91,180)
Taxes	(24,843)		(24,843)
Total other income/Expense	2,201,076	1,592	2,202,668
Net Income	3,555,745	(403,965)	3,151,780



December 2023
Consolidated Balance Sheet
UNAUDITED- PRELIMINARY

	Volker Legacy Holdings, Inc dba				
	Volker Management	Volker Development Inc	Volker Housing Partners, LP	Eliminations	Consolidated
Cash	1,768,581	150,310	400		1,919,291
Accounts Receivable	1,351,448	53,421			1,404,869
Other Current Assets	3,439	1,044,442	9,500		1,057,381
Prepaid Expenses	3,000				3,000
Undeposited Funds	38,846				38,846
Total Current Assets	3,165,314	1,248,173	9,900		4,423,387
Fixed Assets (net accumulated depreciation)	285,013				285,013
Notes Receivable	5,367,191			(661,342)	4,705,849
Investments	(441,267)		100		(441,167)
Other Assets		2,077			2,077
Deferred Developer Fees (net allowance)	3,542,324				3,542,324
Total Other Assets	8,753,261	2,077	100	(661,342)	8,094,097
Total Assets	11,918,575	1,250,250	10,000	(661,342)	12,517,484
Accounts Payable	148,711	128,218			276,929
Credit Cards Payable	(3,039)	8,398			5,359
Other Current Liabilities	101,044	690,171		(662,488)	128,727
Current Liabilities	246,716	826,787		(662,488)	411,015
Note Payable	510,000				510,000
Total Liabilities	756,716	826,787		(662,488)	921,015
Total Equity	11,161,859	423,463	10,000		11,595,323
Total Liability & Equity	11,918,575	1,250,250	10,000	(662,488)	12,516,337



April 30, 2024

Consolidated Income Statement

Year-to-Date

	Völker Legacy Holdings, Inc	Völker Development Inc	Völker Housing Partners, LP	Total
	Actual	Actual	No Activity	Actual
Management Fees/Rental Income	537,108			537,108
Lease Up Fees	41,250			41,250
Asset Management Fees	261,488			261,488
Surplus Cash Distributions	140,673			140,673
Developer Fees		138,223		138,223
Dead Project Cost		(23,281)		(23,281)
Co-Developer Fees		(34,531)		(34,531)
Total Revenue	980,518	80,411		1,060,929
Compensation and Benefits	518,861	727,236		1,246,097
Sales and Marketing		11,014		11,014
Occupancy	16,790	23,852		40,642
Travel	114,757	25,595		140,352
Computer, Software and Internet	16,074			16,074
Repairs and Maintenance	11,676			11,676
Professional Fees	52,089	17,031		69,119
Insurance	7,167	13,676		20,843
Other General and Administrative	39,770	21,703		61,473
Total Ordinary Expense	777,183	840,107		1,617,290
Ordinary Income	203,335	(759,696)		(556,361)
Other Income/Expense				
Interest Income	137,306			137,306
Interest Expense				
Misc Income	10,924			10,924
Depreciation/Amortization	(33,590)			(33,590)
Taxes	(30,095)			(30,095)
Total other income/Expense	84,544			84,544
Net Income	287,879	(759,696)		(471,817)



April 30, 2024

Consolidated Balance Sheet

	Volker Legacy Holdings, Inc dba				
	Volker Management				
Cash	1,103,506				1,113,038
Accounts Receivable	1,415,110				1,595,902
Current Deferred Developer Fees Due	310,532				310,532
Other Current Assets	3,272				1,882,334
Prepaid Expenses	3,000				3,000
Undeposited Funds	6,302				6,302
Total Current Assets	2,841,722				4,911,108
Fixed Assets (net accumulated depreciation)	190,634				190,634
Notes Receivable	6,236,648				4,901,145
Investments	(509,275)				(509,175)
Other Assets					1,925
Deferred Developer Fees (net allowance)	3,201,914				3,201,914
Total Other Assets	9,119,920				7,786,443
Total Assets	11,961,642				12,697,551
Accounts Payable	66,171				287,813
Credit Cards Payable	331				5,820
Other Current Liabilities	85,083				132,260
Current Liabilities	151,585				425,894
Note Payable	510,000				510,000
Total Liabilities	661,585				935,894
Total Equity	11,300,057				11,761,657
Total Liability & Equity	11,961,642				12,697,551

EXHIBIT P

Genesee Senior Apartments

Exhibit P – Capital Improvements Schedule

N/A

The Genesee Senior Apartments Project does not include the acquisition and rehabilitation of an existing housing project. Instead, the Project includes the adaptive reuse of the former Genesee School building into twenty-two (22) units and the new construction of a thirty-two (32) unit, three story residential building.

EXHIBIT Q

Site Plan

We have enclosed a current conditions site plan & a Site Plan for the proposed development project

Genesee Senior Apartments
835 West Genesee Street
Lansing, Michigan 48915
Parcel #: 33-01-01-17-232-002



Genesee Senior Apartments
835 West Genesee Street
Lansing, Michigan 48915
Parcel #: 33-01-01-17-232-002

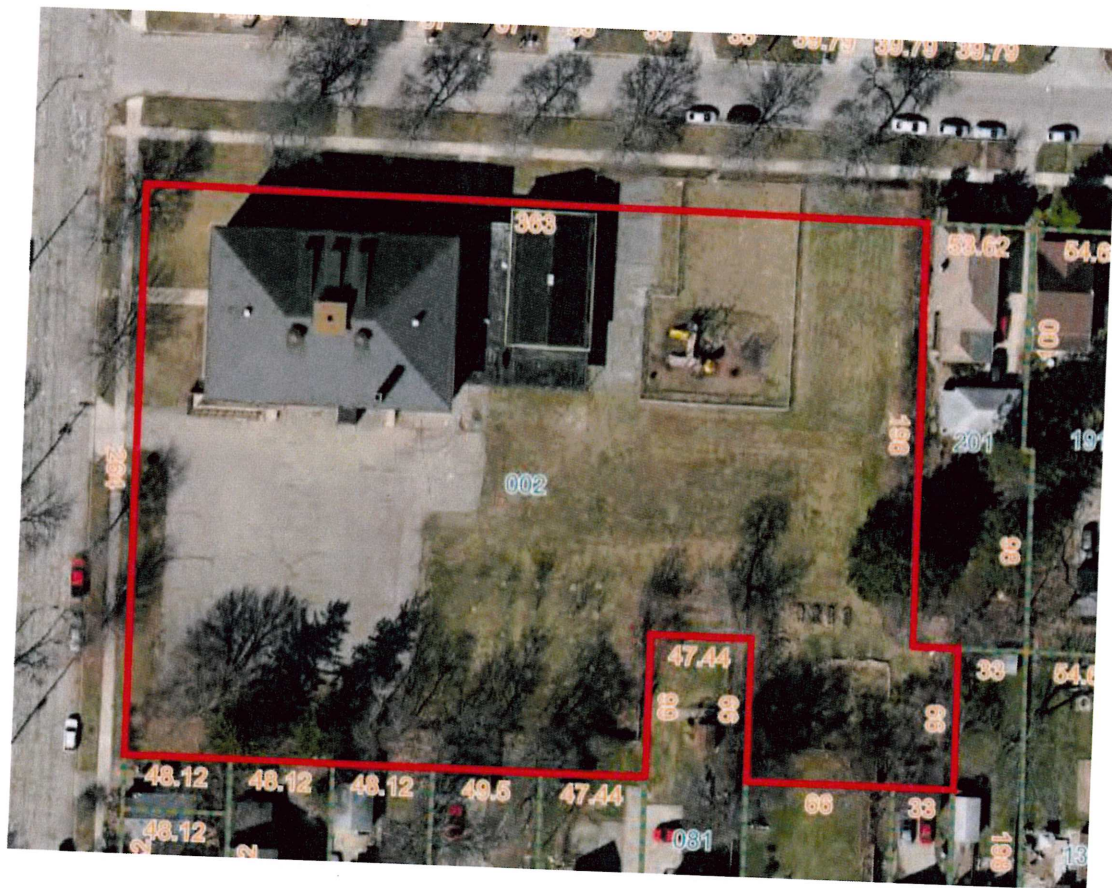


EXHIBIT R

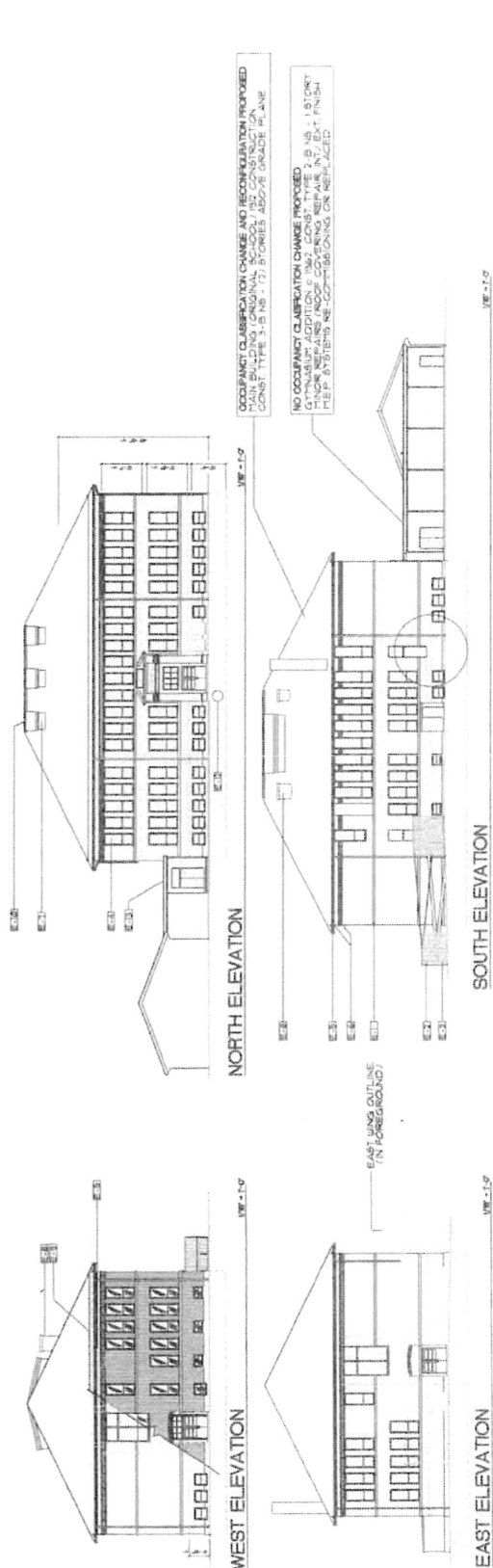
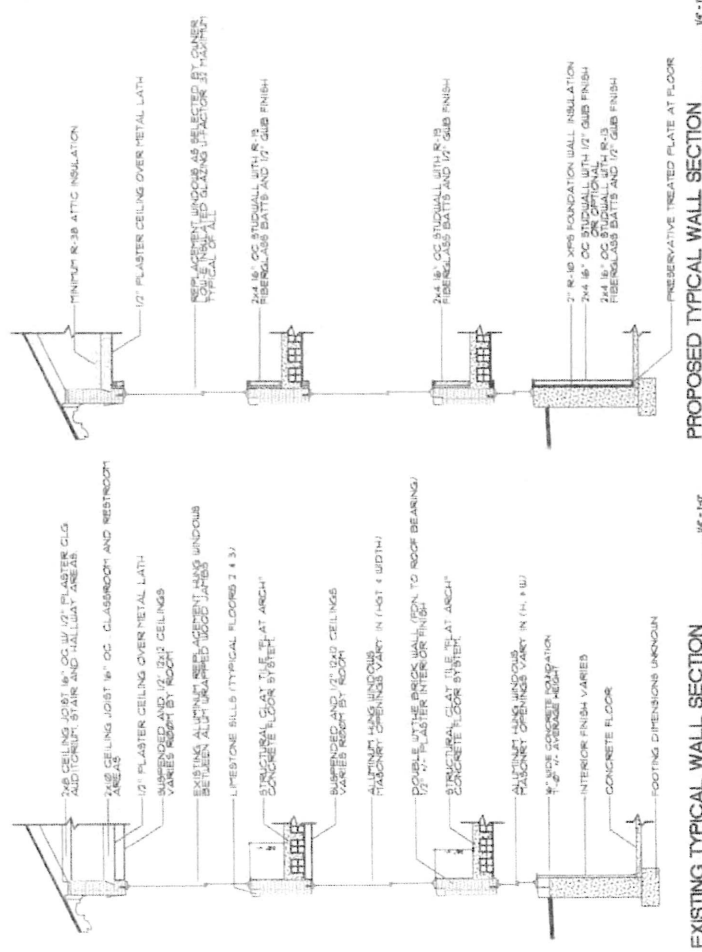
Exterior Elevations

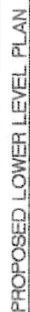
Exterior elevations for the project are not yet available. During project design through the month of October, the Development Team will provide the City of Lansing with more complete information regarding the design and façade of the project.

Attached you will find previous exterior elevations and floor plans provided by the current owner. For the historic portion of the project, the Development Team will plan to utilize Federal Historic Tax Credits for the development and construction of the Project. As such, all historic requirements of the Secretary of Interior Standards for Historic Rehabilitation will be followed.

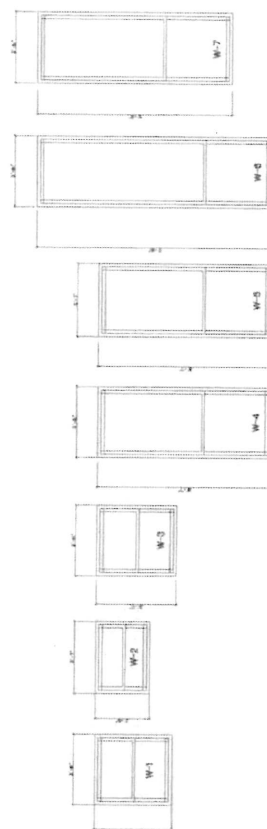
Additionally, we have included the National Register of Historic Places Registration Form and Part I Approval.

For the new construction portion of the Project, the Development Team will include exterior materials and design that will complement the existing school building.

[illegible][illegible]

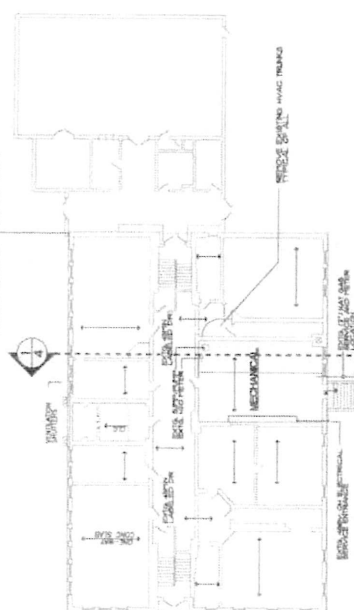


PROPOSED LOWER LEVEL PLAN

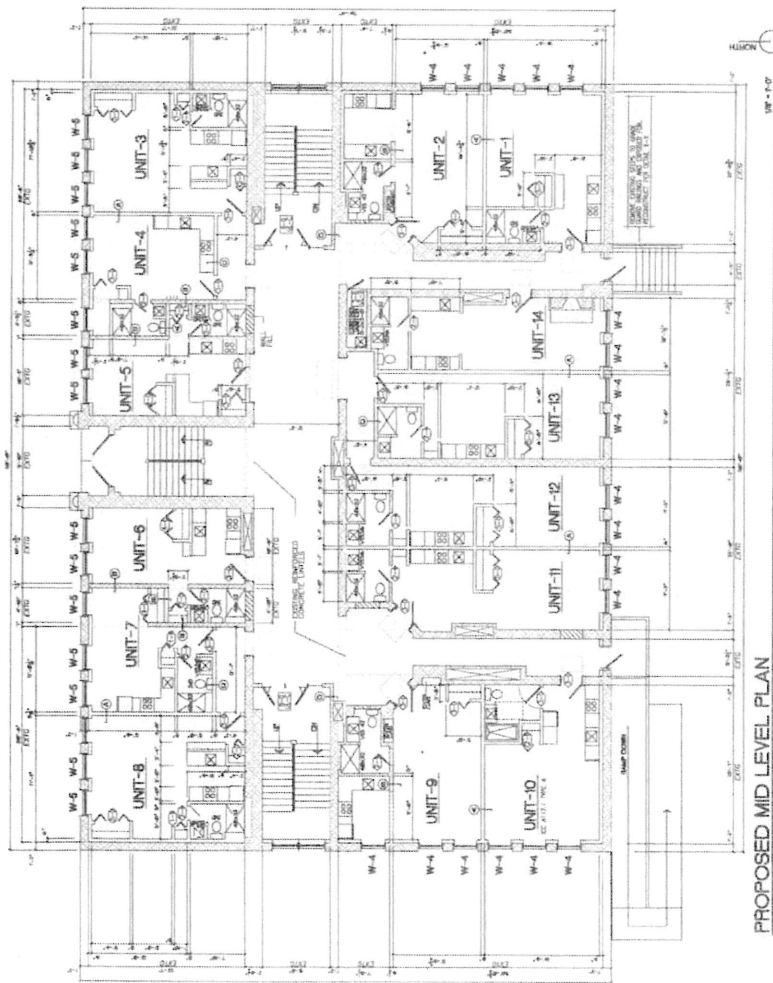


APPROXIMATE EXISTING WINDOW MASONRY OPENINGS

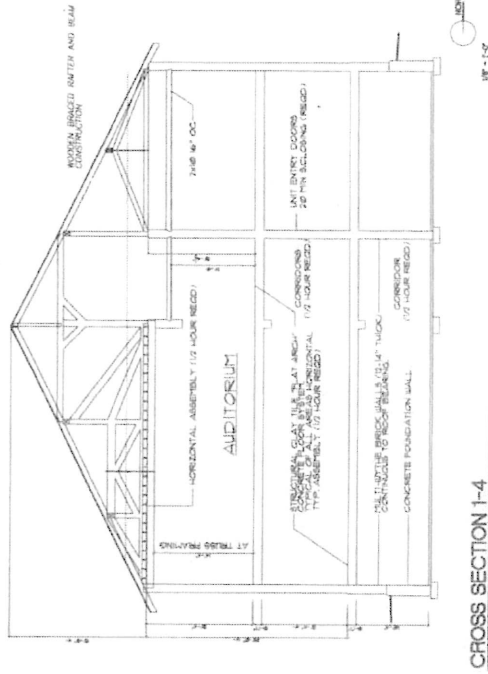
NOTES:
1. OPERATING WINDOWS ARE NOT REQUIRED TO MEET EMERGENCY ESCAPE AND RESCUE REQUIREMENTS
DUE TO AUTO SPRINKLER SYSTEM SECTION 1050.1 EXCEPTION (1)
2. CLEAR OPENING IS REQUIRED WHEN BOTTOM OF OPERATING WINDOWS CLEAR OPENING IS LESS THAN 36" AND
3. VERIFY TOUGH OPENING DIMENSIONS TO VERIFY TOUGH OPENING DIMENSIONS



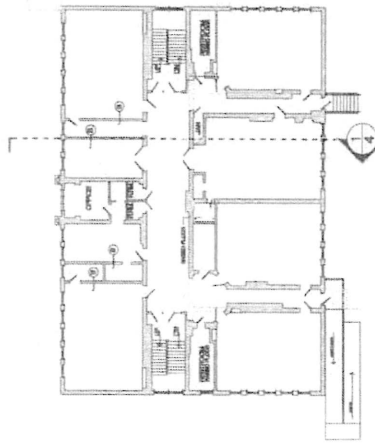
EXISTING LOWER LEVEL PLAN



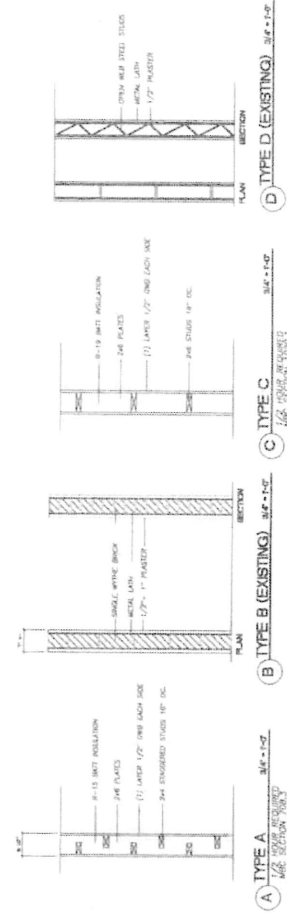
PROPOSED MID LEVEL PLAN



CROSS SECTION 1-4



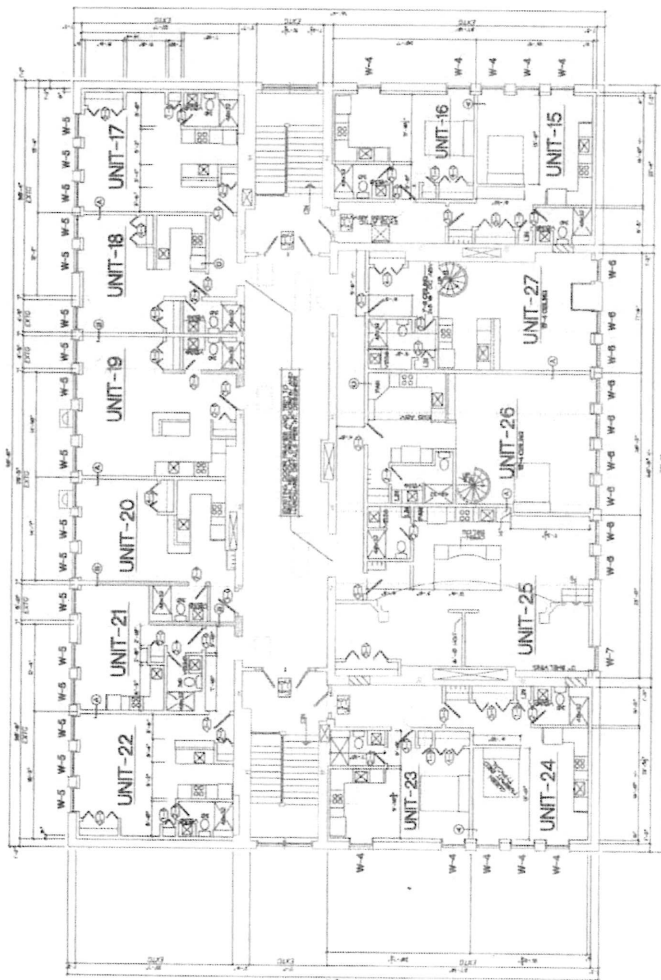
EXISTING MID LEVEL PLAN



TYPICAL WALL TYPES

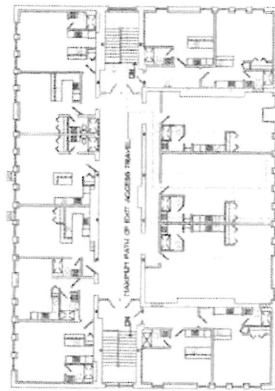


TYPICAL FLOOR CONSTRUCTION



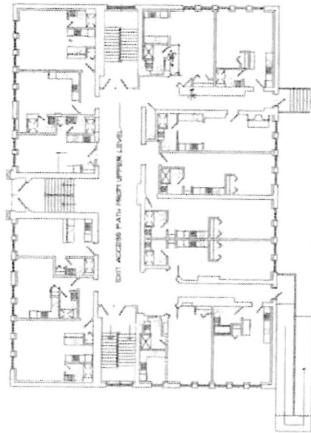
PROPOSED UPPER LEVEL PLAN

VP-1.07



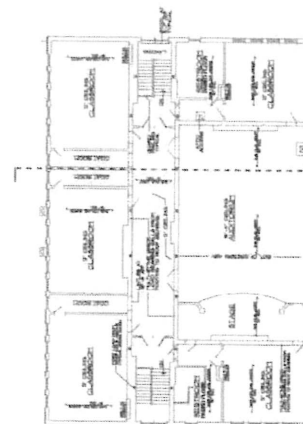
UPPER LEVEL
EXIT ACCESS TRAVEL PLAN

VP-1.07



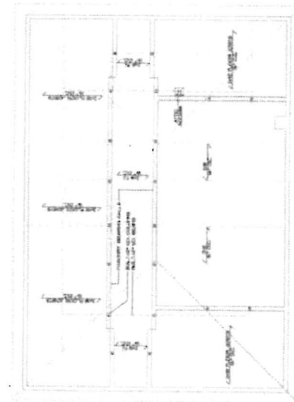
MID LEVEL
EXIT ACCESS TRAVEL ROUTE

VP-1.07



EXISTING UPPER LEVEL PLAN

VP-1.07



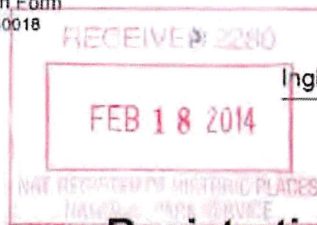
ATTIC FRAMING / ROOF BEARING PLAN

VP-1.07



UNIT-27 LOFT PLAN

Genesee Street School



Ingham Co., MI

Name of Property
United States Department of the Interior
National Park Service

County and State

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

1. Name of Property

Historic name: Genesee Street School

Other names/site number: Black Child and Family Institute

Name of related multiple property listing:

N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. Location

Street & number: 835 West Genesee Street

City or town: Lansing State: Michigan County: Ingham

Not For Publication: ☐ Vicinity: ☐

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this x nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property x meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

 national statewide x local

Applicable National Register Criteria:

x A B x C D

Signature of certifying official/Title:

Date

MI SHPO

State or Federal agency/bureau or Tribal Government

Genesee Street School

Ingham Co., MI

Name of Property

County and State

In my opinion, the property ___ meets ___ does not meet the National Register criteria.

Signature of commenting official:

Date

Title :
or Tribal Government

State or Federal agency/bureau ☐

4. National Park Service Certification

I hereby certify that this property is:

- ☒ entered in the National Register
☐ determined eligible for the National Register
☐ determined not eligible for the National Register
☐ removed from the National Register
☐ other (explain:)


Signature of the Keeper

4.7.14
Date of Action

5. Classification

Ownership of Property

(Check as many boxes as apply.)

Private: ☒

Public – Local ☐

Public – State ☐

Public – Federal ☐

Category of Property

(Check only one box.)

Genesee Street School

Ingham Co., MI

Name of Property

County and State

Building(s) ☒

District ☐

Site ☐

Structure ☐

Object ☐

Number of Resources within Property

(Do not include previously listed resources in the count)

Contributing

Noncontributing

1

buildings

2

sites

structures

objects

1

2

Total

Number of contributing resources previously listed in the National Register N/A

6.Function or Use

Historic Functions

(Enter categories from instructions.)

EDUCATION/School

Genesee Street School

Ingham Co., MI

Name of Property

County and State

Current Functions

(Enter categories from instructions.)

WORK IN PROGRESS

EDUCATION/School

7. Description

Architectural Classification

(Enter categories from instructions.)

Classical Revival

Materials: (enter categories from instructions.)

Principal exterior materials of the property: Brick/Limestone

Narrative Description

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

Summary Paragraph

The Genesee Street School is a two-and-one-half-story hip-roof building, with a one-story 1962 east-end addition, that stands at the southeast corner of Genesee Street and Butler Boulevard, facing northward onto Genesee. Constructed in 1912, the main part of the building is a broad-fronted Neoclassical building with orange-tan brick walls trimmed with limestone. Its symmetrical front displays banks of closely spaced square-head windows separated by narrow brick strips, the banks to either side separated from the central ones by slightly broader sections

Genesee Street School

Ingham Co., MI

Name of Property

County and State

of brick wall. Notable exterior features include the grouped, closely spaced windows on all facades, the broadly projecting roof eaves with their exposed shaped rafter tails, and the slightly projecting broken pediment portico at the center of the facade.

Narrative Description

The Genesee Street School is located in an early twentieth-century residential neighborhood located northwest of Lansing's downtown commercial district, at the intersection of Genesee Street and Butler Boulevard. The intersection is located two blocks south of Saginaw Street, Michigan Route M-43, and one block east of Martin Luther King Jr. Boulevard, both major thoroughfares. The neighborhood consists primarily of two-story, single- and two-family homes, with a few multiple units interspersed. A single early twentieth-century commercial building is located to the north of the school, across Genesee Street, and has been converted into apartments.

The school sits on an irregularly shaped lot of a little over two acres, with frontage of approximately 363 feet on the south side of Genesee Street and 264 feet on the east side of Butler Boulevard. The east and south property lines deviate around residential properties. The school building is situated at the northwest corner of the site with its historic front facing north. The site is generally level at an elevation of approximately four feet above the grade of Genesee Street. A drive enters the school grounds from Butler Boulevard behind the school and broadens into a large parking lot directly south of the 1912 portion of the building. A chain link fence partially surrounds the property, running eastward from the northeast corner of the 1962 addition to the easternmost edge of the property, and then following the property lines along the east and south sides of the lot. To the east of the addition is an asphalt play area, and to the east of that is a play structure and playground. A small garden area with raised beds sits at the southeast corner of the site (playground and garden = two non-contributing sites). There are a number of mature trees and shrubs along the Genesee and Butler sides of the site, both of which are bordered by concrete sidewalks. A concrete walkway runs eastward from the sidewalk along Butler Boulevard to an entry on the west side of the structure.

The original 1912 portion of the school is two-and-one-half stories in height and rectangular in plan. The structure has a concrete foundation and a slightly projecting concrete water table, punctuated by half-height basement windows. The broad brick walls are accentuated by limestone sillcourses, delineating the first and second stories of the building, while a plain, painted wood architrave runs above the second-story windows. The structure is topped by a hipped, asphalt shingle roof, whose north front is pierced by three small, low shed dormers, clustered near the center of the building. A circa 1912 photograph indicates that the building was originally topped by a small cupola. It is unclear when the cupola was removed, but a low, square base remains visible from the front and rear of the building. A simple, slender brick chimney rises perhaps fifteen feet above the roofline from the rear, south side of the roof.

A shallow, limestone entry portico stands at the center of the front, north-facing facade, reaching from ground level to the bottom of the second-story windows. An unfluted Roman Doric column on each side of the former entry supports a simple entablature and broken pediment. The

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pediment frames a limestone plaque reading "GENESEE ST." The enclosing of this portico-entry constitutes the exterior's primary physical integrity issue: originally sheltering the front entrance to the building, the portico location has been filled in with a smooth concrete-finish wall that contains a small triple casement window at the top and a small vent grill near the bottom and the original entry hall space within rebuilt as an office and bathrooms. This change is unfortunate but reversible and, in the SHPO's opinion, of minor overall consequence against the building's otherwise high integrity.

A side entrance on the west facade of the building now serves as the main entry into the building. Two additional entries, reached by flights of concrete steps, are located on the rear, south facade.

The building's windows are simple modern double hung aluminum ones, with solid insulating baked enamel aluminum panels in the upper portion. Basement windows are a combination of simple one-over-one sash or single light casement windows, with several having been bricked in. The current windows were installed during modernizations in the late 1960s.

The 1912 portion of the school is rectangular in plan, with classrooms and offices arranged off the north and south sides of a twelve foot wide central hall. Stairwells are located at either end of the hall, at the east and west ends of the building. The school's first or main floor is located approximately six feet above ground level. Large classrooms are located at the northeast and northwest front corners of the first floor, with a number of small offices, teacher's restrooms, and coatrooms between them. One of the offices and the two restrooms occupy the central north-side space that formerly contained the main entry into the building and an entry hall leading from it to a central east-west corridor. Three more large classrooms are located on the south side of the central hall, including the former kindergarten room, which retains its original simple brick fireplace in one corner. Additionally, a number of small offices are located at the southeast corner of the first floor. Boys and girls restrooms are located at either end of the building, directly to the south of the stairwells.

The second floor is laid out similarly to the first, with three large classrooms across the north front of the building, separated by narrow hallways lined with coat hooks and shelves. To the south of the broad central hall is a large assembly room, complete with a stage along its west side. Smaller classrooms are located on either side of the assembly room, to the east and the west. As with the first floor, boys and girls' restrooms are located at the east and west ends of the building, directly south of the stairwells.

The basement is arranged similar to the first and second floors, with a number of small storage and mechanical rooms, offices, classrooms, and a teachers' lounge arranged on either side of the central hall. Its floor stands one-half story below grade. From outside it is reached by a straight-run concrete staircase from just inside the slightly recessed west-side entrance.

The building retains much of its stained wood trim, including door frames, chair rails, and blackboard surrounds, as well as the original interior doors and transom windows. A number of the classrooms retain their original wood floors on the first and second stories and terrazzo flooring in the basement, although some areas have been covered with carpet and vinyl tile. Acoustical tile ceilings have been installed throughout the structure.

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To the east of the original structure is a single-story addition, completed in 1962. The addition is roughly rectangular in plan, its westernmost portion with its north façade aligned with the north front of the 1912 building, and gradually stepping forward (north) in sections toward the east. Constructed of an orange-tan brick similar to that of the original structure, the addition stands on a concrete slab foundation. At the westernmost portion of the addition's front (north) facade are double steel entry doors, in front of which is a small concrete porch with a flat roof. The east part of the addition is a large, gable-front structure, which houses the school's gymnasium. Though it is faced with brick in a simple, common bond, an abstract tile mosaic in a cross-like pattern off-center in the north front adds visual interest. The structure's east facade is covered by a brightly colored mural, completed in 2011. Designed by local artists Joy Baldwin and Brian Whitfield, the mural was completed in collaboration with a number of local artists, including Brian Snyder, Jeana-Dee Allen Rogers, Jessica Yorko, and Erika Magers. The upper portion of the mural depicts the history and development of the Genesee neighborhood, while the lower portion is a collection of silhouettes of people painted by the members of the Black Child and Family Institute's 2010 fine art camp. At the rear of the building is a wide play porch, covered by an extension of the gymnasium's gabled roof. In addition to the gymnasium, the addition houses a small kitchen, boys and girls restrooms, and a janitorial closet.

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8.Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B. Property is associated with the lives of persons significant in our past.
- ☒ C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D. Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

- ☐ A. Owned by a religious institution or used for religious purposes
- ☐ B. Removed from its original location
- ☐ C. A birthplace or grave
- ☐ D. A cemetery
- ☐ E. A reconstructed building, object, or structure
- ☐ F. A commemorative property
- ☐ G. Less than 50 years old or achieving significance within the past 50 years

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Areas of Significance

(Enter categories from instructions.)

Architecture

Education

Period of Significance

1912-1964

Significant Dates

1912

1962

Significant Person

(Complete only if Criterion B is marked above.)

N/A

Cultural Affiliation

N/A

Architect/Builder

Edwyn A. Bowd (Lansing, MI), architect for 1912 building

Early, Fitzpatrick & Wilcox (Lansing, MI), builder for 1912 building

Charles V. Opdyke (Lansing, MI), architect for 1962 building

Bud Reniger Construction (Lansing, MI), contractor for 1962 building

Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

The Genesee Street School served as a public school building in Lansing, Michigan, from its construction in 1912 until 1984. The building meets National Register criterion A as one of the

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oldest remaining and longest used elementary schools in Lansing. The 1912 main building meets National Register criterion C as one of the few known remaining public school buildings designed by prominent Lansing architect Edwyn A. Bowd, who designed so many of Lansing's leading buildings from the 1890s to the 1930s.

Narrative Statement of Significance (Provide at least one paragraph for each area of significance.)

Lansing

Lansing, Michigan's capitol city, was established as a result of a provision of the 1837 Michigan constitution that required the relocation of the state's governmental seat from its temporary location in Detroit by 1849. A number of other towns vied for designation as the new capital, but, in the end, the future site of Lansing, then little more than wilderness, was selected by the legislature. The site was located midway across the state, and to the north of that part of the state that was already becoming settled, so its selection was seen as a means of promoting the growth of more northern parts of the state.

Commissioners appointed by the 1847 legislature to select the specific location for the new capitol chose Section 16, an area now bounded by Saginaw Street to the north, Martin Luther King to the west, St. Joseph Street to the south, and the railroad line east of Larch Street to the east. Very quickly the beginnings of three villages sprang up along the Grand River in this region: a north village, which had grown up around a dam and sawmill at the point where the area's pioneer highway, now Grand River Avenue, crossed the Grand River; a south village, located along Main Street and South Washington Avenue; and a middle village, centered at Washington and Michigan avenues in the heart of today's downtown near the future capitol location. The middle village quickly developed into the main focal point of Lansing Township. In 1859 the City of Lansing was incorporated with a population of about 3,000. By 1880 the population of Lansing had grown to 8,326. With the rise of the automobile industry in the early twentieth century Lansing's population swelled, reaching 31,229 in 1910 and 57,000 by the mid-1920s.

Lansing's rapid turn-of-the-century growth was largely due to the development of the automobile industry. Ransom Eli Olds founded the Olds Motor Vehicle Company with Frank G. Clark in Lansing in 1897. Though the company soon moved to Detroit, it moved back to Lansing in 1901, after the company's Detroit plant burned, eventually becoming the Oldsmobile Division of the General Motors Corporation. Olds subsequently established the REO Motor Car Company in Lansing in 1904. Numerous suppliers followed, with plants that produced automobile components – such as the Motor Wheel Corporation, Michigan Screw Products, and Atlas Drop Forge, all established between 1900 and 1910. As a result of this largely automobile industry-related development, Lansing's population soared, nearing 80,000 by 1930. The city's growth slowed somewhat through the 1930s and 1940s, though the many factories remained active through World War II, producing vehicles, ammunition, guns, and aircraft parts for the war

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effort. Lansing's population continued to increase with the post-war boom, topping 90,000 in 1950 and 100,000 in 1960. The city's population peaked around 1970 at 131,000, with more recent growth taking place primarily in the surrounding suburbs.

Lansing Public Schools

Although the city of Lansing was not incorporated until 1859, the area's first public school opened in May, 1847, in the north village, near what would later become the Cedar Street School. A one-room building, it initially served ten pupils. Enrollment increased to thirty by the end of the three-month term, and the structure was replaced with a larger one that autumn. In 1851 the school moved into a new, two-story brick building, which remained in use for nearly twenty-five years. Additional public schools were opened in the middle and south villages in 1849 or 1850 and 1851, respectively.

In 1861, under a provision in the Lansing city charter, the three separate districts were consolidated into a single Lansing School District, with a new fourth ward added. School elections were held in each ward to form the first Board of Education of the School District of the City of Lansing. The newly formed board held its first meeting on April 8, 1861. At that time, Lansing was home to three simple public school buildings, two brick and one wood frame. A fourth school building was added in 1868, at the corner of Kilborn and Walnut Streets in the fourth ward.

As Lansing's population grew in the late nineteenth century, so too did the number of wards within the school district. A fifth ward was added in 1871, and a sixth in 1874. A new high school was built in 1868-75, and new schools were built in the third and fifth wards in the 1870s and 1880s. Population growth led to a policy of school expansion in the 1890s, with four new schools built in that decade, and most of the existing schools were remodeled and expanded by 1910. The city's rapid population growth and development of new residential areas led to a large-scale school-building program in the early 1900s. Two additional schools were built in the 1900-1910 period, the Moores Park School in 1906 and the Franklin Avenue School in 1910, and many more in the 1910s and 1920s.

Lansing's oldest surviving public school buildings (none still used as schools) are:

- Cherry Street School. Built 1894. Last used as a school in 1933, this Late Victorian building has since housed offices and various other activities. Despite some substantial changes made by an architectural office that was a long time occupant, this building appears national register-eligible.
- Cedar Street School. Built 1910, expanded 1917. This building has been more substantially altered than some of the others and is likely not eligible.
- Genesee Street School. Built 1912.
- Allen Street School. Built 1913, expanded 1925.
- Leshner Place School. Built 1916. This and the Allen Street School retain high integrity (except for the universal window replacements) and may be national register-eligible.
- Maplewood School. Built 1918. The building has been extensively remodeled for housing in recent years and likely is not eligible.

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Genesee Street School

In January of 1912 the school board moved to have plans drawn up for a new school at the corner of Genesee Street and Butler Boulevard, in a residential neighborhood adjacent to the downtown, on vacant lots that had been purchased in April, 1909. In February 1912 the school board resolved to build said school for the cost of \$40,000. The district voters approved a special tax to raise the funds at a special meeting on February 23, 1912, at City Hall.

Three architects submitted sets of plans for the school, and those of Lansing architect Edwyn A. Bowd (1865-1940) were selected at a special meeting of the school board in early May 1912. One of Lansing's most prominent architects of the early twentieth century, Bowd was born and raised in England, graduating from Orset College in Dover. He emigrated to the United States in 1882, settling in Detroit, where he began his architectural career with Gordon W. Lloyd. Bowd relocated to Lansing in 1888, briefly working with architect William P. Appleyard. After many years on his own, he established a partnership, Bowd & Munson, with former employee Orla Munson in 1925, and the two established the firm Bowd-Munson, Inc., in 1929. Bowd remained active in the firm until his death in 1940.

Bowd was responsible for a number of Lansing's important civic and institutional buildings, as well as many of its churches. Among his early notable works were the First Baptist Church (1894), Lansing City Hall (1897), Plymouth Congregational Church (1900), and Lansing's Carnegie Library (1903). Bowd also worked extensively outside of the Lansing area, and received numerous commissions for public buildings throughout southern Michigan, designing courthouses for Ingham, Montcalm, and Wexford counties between 1900 and 1910, as well as the Ionia Armory (1909), Owosso Armory (1915), and Hillsdale City Hall (1913). Though some of Bowd's earliest major work was Richardsonian Romanesque in style, by the early twentieth century he had shifted largely to Neoclassicism. His Neoclassical work in Lansing includes several buildings at the Michigan School for the Blind (1912-1924), the Lewis Cass State Office Building (1921), and the Masonic Temple (1924) among many others.

William Appleyard was a specialist in school design, and by 1891 Bowd also listed schools as a specialty. Bowd was appointed Architect of East Lansing's Michigan Agricultural College (now Michigan State University) in 1902 and designed a number of major buildings there. In the early twentieth century he designed public school buildings for Corunna, Owosso, and other southern Michigan communities. Few of these have survived.

After Bowd's plans for the Genesee Street School were selected by the school board, a request for proposals was published in the April 04, 1912, edition of *The State Journal*, seeking bids for building, plumbing, heating, and electrical work. The contracts were awarded later that month. The construction contract was awarded to the lowest bidders, Early, Fitzpatrick & Wilcox, for a sum of \$33,951.93, while the electrical contract was awarded to Capitol Electric of Lansing for \$592. Initial bids for the plumbing and heating systems were rejected by the school board, but contracts were later awarded to the Lansing firms of J. G. Gross for \$2,744.99 and Shields & Leadly for \$4,200, respectively.

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Bowd's original design for the school called for a rectangular, two-story brick structure with a tile roof, containing seven school rooms, two recitation rooms, a large kindergarten room with fireplace, and an assembly room with a 15 x 39 foot stage, all arranged around a central hallway. The building itself was originally topped with a small cupola, which was removed some time prior to the mid-1960s. The school is strikingly similar to another designed by Bowd in 1903, the Shiawassee Street School in Corunna, Michigan.

Following World War II, Lansing's population growth again led to school overcrowding. Enrollment at the Genesee Street School increased nearly fifty percent between 1945 and 1961, from 238 pupils to 340, though the school's official capacity was only 295 students. Only two full-time and one part-time teachers were added during the same time frame, and in 1961 the school's staff consisted of a principal, ten full-time teachers, one part-time teacher, a secretary, and a custodian. The school shared the services of a librarian and nurse with other schools in the district, as well as teachers in remedial reading and speech correction. In the summer of 1961, the school district acquired seven parcels adjacent to the school, totaling 0.6 acres of land, and in 1962 a 3,721 square foot addition was completed to the east of the original structure, bringing the school's capacity to 375 students. Designed by architect Charles V. Opdyke of Lansing, the single-story brick addition contains a gymnasium/multi-purpose room, kitchen, storage, and restrooms. The general construction contract for the addition was awarded to Bud Reniger Construction of Lansing for \$91,790. The mechanical contract was awarded to United Piping and Erecting Company for \$18,700 and the electrical contract to Lansing Electric Motors for \$6,635.

The Genesee Street School remained in public school use until it was closed by the school district at the end of the 1984 school year, due to declining inner city population and enrollment. After its closure, the building was occupied by a number of small non-profit organizations, most notably the Black Child and Family Institute, who leased the building from the school district from 1986 until 2012. The building was sold to a private developer in March of 2013.

The Genesee Street School has significance as one of the oldest public school buildings in Lansing, one of two of the oldest three that appears to retain adequate integrity. It is also significant as the last of its type built in the city. Following the construction of the Genesee Street School, "a new and more modern type of school architecture" was introduced, with buildings planned as units that could be expanded as needed without major remodeling of the original building (Aldinger, 29). Genesee, with its staircases in the center of the end walls rather than off to one side, could not have been expanded as easily as the next generation of schools. Genesee also differed from later Lansing schools in having a hip rather than flat roof. A tall roof with extensive timber framing like Genesee's was increasingly seen as both an unnecessary expense and a fire hazard to be avoided in the early twentieth century. Genesee seems to have been the last of the city public schools built with a tall timber frame roof structure. Nearly all city schools built in the coming years had flat roofs. After 1912, older school buildings were considered outmoded and replaced by new buildings rather than remodeled. Thus the Genesee Street School stands as one of the few remaining pre-World War I schools in Lansing.

Genesee Street School

Ingham Co., MI

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9. Major Bibliographical References

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Genesee Street School

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"Veteran Architect is Death Victim." *The State Journal* (Lansing, MI) 18 July 1940.

<http://boards.ancestry.com/localities.northam.usa.states.michigan.counties.ingham/572/mb.ashx>

Previous documentation on file (NPS):

- ☐ preliminary determination of individual listing (36 CFR 67) has been requested
- ☐ previously listed in the National Register
- ☐ previously determined eligible by the National Register
- ☐ designated a National Historic Landmark
- ☐ recorded by Historic American Buildings Survey # _____
- ☐ recorded by Historic American Engineering Record # _____
- ☐ recorded by Historic American Landscape Survey # _____

Primary location of additional data:

- ☐ State Historic Preservation Office
 - ☐ Other State agency
 - ☐ Federal agency
 - ☐ Local government
 - ☐ University
 - ☒ Other
- Name of repository: Forest Parke Library and Archives

Historic Resources Survey Number (if assigned): _____

10. Geographical Data

Acreage of Property 2.2 acres

Use either the UTM system or latitude/longitude coordinates

Genesee Street School

Ingham Co., MI

Name of Property

County and State

Latitude/Longitude Coordinates

Datum if other than WGS84: _____

(enter coordinates to 6 decimal places)

1.Latitude: 42.738466

Longitude: -84.564126

2.Latitude:

Longitude:

3.Latitude:

Longitude:

4.Latitude:

Longitude:

Or

UTM References

Datum (indicated on USGS map):

NAD 1927 or

NAD 1983

1.Zone:

Easting:

Northing:

2.Zone:

Easting:

Northing:

3.Zone:

Easting:

Northing:

4.Zone:

Easting :

Northing:

Verbal Boundary Description (Describe the boundaries of the property.)

School grounds forming a rectangle bounded to the north by Genesee Street right-of-way and to the west by Butler Avenue right-of-way, with approximately 363 feet of frontage along Genesee and 264 feet of frontage along Butler. The east and south property lines deviate around residential ownerships.

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The boundary can also be described as the North 66 feet of the West 241.312 feet of Lot 3, and the North 66 feet of the West 99 feet of Lot 2 of Block 2 of Claypool Subdivision; and Lots 6, 7, 8, 9, 10, and 11 of Dodge and Daniel's Subdivision East of Butler Avenue, recorded in Liber 5, page 533 Ingham County Records.

Boundary Justification (Explain why the boundaries were selected.)

Entire grounds associated with the school.

11. Form Prepared By

name/title: Cassandra Nelson
organization: Preservation Lansing
street & number: 500 Fulton Place
city or town: Lansing state: MI zip code: 48915
e-mail: nelson.c@comcast.net
telephone: 517-242-4435
date: July 12, 2013

Additional Documentation

Submit the following items with the completed form:

- ☐ **Maps:** A USGS map or equivalent (7.5 or 15 minute series) indicating the property's location.
- ☐ **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- ☐ **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Genesee Street School

Ingham Co., MI

Name of Property

County and State

Photo Log

Name of Property: Genesee Street School

City or Vicinity: Lansing

County: Ingham

State: Michigan

Photographer: Penny Zago

Date Photographed: April 02, 2013

Description of Photograph(s) and number, include description of view indicating direction of camera:

- 1 of 14. N (front) facade, 1912 school
- 2 of 14. N (front) and W facades, 1912 school
- 3 of 14. S (rear) facade, 1912 school and 1962 addition
- 4 of 14. S (rear) and E facades, 1912 school
- 5 of 14. E facades, 1912 school and 1962 addition
- 6 of 14. N (front) facades, 1912 school and 1962 addition
- 7 of 14. N (front) and E facades, 1962 addition
- 8 of 14. Assembly room, 1912 school, showing stage, facing W
- 9 of 14. Assembly room, 1912 school, showing blackboards and trim, facing E
- 10 of 14. Assembly room, 1912 school, showing blackboards, doors, and transom, facing N
- 11 of 14. Kindergarten room, 1912 school, facing SE
- 12 of 14. Kindergarten room, 1912 school, showing fireplace and door, facing E
- 13 of 14. Kindergarten room, 1912 school, facing NW
- 14 of 14. Gymnasium, 1962 addition, facing S

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 460 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 100 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding

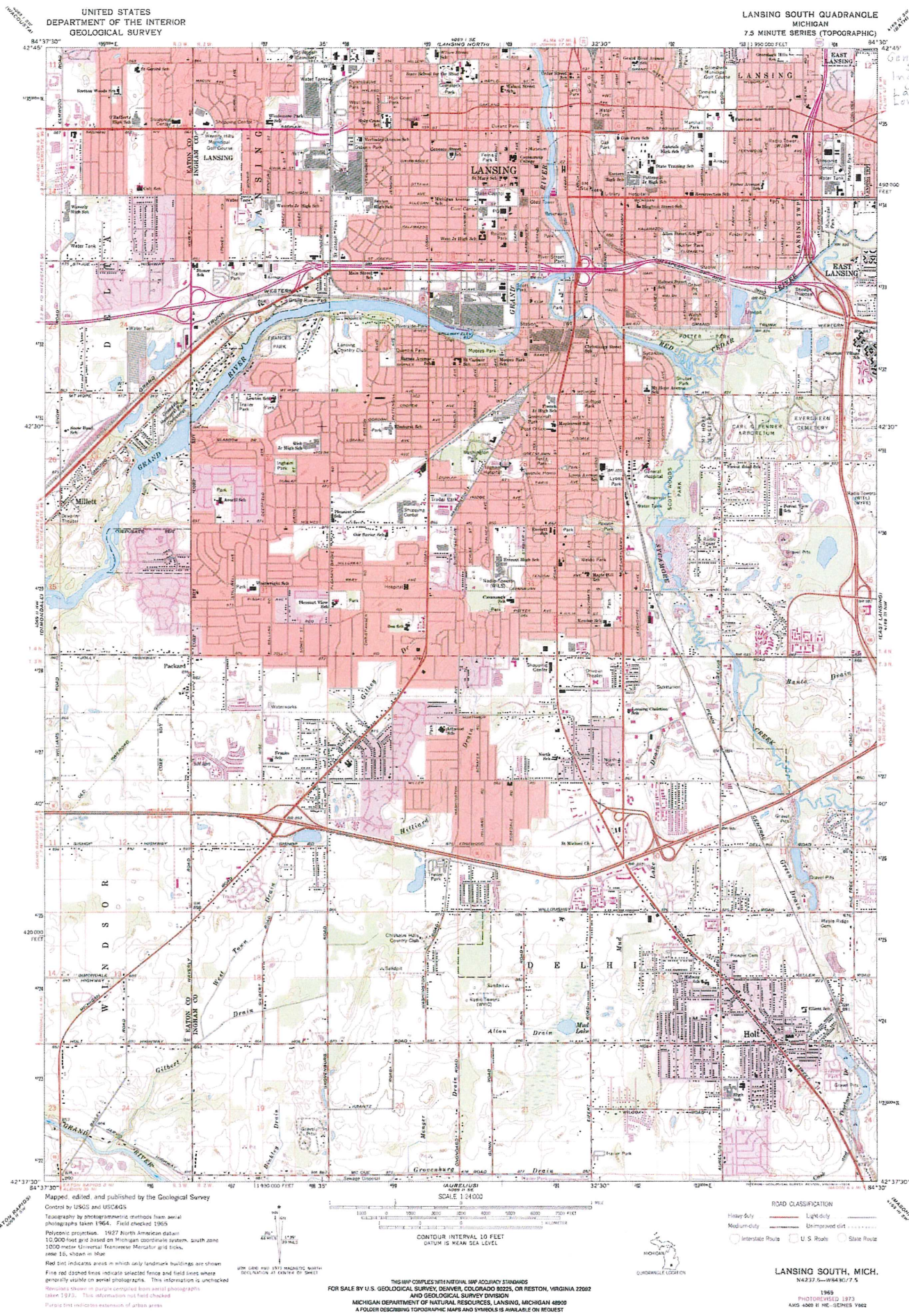
Genesee Street School

Ingham Co., MI

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this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior,
1849 C. Street, NW, Washington, DC.



Genesee State
School
Lansing, MI
Tel: 427-3346
Fax: 427-3342

Maped, edited, and published by the Geological Survey
Control by USGS and USCAGS
Topography by photogrammetric methods from aerial
photographs taken 1964. Field checked 1965
Polyconic projection. 1927 North American datum
10,000 foot grid based on Michigan coordinate system, south zone
1000-meter Universal Transverse Mercator grid, zone 16, shown in blue
Red tint indicates areas in which only landmark buildings are shown
Fine red dashed lines indicate selected fence and field lines where
generally visible on aerial photographs. This information is unimproved
Resurveys shown in purple compiled from aerial photographs
taken 1973. This information not field checked
Purple tint indicates extension of urban areas

LAUREL HILLS
SCALE 1:24,000
CONTOUR INTERVAL 10 FEET
DATUM IS MEAN SEA LEVEL
THIS MAP COMPILED WITH NATIONAL MAP ACQUISITION STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
AND GEOLOGICAL SURVEY DIVISION
MICHIGAN DEPARTMENT OF NATURAL RESOURCES, LANSING, MICHIGAN 48909
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

ROAD CLASSIFICATION
Heavy-duty Light-duty
Medium-duty Unimproved dirt
Interstate Route U.S. Route State Route
LANSING SOUTH, MICH.
NAD83 - 8456775
1965
PHOTOGRAPHED 1973
AMS 4308 R HE-SERIES 1962











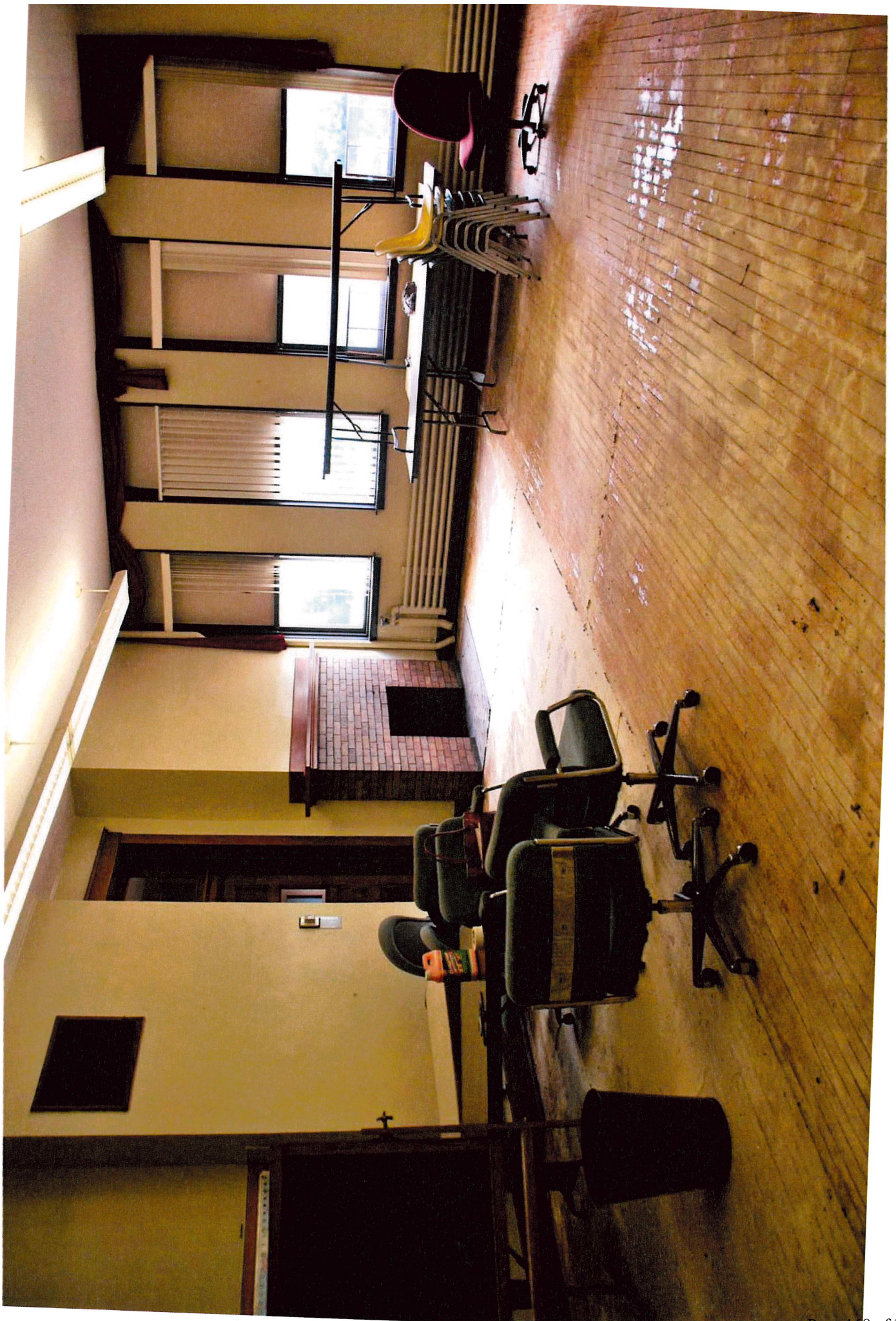


















UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
EVALUATION/RETURN SHEET

REQUESTED ACTION: NOMINATION

PROPERTY Genesee Street School
NAME:

MULTIPLE
NAME:

STATE & COUNTY: MICHIGAN, Ingham

DATE RECEIVED: 2/18/14 DATE OF PENDING LIST: 3/18/14
DATE OF 16TH DAY: 4/02/14 DATE OF 45TH DAY: 4/06/14
DATE OF WEEKLY LIST:

REFERENCE NUMBER: 14000124

REASONS FOR REVIEW:

APPEAL: N DATA PROBLEM: N LANDSCAPE: N LESS THAN 50 YEARS: N
OTHER: N PDIL: N PERIOD: N PROGRAM UNAPPROVED: N
REQUEST: N SAMPLE: N SLR DRAFT: N NATIONAL: N

COMMENT WAIVER: N

☒ ACCEPT ☐ RETURN ☐ REJECT 4.7.14 DATE

ABSTRACT/SUMMARY COMMENTS:

Entered in
The National Register
of
Historic Places

RECOM./CRITERIA _____

REVIEWER _____ DISCIPLINE _____

TELEPHONE _____ DATE _____

DOCUMENTATION see attached comments Y/N see attached SLR Y/N

If a nomination is returned to the nominating authority, the nomination is no longer under consideration by the NPS.

RECEIVED
JAN 22 2014

Certified Local Government
National Register Nomination Review Report

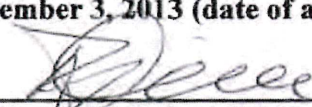
Michigan State Housing Development Authority
State Historic Preservation Office

Name of Property: **Genesee Street School**
Address: **835 West Genesee Street, Lansing**
Owner: **MI Placemakers, Inc., c/o Tim Hunnicutt, 835 W. Genesee St., Lansing 48915**
Date completed nomination approved by the SHPO: **December 2, 2013**

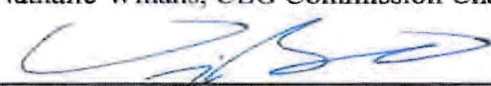
The CLG agrees with the SHPO to expedite the review period for this nomination.

YES **December 3, 2013 (date of agreement)**

NO _____


Nathalie Winans, CLG Commission Chairperson

12/16/13.
Date


Virg Bernero, Mayor, City of Lansing

Date

Date(s) of commission meeting(s) when nomination was reviewed: **December 9, 2013**

Date of written notice to property owner of commission meeting: **None, however, there has been ongoing coordination with the property owner.**

The CLG provided the following opportunities for public participation in the review of this nomination:

The Commission discussed this nomination at eight (8) regular Historic District Commission meetings beginning on January 14, 2013.

Were any written comments received by the CLG? YES NO **XX** (Please submit copies with this report.)

Was the nomination form distributed to CLG Commission members? YES **XX** NO _____

Was a site visit made to the property by CLG Commission members? YES **XX** NO _____
If yes, when? **October 24, 2012, at a Preservation Lansing awards ceremony.**

Did the CLG seek assistance of the Michigan Historical Center in evaluating the eligibility of this property for the National Register? YES **XX** NO _____

VERIFICATION of Professional Qualifications of Commission in accordance with 36 CFR 61, Appendix 1, of Michigan's Certified Local Government Program.

List those commission members who meet the 36 CFR 61 qualifications required to review this type of resource.

Cassandra Nelson

Was an outside consultant used? YES ☐ NO ☒

If yes, provide the name and list the 36 CFR 61 qualifications the person meets:

Work performed by Cassandra Nelson, Lansing Historic District Commission member. She has a Masters Degree in Historic Preservation at Eastern Michigan University, and three years experience conducting historic preservation studies with the Michigan Department of Transportation.

The CLG Commission finds that the property meets the following national register criteria of significance:

YES ☒ NO ☐

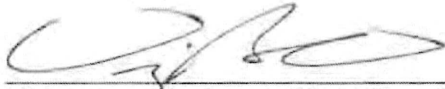
The CLG Commission finds that the property meets the national register standards of integrity.

YES ☒ NO ☐

Recommendation of CLG Commission:

APPROVAL ☒

DENIAL ☐ (specify reasons on a separate sheet of paper)



Virg Bernero, Mayor, City of Lansing

Date

Date of transmittal of this report to MHC/SHPO _____

Date of receipt of this report by MHC/SHPO _____



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
STATE HISTORIC PRESERVATION OFFICE

SCOTT WOOSLEY
EXECUTIVE DIRECTOR



February 7, 2014

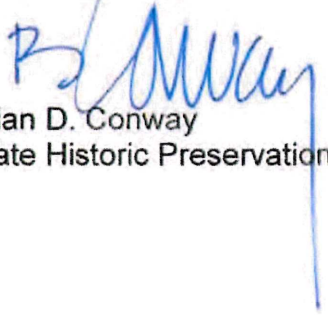
Mr. J. Paul Loether, Chief
National Register of Historic Places
National Park Service
1201 Eye Street, NW, 8th Floor
Washington, DC 20005

Dear Mr. Loether:

Enclosed is a national register nomination form for the Genesee Street School in Lansing, Ingham County, Michigan. This property is being submitted for listing in the national register. Grand Rapids is a Certified Local Government. We have enclosed a copy of the review report form providing the city's approval of this nomination. No other written comments concerning this nomination were submitted to us prior to the submission of the nomination to you.

Questions concerning this nomination should be addressed to Robert O. Christensen, national register coordinator, by phone at 517/335-2719 or email at christensenr@michigan.gov.

Sincerely yours,


Brian D. Conway
State Historic Preservation Officer

State Historic Preservation Office
Michigan Library and Historical Center • 702 West Kalamazoo Street • P.O. Box 30740 Lansing, Michigan 48909-8240
michigan.gov/shpo • 517.373.1630 • FAX 517.335.0348 • TTY 800.382.4568



**Department of Economic
Development and Planning**
Rawley Van Fossen, Director



Development Office
316 N. Capitol Avenue, Suite D-1
Lansing, Michigan 48933
PH: 517.483.4040
www.lansingmi.gov/development

MEMORANDUM

To: Mayor Schor
From: Rawley Van Fossen
Date: July 15, 2024
Subject: 4% PILOT Request

A 4% 45-year payment in-lieu of taxes (PILOT) has been requested by Volker Development for a project – Genesee Senior Apartments. This adaptive reuse of the former Genesee Street School combined with and adjoining three story apartment building at 835 Genesee Street will create a total of 54 affordable housing units for the elderly with household income at or below 70% of area median income.

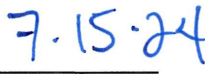
The total investment is \$18,453,434 and includes Low Income Tax Credits (LIHTC), Historic Tax Credits, a mortgage, and deferred developer fee. The developer intends to submit from LIHTC's in the October 1, 2024, round. The Prevailing Wage Agreement has been signed by the Developer.

ED&P RECOMMENDS THAT YOU FORWARD THE ATTACHED PILOT REQUEST TO CITY COUNCIL.

Approved By:



Rawley Van Fossen,
Director



Date

“Equal Opportunity Employer”

July ___, 2024

Volker Development Inc., ("Owner")
Attn: Adam Hanson

Re: Prevailing Wage ("Davis-Bacon") Determination for Genesee Senior
Apartments (the "Development")

To Whom it May Concern:

City of Lansing policy requires the enforcement of the Davis-Bacon Act and other federal labor standards and requirements with respect to all housing developments receiving a benefit from the City of Lansing. The City of Lansing has agreed to grant tax exempt status to the Development and to accept a payment in lieu of taxes pursuant to the contract between the City of Lansing and the Owner. The Davis-Bacon Act requires the Owner and the Contractor to agree to pay prevailing wages to all laborers and mechanics providing work at the Development, and to certify the payment of those prevailing wage rates. The applicable Davis-Bacon prevailing wage determinations for this Development are as set forth by the Michigan Department of Labor and Economic Opportunity. The Federal Labor Standards provisions are also attached to this letter.

July __, 2024
Page 2

Please indicate your agreement to pay at least the greater of (1) the minimum hourly wage rate established by Michigan law or (2) the basic hourly prevailing wage rates set by the Michigan Department of Labor and Economic Opportunity and to comply with Federal Labor Standards during the construction of the Development by indicating your concurrence in the spaces provided for that purpose below. These prevailing wage determinations must be incorporated into the Construction Contract between the Owner and the Contractor (the "Contract"). The Owner and Contractor must also certify to the City of Lansing on a quarterly basis, beginning in _____, and ending upon completion of construction (as evidenced by the issuance of Certificates of Occupancy or equivalent on all of the units in the Development), that all laborers and mechanics have been paid prevailing wages as required by this Letter and under the Contract. The Certification issued by the Owner shall be in the form attached hereto as Exhibit A.

Sincerely,

CITY OF LANSING

By: _____
Andy Schor, Mayor

July __, 2024
Page 3

We hereby agree to require the Contractor to comply with the prevailing wage and other requirements contained in this letter, and to incorporate these requirements and the Federal Labor Standards Provisions in the Contract and each subcontract, as set forth in Exhibit B.

The provisions of this Letter may be enforced by the Owner, the City of Lansing, the U.S. Department of Labor, and, to the extent permitted by law, any person intended to be benefitted by them. A breach of the provisions of this Letter shall be considered a material breach of the Contract and shall give the Owner the rights following a default under the Contract. A breach of the provisions of this Letter may also result in the debarment of the Contractor from future participation in U.S. Government contracts under 29 CFR Part 98.

SPONSOR:
Volker Development Inc.



By: Adam Hanson
Its: President

We hereby agree to comply with the prevailing wage and other requirements listed in this letter and agree that these requirements are hereby incorporated in the Contract. We further agree that representatives of each of the foregoing parties with enforcement rights shall have full and free access, during working hours and after reasonable notice, to all our labor- related books of account and records, including, but not limited to, time sheets, company payrolls and certified payrolls, relating to the work under the Contract, including the right to make excerpts or transcripts from such books of account and records and related and supporting documents and statements. We further agree that we shall promptly respond to all requests for information made by the City of Lansing respecting compliance with these requirements.

We shall further cause and require to be included in all subcontracts a provision that representatives of the City of Lansing shall have full and free access, during working hours and after reasonable notice, to all labor-related books of account and records, including, but not limited to, time sheets, company payrolls and certified payrolls, of the subcontractor relating to the work under the Contract, including the right to make excerpts or transcripts from such books of account and records and related and supporting documents and statements.

_____ Construction Company, Inc.

By: (Print)_____

Its: Owner

EXHIBIT A

Prevailing Wage Certification

[INSERT DATE]

City of Lansing
Attn: City Assessor's Office
124 W. Michigan Avenue
Lansing, Michigan

RE: Genesee Senior Apartments

Pursuant to that certain Prevailing Wage Letter Agreement (the "Letter") dated [INSERT DATE], the undersigned, Volker Development Inc. ("Owner"), and _____ Construction Company, Inc. ("Contractor"), hereby certify, each on their own behalf and to the best of their knowledge, to the City of Lansing that each have complied with the requirements of the Letter and that all laborers and mechanics have been paid prevailing wages as required by the Letter and under the Contract.

Volker Development Inc.



By: Adam Hanson

Its: President

_____ Construction Company, Inc.

By: (Print) _____

Its: Owner

Federal Labor Standards Provisions

U.S. Department of Housing
and Urban Development
Office of Labor Relations**Applicability**

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section I(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made, or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination, and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

- (1)** The work to be performed by the classification requested is not performed by a classification in the wage determination; and
 - (2)** The classification is utilized in the area by the construction industry; and
 - (3)** The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.
- (b)** If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U. S. Department of Labor,
- (c)** Washington, D. C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)
- (d)** In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)
- (e)** The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.
- (iii)** Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a
- (iv)** fringe benefit, which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.
- (v)** If the contractor does not make payments to a trustee or other third person, the contractor may consider as part

of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis- Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account asset for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1215- 0140.)

2. Withholding. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice,

3. trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

4. (i) Payrolls and basic records. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section I(b)(2)(B) of the Davis-bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5. 5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section I (b)(2)(B) of the Davis- Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been

communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under OMB Control Numbers 1215 -0140 and 1215- 0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5. 5(a)(3)(i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e. g., the last four digits of the employee' s social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at [http:// www. dol. gov/ esa/ whd/ forms/ wh347instr. htm](http://www.dol.gov/esa/whd/forms/wh347instr.htm) or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for

(iii) transmission to HUD or its designee, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under OMB Control Number 1215-0149.)

(b) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under 29 CFR 5. 5 (a)(3)(ii), the appropriate information is being maintained under 29 CFR 5. 5(a)(3)(i), and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by subparagraph A. 3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iv) The contractor or subcontractor shall make the records required under subparagraph A. 3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

5. Apprentices and Trainees.

(i) **Apprentices.** Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U. S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who

is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) **Trainees.** Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to, and individually registered in a program which has received prior approval, evidenced by formal certification by the U. S. Department of Labor, Employment and Training Administration. The ratio of

(iii) trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by

form HUD-4010 (06/2009)

Previous editions are obsolete

the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iv) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

6. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract

7. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 in this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

8. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

9. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract.

10. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U. S. Department of Labor, or the employees or their representatives.

11. (i) Certification of Eligibility. By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be

awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(iii) The penalty for making false statements is prescribed in the U. S. Criminal Code, 18 U. S. C. 1001. Additionally, U. S. Criminal Code, Section 1010, Title 18, U.S.C., "Federal Housing Administration transactions", provides in part:

(iv) "Whoever, for the purpose of . . . influencing in any way the action of such Administration.... makes, utters or publishes any statement knowing the same to be false.... shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

12. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage, salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable where the amount of the prime contract exceeds \$100,000. As used in this paragraph, the terms "laborers" and "mechanics" include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which the individual is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in subparagraph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in subparagraph (1) of this paragraph.

(3) Withholding for unpaid wages and liquidated damages. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally- assisted contract subject to the Contract

(4) Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

(5) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

C. Health and Safety. The provisions of this paragraph C are applicable where the amount of the prime contract exceeds \$100,000.

(1) No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91- 54, 83 Stat 96). 40 USC 3701 et seq.

(3) The contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.

INTRODUCTION OF ORDINANCE

Council Member _____ introduced:

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 884.____ for the purposes of providing for a service charge in lieu of taxes for fifty-four (54) low-income elderly dwelling units in a project known as Genesee Senior Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2024-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, _____ 2024. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Genesee Senior Apartments, located at 835 West Genesee Street in Lansing.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, Monday, _____, 2024 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.____ for the purposes of providing for a service charge in lieu of taxes for fifty-four (54) low-income elderly dwelling units in a project known as Genesee Senior Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The "Act").

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, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

By the Committee on _____
Resolved by the City Council of the City of Lansing

WHEREAS, the Federal Consolidated Appropriations Act, 2023 contains \$2,982,285,641 in Economic Development Initiative (EDI) funding for the purpose of making Community Project Funding grants to be administered by the U.S. Department of Housing and Urban Development (HUD); and,

WHEREAS, HUD has awarded a grant to the City of Lansing in a sum not to exceed seven hundred and fifty thousand dollars (\$750,000) to provide funding to the City of Lansing to support the development of a new publicly owned music and arts venue in downtown Lansing; and,

WHEREAS, this grant is a result of a federal appropriation out of the Community Funded Projects program sponsored by U.S. Congressional Representative Elissa Slotkin; and,

WHEREAS, the award does not require local matching funds and was awarded on a non-competitive basis; and,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the HUD Grant, subject to the terms of the grant agreement.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds, and to execute any necessary agreements upon approval as to form by the City Attorney.

**FY 2023 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-23-CP-MI-0828**

Grantee Name: City of Lansing

Grantee Address: 124 W. Michigan Ave., 9th Floor City Hall Lansing, MI 48933

Grantee's Unique Entity Identifier (UEI):

Grantee's Employer Identification Number (EIN)

Federal Award Identification Number (FAIN) B-23-CP-MI-0828

Assistance Listing Number and Name 14.251 Economic Development Initiative,
Community Project Funding, and Miscellaneous Grants

Period of Performance/Budget Period Start Date Date of grant obligation

Period of Performance/Budget Period End Date August 31, 2031

This Grant Agreement between the Department of Housing and Urban Development (HUD) and City of Lansing (the Grantee) is made pursuant to the authority of the Consolidated Appropriations Act, 2023 (Public Law 117-328) and the Explanatory Statement for Division L of that Act, which was printed in the Senate section of the Congressional Record on December 20, 2022 (Explanatory Statement).

In reliance upon and in consideration of the mutual representations and obligations under this Grant Agreement, HUD and the Grantee agree as follows:

ARTICLE I. Definitions

The definitions at 2 CFR 200.1 apply to this Grant Agreement, except where this Grant Agreement specifically states otherwise.

Budget period is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

Period of Performance is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

ARTICLE II. Total Grant Amount

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of \$750,000 available to the Grantee.

ARTICLE III. Award-Specific Requirements

A. Federal Award Description. The Grantee must use the Federal funds provided under this Grant Agreement (Grant Funds) to carry out the Grantee's "Project." Unless changed in accordance with Article III, section C of this Grant Agreement, the Grantee's Project shall be as described in the Project Narrative that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved Project Narrative as Appendix 1 to the Grant Agreement on the date that HUD signs this Grant Agreement.

B. Approved Budget. The Grantee must use the Grant Funds as provided by the Approved Budget. Unless changed in accordance with Article III, section C of this Grant Agreement, the Approved Budget shall be the line-item budget that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved line-item budget as Appendix 2 to this Grant Agreement on the date that HUD signs this Grant Agreement.

C. Project and Budget Changes. All changes to the Grantee's Project or Approved Budget must be made in accordance with 2 CFR 200.308 and this Grant Agreement. To request HUD's approval for a change in the Project or Approved Budget, the Grantee must submit a formal letter to the Director of HUD's Office of Economic Development - Congressional Grants Division through the assigned Grant Officer. The letter must be submitted by email to the assigned Grant Officer and must provide justification for the change. The email submitting the letter must also include a revised project narrative or revised line-item budget, as applicable, that includes the requested change. The Grantee is prohibited from making project or budget changes that would conflict with the Applicable Appropriations Act Conditions described in Article III, section D of this Grant Agreement. The assigned Grant Officer for this grant is provided in the Award Letter for this grant and found on HUD's website. The HUD Office of Economic Development – Congressional Grants Division will notify the Grantee in writing, by email, whether HUD approves or disapproves the change. Before the Grantee expends Grant Funds in accordance with any change approved by HUD or otherwise allowed by 2 CFR 200.308, the Grantee must update its grant information in Disaster Recovery Grant Reporting (DRGR) to reflect that change.

D. Applicable Appropriations Act Conditions. The conditions that apply to the Grant Funds as provided by the Consolidated Appropriations Act, 2023 and the Explanatory Statement are hereby incorporated and made part of this Grant Agreement. In the event of a conflict between those conditions, the conditions provided by the Act will govern. The Grant Funds are not subject to the Community Development Block Grants regulations at 24 CFR part 570 or Title I of the Housing and Community Development Act of 1974.

E. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. As authorized under 2 CFR 200.307(e)(2), program income may be treated as an addition to the Federal award, provided that the Grantee uses that income for allowable costs under this Grant Agreement. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. Any program income that cannot be expended on allowable costs under this Grant Agreement must be paid to HUD before closeout of the grant, unless otherwise specified by an applicable Federal statute.

F. The Grantee must use the Grant Funds only for costs (including indirect costs) that meet the applicable requirements in 2 CFR part 200 (including appendices). The Grantee's indirect cost rate information is as provided in Appendix 3 to this Grant Agreement. Unless the Grantee is an Institution of Higher Education, the Grantee must immediately notify HUD upon any change in the Grantee's indirect cost rate during the Period of Performance, so that HUD can amend the Grant Agreement to reflect the change if necessary. Consistent with 2 CFR Part 200, Appendix III (C.7), if the Grantee is an Institution of Higher Education and has a negotiated rate in effect on the date this Grant Agreement is signed by HUD, the Grantee may use only that rate for its indirect costs during the Period of Performance.

G. The Grantee must comply with any specific award conditions that HUD may attach to this Grant Agreement as provided by 2 CFR 200.208. If applicable, these conditions will be listed or added as Appendix 5 to this Grant Agreement.

H. The Grantee is responsible for managing the Project and ensuring the proper use of the Grant Funds. The Grantee is also responsible for ensuring the completion of the Project, the grant closeout, and compliance with all applicable federal requirements. The Grantee may subaward all or a portion of its funds to one or more subrecipients, as identified in the Project Narrative (Appendix 1) or as may be approved by HUD in accordance with 2 CFR 200.308. All subawards made with funding under this Grant Agreement are subject to the subaward requirements under 2 CFR Part 200, including 2 CFR 200.332, and other requirements provided by this Grant Agreement. The Grantee is responsible for ensuring each subrecipient complies with all requirements under this Grant Agreement, including the general federal requirements in Article IV. A subaward may be made to a for-profit entity only if HUD expressly approves that subaward and the for-profit entity is made subject to the same Federal requirements that apply to all other subrecipients, including the requirements 2 CFR part 200 provides for a "non-Federal entity" that receives a subaward.

ARTICLE IV. General Federal Requirements

A. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee is the Responsible Entity (as defined in 24 CFR part 58) and agrees to assume all of the responsibilities for environmental review and decision-making and action, as specified and required in regulations issued by the Secretary pursuant to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR Part 58.

B. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe or Alaskan Native Village, within which the Project is located and which exercises land use responsibility, to act as Responsible Entity and assume all of the responsibilities for environmental review and decision-making and action as specified in paragraph A above, and the Grantee shall carry out all of the responsibilities of a grantee under 24 CFR Part 58.

C. After December 29, 2022, neither the Grantee nor any of its contractors, subrecipients and other funding and development partners may undertake, or commit or expend Grant Funds or local funds for, project activities (other than for planning, management, development and administration activities), unless a contract requiring those activities was already executed on or before December 29, 2022, until one of the following occurs: (i) the Responsible Entity has completed the environmental review procedures required by 24 CFR part 58, and HUD has approved the environmental certification and given a release of funds; (ii) the Responsible Entity has determined and documented in its environmental review record that the activities are exempt under 24 CFR 58.34 or are categorically excluded and not subject to compliance with environmental laws under 24 CFR 58.35(b); or (iii) HUD has performed an environmental review under 24 CFR part 50 and has notified Grantee in writing of environmental approval of the activities.

D. Following completion of the environmental review process, the Grantee (recipient) shall exercise oversight, monitoring, and enforcement as necessary to assure that decisions and mitigation measures adopted through the environmental review process are carried out during project development and implementation.

E. The Grantee must comply with the generally applicable HUD and CPD requirements in 24 CFR Part 5, subpart A, including all applicable fair housing, and civil rights requirements. If the Grantee is a Tribe or a Tribally Designated Housing Entity (TDHE) as established under 24 CFR 1000.206, the Grantee must comply with the nondiscrimination requirements in 24 CFR 1000.12 in lieu of the nondiscrimination requirements in 24 CFR 5.105(a). The Grantee must report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of the Grantee's Project, consistent with the instructions and forms provided by HUD in order to carry out its responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987 (e.g. HUD-27061).

F. The Grantee must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR part 200, as may be amended from time to time. If 2 CFR part 200 is amended to replace or renumber sections of part 200 that are cited specifically in this Grant Agreement, the part 200 requirements as renumbered or replaced by the amendments will govern the obligations of HUD and the Grantee after those amendments become effective.

G. The Grantee must comply with the Award Term in Appendix A to 2 CFR Part 25 ("System for Award Management and Universal Identifier Requirements") and the Award Term in Appendix A to 2 CFR Part 170 ("Reporting Subawards and Executive Compensation"), which are hereby incorporated into and made part of this Grant Agreement.

H. If the Total Grant Amount, as provided in Article II of this Grant Agreement, is greater than \$500,000, the Grantee must comply with the Award Term and Condition for Grantee Integrity and Performance Matters in Appendix 4 to this Grant Agreement.

I. Unless the Grantee is exempt from the Byrd Amendment as explained below, the Grantee must comply with the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR Part 87, which prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, loan, or cooperative agreement. The Grantee must include in its award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements), the requirements for the certification required by Appendix A to 24 CFR Part 87 and for disclosure using Standard Form- LLL (SF-LLL), "Disclosure of Lobbying Activities." In addition, the Grantee must obtain the executed certification required by Appendix A and an SF-LLL from all covered persons. "Person" is as defined by 24 CFR Part 87. Federally recognized Indian tribes and TDHEs established by Federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment. State-recognized Indian tribes and TDHEs established only under state law must comply with this requirement.

J. The Grantee must comply with drug-free workplace requirements in Subpart B of 2 CFR Part 2429, which adopts the governmentwide implementation (2 CFR Part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988, Pub. L. 100-690, Title V, Subtitle D (41 U.S.C. 701-707).

K. The Grantee must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) as implemented by regulations at 49 CFR Part 24. The URA applies to acquisitions of real property and relocation occurring as a direct result of the acquisition, rehabilitation, or demolition of real property for Federal or Federally funded programs or projects. Real property acquisition that receives Federal financial assistance for a program or project, as defined in 49 CFR 24.2, must comply with the acquisition requirements contained in 49 CFR part 24, subpart B. Unless otherwise specified in law, the relocation requirements of the URA and its implementing regulations at 49 CFR part 24, cover any displaced person who moves from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD financial assistance

L. If Grant Funds are used for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead- based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead- based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

M. The Grantee must comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u, and HUD's regulations at 24 CFR part 75, as applicable, including the reporting requirements in 24 CFR 75.25. Grants made to Tribes and TDHEs are subject to Indian Preference requirements in Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)). As stated in 24 CFR 75.3(c), grants to Tribes and TDHEs are subject to Indian Preference requirements in lieu of Section 3. Grantees that are not exempt from Section 3 must submit annual reports of Section 3

accomplishment Performance Measures in DRGR in January of the calendar year. This report reflects Section 3 accomplishments for the previous calendar year.

N. The Grantee must not use any Grant Funds to support any Federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Public use includes use of funds for mass transit, railroad, airport, seaport, or highway projects, and utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and waste water-related infrastructure), other structures designated for use by the general public or with other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118). Public use does not include economic development that primarily benefits private entities.

O. The Grantee must not use any Grant Funds to maintain or establish a computer network that does not block the viewing, downloading, and exchanging of pornography. This requirement does not limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

P. The Grantee must administer its Grant Funds in accordance with the Conflict of Interest requirements set forth in Appendix 6 of this Grant Agreement.

Q. The Grantee must comply with the governmentwide debarment and suspension requirements in 2 CFR part 180 as incorporated and supplemented by HUD's regulations at 2 CFR part 2424.

R. The Grantee must comply with the award term and condition regarding trafficking in persons in Appendix 7 of this Grant Agreement.

S. The assurances and certifications the Grantee has made and submitted to HUD are incorporated by this reference and made part of this Grant Agreement.

ARTICLE V. Drawdown Requirements

A. The Grantee may not draw down Grant Funds until HUD has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying, if applicable.

B. The Grantee must use HUD's Disaster Recovery Grant Reporting (DRGR) system to draw down Grant Funds and report to HUD on activities.

C. The Grantee must enter activity and budget information in DRGR that is consistent with the Grantee's Project and Approved Budget as described in Article III, sections A and B of this Grant Agreement and complies with HUD's instructions for entering information in DRGR found in the document titled "Grant Award Instructions" that accompanies the Grant Agreement.

D. The Grantee must only enter activities in DRGR that are described in the Approved Budget.

E. The Grantee must expend all Grant Funds in accordance with the activity and budget information in DRGR.

F. Each drawdown of Grant Funds constitutes a representation by the Grantee that the funds will be used in accordance with this Grant Agreement.

G. The Grantee must use DRGR to track the use of program income and must report the receipt and use of program income in the reports the Grantee submits to HUD under Article VI of this Grant Agreement. The Grantee must expend program income before drawing down Grant Funds through DRGR.

H. Notwithstanding any other provision of this grant agreement, HUD will not be responsible for payment of any Grant Funds after the date Treasury closes the account in accordance with 31 U.S.C. § 1552. Because Treasury may close the account up to one week before the September 30 date specified by 31 U.S.C. § 1552, the Grantee is advised to make its final request for payment under the grant no later than September 15, 2031.

ARTICLE VI. Program-Specific Reporting Requirements

In addition to the general reporting requirements that apply under other provisions of this Agreement, the following program-specific reporting requirements apply to the Grantee:

A. The Grantee must submit a performance report in DRGR on a semi-annual basis and must include a completed Federal financial report as an attachment to each performance report in DRGR. Performance reports shall consist of a narrative of work accomplished during the reporting period. During the Period of Performance, the Grantee must submit these reports in DRGR no later than 30 calendar days after the end of the 6-month reporting period. The first of these reporting periods begins on the first of January or June (whichever occurs first) after the date this Grant Agreement is signed by HUD.

B. The performance report must contain the information required for reporting program performance under 2 CFR 200.329(c)(2) and (d), including a comparison of actual accomplishments to the objectives of the Project as described in Article III, section A of this Grant Agreement, the reasons why established goals were not met, if appropriate, and additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

C. Financial reports must be submitted using DRGR or such future collections HUD may require and as approved by OMB and listed on the Grants.gov website (<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>).

D. The performance and financial reports will undergo review and approval by HUD. If a report submission is insufficient, HUD will reject the report in DRGR and identify the corrections the Grantee must make.

E. No drawdown of funds will be allowed through DRGR while the Grantee has an overdue performance or financial report.

F. The Grantee must report and account for all property acquired or improved with Grant Funds as provided by 2 CFR part 200 using the applicable common forms approved by OMB and provided on the Grants.gov website (<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>). This reporting obligation includes submitting status reports on real property at least annually as provided by 2 CFR 200.330, accounting for real and personal property acquired or improved with Grant Funds as part of Project Closeout, and promptly submitting requests for disposition instructions as provided by 2 CFR 200.311(c), 200.313(e), and 200.314(a).

ARTICLE VII. Project Closeout

A. The grant will be closed out in accordance with 2 CFR part 200, as may be amended from time to time, except as otherwise specified in this Grant Agreement.

B. The Grantee must submit to HUD a written request to closeout the grant no later than 30 calendar days after the Grantee has drawn down all Grant Funds and completed the Project as described in Article III, section A of this Grant Agreement. HUD will then send the Closeout Agreement and Closeout Certification to the Grantee.

C. At HUD's option, the Grantee may delay initiation of project closeout until the resolution of any findings as a result of the review of semi-annual activity reports in DRGR. If HUD exercises this option, the Grantee must promptly resolve the findings.

D. The Grantee recognizes that the closeout process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any HUD review, including reasonable requests for on-site inspection of property acquired or improved with Grant Funds.

E. No later than 120 calendar days after the Period of Performance, Grantees shall provide to HUD the following documentation:

1. A Certification of Project Completion.
2. A Grant Closeout Agreement.
3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability

requirements of 2 CFR part 200, subpart E); a certification of the costs; and the amounts and sources of other project funds.

4. A final performance report providing a comparison of actual accomplishments with the objectives of the Project, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.
5. A final property report, if specifically requested by HUD at the time of closeout.

ARTICLE VIII. Default

A default under this Grant Agreement shall consist of any use of Grant Funds for a purpose other than as authorized by this Grant Agreement, any noncompliance with statutory, regulatory, or other requirements applicable to the Grant Funds, any other material breach of this Grant Agreement, or any material misrepresentation in the Grantee's submissions to HUD in anticipation of this award. If the Grantee fails to comply with the terms and conditions of the Grant Agreement, HUD may adjust specific conditions of this Grant Agreement as described in 2 CFR part 200, as may be amended from time to time. If HUD determines that noncompliance cannot be remedied by imposing additional conditions, HUD may take one or more of the remedies for noncompliance described in 2 CFR part 200, as may be amended from time to time. HUD may also terminate all or a part of this award as provided by 2 CFR 200.340 and other applicable provisions of 2 CFR part 200, as may be amended from time to time. Nothing in this Grant Agreement shall be construed as creating or justifying any claim against the Federal government or the Grantee by any third party.

ARTICLE IX. HUD Contact Information

Except where this Grant Agreement specifically states otherwise, all requests, submissions, and reports the Grantee is required to make to HUD under this Grant Agreement must be made in writing via email to CPFGGrants@hud.gov.

This agreement is hereby executed on behalf of the Grantee and HUD as follows:

GRANTEE

(Name of Organization)

BY:

(Signature of Authorized Official)

(Typed Name and Title of Authorized Official)

(Date)

HUD

BY:

Robin J. Keegan,
Deputy Assistant Secretary for Economic Development

(Date)

APPENDIX 1 – Project Narrative

APPENDIX 2 – Approved Budget

APPENDIX 3 – Grantee’s Indirect Cost Rate Information

Subject to the applicable requirements in 2 CFR part 200 (including its appendices), the Grantee will use an indirect cost rate as represented by the Grantee below:

- ☐ The Grantee will not use an indirect cost rate to charge its indirect costs to the grant.
- ☐ The Grantee will use the indirect cost rate(s) identified in the table below to charge its indirect costs to the grant.

Agency/Dept./Major Function	Indirect cost rate	Direct Cost Base
_____	_____ %	_____
_____	_____ %	_____

[PLEASE NOTE: The grantee must check one of the two boxes above. If the second box is checked, the corresponding table must be filled out as described below.

The table must include each indirect cost rate that will be used to calculate the Grantee’s indirect costs under the grant. The table must also specify the type of direct cost base to which each included rate applies (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rate information for subrecipients.

For government entities, enter each agency or department that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR 200.414), and the type of direct cost base to which the rate will be applied.

For nonprofit organizations that use the Simplified Allocation Method for indirect costs or elects to use the de minimis rate of 10% of Modified Total Direct Costs in accordance with 2 CFR 200.414, enter the applicable indirect cost rate and type of direct cost base in the first row of the table.

For nonprofit organizations that use the Multiple Allocation Base Method, enter each major function of the organization for which a rate was developed and will be used under the grant, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied.]

APPENDIX 4 – Award Term and Condition for Grantee Integrity and Performance Matters

Reporting of Matters Related to Grantee Integrity and Performance

1. General Reporting Requirement

If the total value of the Grantee's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then during that period of time the Grantee must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings About Which Grantee Must Report

During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must submit the information required about each proceeding that:

- a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
- b. Reached its final disposition during the most recent five-year period; and
- c. Is one of the following:
 - (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;
 - (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - (3) An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and the Grantee's payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
 - (4) Any other criminal, civil, or administrative proceeding if:
 - (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

(ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the Grantee's part; and

(iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures

During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. The Grantee does not need to submit the information a second time under assistance awards that the Grantee received if the Grantee already provided the information through SAM because the Grantee was required to do so under Federal procurement contracts that the Grantee was awarded.

4. Reporting Frequency

During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must report proceedings information through SAM for the most recent five-year period, either to report new information about any proceeding(s) that the Grantee has not reported previously or affirm that there is no new information to report. If the Grantee has Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000, the Grantee must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions

For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

(1) Only the Federal share of the funding under any Federal award with a cost share or match requirement; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

APPENDIX 5 – Specific Award Conditions
NONE.

APPENDIX 6 – Conflict of Interest Requirements

1. *Conflicts Subject to Procurement Regulations.* When procuring property or services, the grantee and its subrecipients shall comply with the applicable conflict-of-interest rules in 2 CFR 200.317 and 2 CFR 200.318(c). In all cases not governed by 2 CFR 200.317 and 2 CFR 200.318(c), the Grantee and its subrecipients must follow the requirements contained in paragraphs 2-5 below.

2. *General prohibition.* No person who is an employee, agent, consultant, officer, or elected or appointed official of the Grantee or subrecipient and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), sibling (including a stepsibling), grandparent, grandchild, and in-laws of a covered person.

3. *Exceptions.* HUD may grant an exception to the general prohibition in paragraph (ii) upon the Grantee's written request and satisfaction of the threshold requirements in paragraph (iv), if HUD determines the exception will further the Federal purpose of the award and the effective and efficient administration of the Grantee's Project, taking into account the cumulative effects of the factors in paragraph (v).

4. *Threshold requirements for exceptions.* HUD will consider an exception only after the Grantee has provided the following documentation:

- a. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how that disclosure was made; and
- b. An opinion of the Grantee's attorney that the interest for which the exception is sought would not violate state or local law.

5. *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the Grantee has satisfactorily met the threshold requirements in paragraph (iii), HUD will consider the cumulative effect of the following factors, where applicable:

- a. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- b. Whether an opportunity was provided for open competitive bidding or negotiation;
- c. Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception

will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;

d. Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process regarding the assisted activity in question;

e. Whether the interest or benefit was present before the affected person was in a position as described in paragraph (ii);

f. Whether undue hardship will result either to the Grantee or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

g. Any other relevant considerations.

6. *Disclosure of potential conflicts of interest.* The Grantee must disclose in writing to HUD any potential conflict of interest.

APPENDIX 7 – Award Term and Condition Regarding Trafficking in Persons

The following award term and condition, which is required by 2 CFR part 175, applies as written:

a. Provisions applicable to a grantee that is a private entity.

1. You as the grantee, your employees, subrecipients under this award, and subrecipients' employees may not—
 - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.
2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:
 - i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

A. Associated with performance under this award; or

B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by HUD at 2 CFR 2424.

b. Provision applicable to a grantee other than a private entity.

We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either:

- i. Associated with performance under this award; or
- ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by HUD at 2 CFR 2424.

c. Provisions applicable to any grantee.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. Definitions. For purposes of this award term:

1. “Employee” means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3. “Private entity”:

i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

ii. Includes:

A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

B. A for-profit organization.

4. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Resolution #2024-###

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Public Service Department received a resident request to reinstate a 2 am to 5 am parking prohibition within the Cambridge Downs Subdivision; and

WHEREAS, the City of Lansing Traffic Engineer provided petitions to the requestor(s) to circulate to the residents within the Cambridge Downs Subdivision where the parking prohibition was requested; and

WHEREAS, based on the returned petitions, sixty-two percent (62%) of the residents responded in favor of reinstating the 2 am to 5 am overnight parking prohibition; and

WHEREAS, the petition was further broken down by block to determine if there was substantial support against the prohibition that would require additional survey of residents; and

WHEREAS, further block by block review indicated that, with the exception of East Westchester and Westchester Roads, additional input from property owners was needed to determine the level of support for a change in parking regulations; and

WHEREAS, based on returned surveys from owners on these other streets within the subdivision, the majority of property owners did not support a change in parking regulations on the remaining roadways within the Cambridge Downs Subdivision; and

WHEREAS, the Public Service Department conducted traffic counts, reviewed crash data, and surveyed the fire and police departments to determine if they believed on street parking posed any safety or operational issues for their departments; and

WHEREAS, the Public Service Department did not identify any safety issues attributed to on street parking within the Cambridge Downs Subdivision or an operational need to prohibit parking within the area; and

WHEREAS, the Public Service Department recognizes the significant resident support for the prohibition of parking between 2 am and 5 am on both E Westchester Road and Westchester Road and does not find that the implementation of a parking prohibition would adversely affect traffic operations or safety on East Westchester or Westchester Roads; and

WHEREAS, the Public Service Board concurs with the Public Service Department's report and recommended that parking be prohibited between 2 am and 5 am on East Westchester Road and Westchester Road; and

WHEREAS, the minutes containing the Public Service Board's action on this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Public Service Board;

WHEREAS, the Committee on City Operations reviewed the report and concurs with the Recommendation of the Public Service Board;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Orders 24-01 and 24-02 thereby authorizing the prohibition of parking between 2 a.m. and 5 a.m. along Westchester Road and East Westchester Road;

BE IT FINALLY RESOLVED that Traffic Control Orders 24-01 and 24-02 shall become effective when signed by the Assistant City Engineer and filed with the City Clerk and the appropriate signs and are installed.

ENGINEERS REPORT #023-012

PARKING REGULATION REQUEST: CAMBRIDGE DOWNS SUBDIVISION

The Transportation and Non-motorized Section (TNM) of the Public Service Department received a resident request to reinstate the 2 am to 5 am parking prohibition along the Cambridge Downs Subdivision as identified in Attachment A of this report. The request was made to combat blight in the neighborhood.

According to Chapter 404.13 of the Code of Ordinances, "Along any street where the majority of front footage of both sides is zoned for residential use, if a majority of the property owners on such street sign a petition requesting limitation or prohibition of street parking along one or both sides of such street, the Traffic Engineer shall undertake a **study examining what parking is needed and if any limitation or prohibition of parking by traffic control order is appropriate.**"

The Traffic Engineer provided petitions to the requestor(s) to circulate to the residents within the Cambridge Downs Subdivision where the parking prohibition was requested. Based on the returned petitions, sixty-two percent (62%) of the residents responded in favor of reinstating the 2 am to 5 am overnight parking prohibition.

Noting a majority support and per the city ordinance, the TNM section conducted a study of the area to determine if on street parking is an existing safety issue in the neighborhood. Additionally, the petition was further broken down by block to determine if there was substantial support for or against the prohibition that would require additional survey of residents. The results of the survey and right-of-way data collected are as follows:

Petition Results:

Both East Westchester and Westchester roadway segments received significant support for reinstating the 2 am to 5 am parking prohibition. The 3000 block of Westchester received the lowest support with 73 percent of the residents supporting the prohibition. The Westchester data is summarized on the following page:

Board Action Date:
Passed: _____ Declined: _____

File: Carey St & Ionia St

ENGINEERS REPORT #023-012

PARKING REGULATION REQUEST: CAMBRIDGE DOWNS SUBDIVISION

STREET	BLOCK	FROM	TO	RESULT	DATA COLLECTED					
					PETITION	%	POSTCARD	%	COMBINED	%
WESTCHESTER	2804-2908	S CAMBRIDGE	E WESTCHESTER	SUPPORT 2-5 PROHIBITION	8	88.9%	NOT SURVEYED	NA	NA	NA
				NO SIGNATURE/KEEP AS IS	1	11.1%	NOT SURVEYED	NA	NA	NA
	3000-3041	E WESTCHESTER	S CAMBRIDGE	SUPPORT 2-5 PROHIBITION	11	73.3%	NOT SURVEYED	NA	NA	NA
				NO SIGNATURE/KEEP AS IS	4	26.7%	NOT SURVEYED	NA	NA	NA
	ENTIRE	S CAMBRIDGE	S CAMBRIDGE	SUPPORT 2-5 PROHIBITION	19	79.2%	NOT SURVEYED	NA	NA	NA
				NO SIGNATURE/KEEP AS IS	5	20.8%	NOT SURVEYED	NA	NA	NA
E WESTCHESTER	2806-2832	NOTTINGHAM	WESTCHESTER	SUPPORT 2-5 PROHIBITION	5	83.3%	NOT SURVEYED	NA	NA	NA
				NO SIGNATURE/KEEP AS IS	1	16.7%	NOT SURVEYED	NA	NA	NA
	2919-2940	WESTCHESTER	S CAMBRIDGE	SUPPORT 2-5 PROHIBITION	6	100.0%	NOT SURVEYED	NA	NA	NA
				NO SIGNATURE/KEEP AS IS	0	0.0%	NOT SURVEYED	NA	NA	NA
	ENTIRE	NOTTINGHAM	S CAMBRIDGE	SUPPORT 2-5 PROHIBITION	11	91.7%	NOT SURVEYED	NA	NA	NA
				NO SIGNATURE/KEEP AS IS	1	8.3%	NOT SURVEYED	NA	NA	NA

When reviewing the remaining streets within the Cambridge Downs Subdivision, there was less support for reinstating the parking prohibition once the survey results were broken down by block. Due to the varying degree in support, the residents were surveyed via postcard to supplement the petition and to determine if additional support can be identified. The results of the petition and postcard survey results were combined, and the results were as follows

STREET	BLOCK	FROM	TO	RESULT	DATA COLLECTED					
					PETITION	%	POSTCARD	%	COMBINED	%
N CAMBRIDGE	ENTIRE	NOTTINGHAM	WESTGATE	SUPPORT 2-5 PROHIBITION	14	46.7%	9	52.9%	14	46.7%
				NO SIGNATURE/KEEP AS IS	16	53.3%	8	47.1%	16	53.3%
S CAMBRIDGE	2801-2813	NOTTINGHAM	WESTCHESTER	SUPPORT 2-5 PROHIBITION	2	33.3%	1	100.0%	3	50.0%
				NO SIGNATURE/KEEP AS IS	4	66.7%	0	0.0%	3	50.0%
	2900-2924	WESTCHESTER	BEDFORD	SUPPORT 2-5 PROHIBITION	9	90.0%	3	60.0%	7	70.0%
				NO SIGNATURE/KEEP AS IS	1	10.0%	2	40.0%	3	30.0%
	3001-3031	BEDFORD	WESTCHESTER	SUPPORT 2-5 PROHIBITION	4	66.7%	0	0.0%	3	50.0%
				NO SIGNATURE/KEEP AS IS	2	33.3%	2	100.0%	3	50.0%
	3105-3230	WESTCHESTER	WESTGATE	SUPPORT 2-5 PROHIBITION	9	56.3%	2	66.7%	9	56.3%
				NO SIGNATURE/KEEP AS IS	7	43.8%	1	33.3%	7	43.8%
	ENTIRE	NOTTINGHAM	WESTGATE	SUPPORT 2-5 PROHIBITION	24	63.2%	6	54.5%	22	57.9%
				NO SIGNATURE/KEEP AS IS	14	36.8%	5	45.5%	16	42.1%
NOTTINGHAM	1533-1661	N CAMBRIDGE	E WESTCHESTER	SUPPORT 2-5 PROHIBITION	4	80.0%	1	50.0%	3	60.0%
				NO SIGNATURE/KEEP AS IS	1	20.0%	1	50.0%	2	40.0%
	1700-1761	E WESTCHESTER	S CAMBRIDGE	SUPPORT 2-5 PROHIBITION	7	58.3%	3	75.0%	6	50.0%
				NO SIGNATURE/KEEP AS IS	5	41.7%	1	25.0%	6	50.0%
	ENTIRE	N CAMBRIDGE	S CAMBRIDGE	SUPPORT 2-5 PROHIBITION	11	64.7%	4	66.7%	9	52.9%
				NO SIGNATURE/KEEP AS IS	6	35.3%	2	33.3%	8	47.1%

Board Action Date:
 Passed: _____ Declined: _____

File: Carey St & Ionia St

ENGINEERS REPORT #023-012

PARKING REGULATION REQUEST: CAMBRIDGE DOWNS SUBDIVISION

It should be noted that some returned the postcards had a response different then what was indicated on the petition. Additionally, there were a total of 5 responses on the petition that did not match the owner. Both non-owner and changed responses were included in the petition, post card and combined responses. Based on the combined results, the 2900 block of S Cambridge has majority support for reinstating the 2 am to 5 am parking restrictions and the 3100-3200 block of S. Cambridge has a slight majority of residents supporting the parking request.

Geometrics:

The current version of the Policy on Geometric Design of Highways and Streets published by the American Association of State Highway and Transportation Officials, AASHTO, is an engineering handbook that provides guidance on reconstruction projects and is a useful tool to evaluate existing infrastructure. The book states that roadways allowing for parking on both sides of a residential street should be a minimum width of 26 feet wide. All roadways in the study area are 30 feet wide from face of curb to face of curb and 27 feet wide excluding curb and gutter. Based on geometric criteria, parking can be permitted on both sides of all streets in the study area.

Crash Data:

One crash occurred within the Cambridge Downs neighborhood over the last 5-year period from November 28, 2018, to November 29, 2023. The crash involved backing out of a driveway and was not attributed to on street parking, nor did it occur between 2 am and 5am. Due to the low crash history and type of crash identified, the existing crash does not indicate geometrics or parking density to be an issue.

Emergency Services:

Both the Lansing Police Department and Lansing Fire Department contacted to determine if they have concern regarding the existing overnight parking conditions within the Cambridge Downs Subdivision.

The Lansing Police Department did not have any concerns regarding enforcement or with any issues with respect to on street parking within the subdivision. However, it was noted that there were some concerns about residents parking vehicles within driveways and encroaching onto street right-of-way. Additional concerns regarding oversized vehicles

Board Action Date:
Passed: _____ Declined: _____

File: Carey St & Ionia St

ENGINEERS REPORT #023-012

PARKING REGULATION REQUEST: CAMBRIDGE DOWNS SUBDIVISION

parking improperly on private property were also mentioned. However, private property is outside the scope of this study and will not be considered.

The Lansing Fire Department responded with requirements for providing emergency services and mentioned that parking isn't an issue in the Cambridge Downs neighborhood and stated that a 20-foot wide to 26-foot-wide lane is ideal for emergency response. 26 foot is ideal for a ladder truck.

Based on police and fire responses, the existing 30-foot street width and the fact that parking density is very low between 2 am and 5 am, emergency response is not an issue at this time.

Traffic counts:

Traffic counts were collected within the subdivision to determine if potential conflict existed between parking and moving traffic. Based on the data collected, there were less than 5 vehicles per day traveling on the street within the subdivision between the hours of 2am and 5am.

Based on the low traffic volume, on street parking between 2 am and 5 am does not appear to pose a conflict for motorists traveling in opposite direction nor does it appear to be an emergency response concern as substantiated by fire and police responses.

Recommendations:

Based on geometry, police and fire responses, traffic counts and crash data, the Transportation and Non-motorized section of Public Service Department does not believe on-street parking is an issue during the 2 am to 5 am hours and would not recommend the prohibition based on safety merits.

Additionally, the petition and survey data collected did not show a high level of support on some of the streets and or blocks with exception of East Westchester and Westchester Roads. The Public Service Department is neutral in its recommendation to reinstate the 2 am to 5 am parking prohibition for the entire subdivision. However, the Department would support the recommendation of reinstating the 2 am to 5 am parking prohibitions along E Westchester and Westchester Rd based on the significant support of the residents along these corridors should the Administration request it.

Board Action Date:
Passed: _____ Declined: _____

File: Carey St & Ionia St

ENGINEERS REPORT #023-012

PARKING REGULATION REQUEST: CAMBRIDGE DOWNS SUBDIVISION

Attachment A: Cambridge Downs Parking Study Area



Board Action Date:
Passed: _____ Declined: _____

File: Carey St & Ionia St

**CITY OF LANSING
TRAFFIC CONTROL ORDER**

ORDER NUMBER: 24-01

FILE: Westchester Road

In accordance with the Michigan Uniform Traffic Code R 28.1126 Rule 126, an investigation of the traffic conditions along Westchester Road, has been made; and as a result of said investigation, it is hereby directed that:

On the west / north side of WESTCHESTER ROAD parking shall be prohibited between the hours of 2:00 AM and 5:00 AM;

On the east / south side of WESTCHESTER ROAD parking shall be prohibited between the hours of 2:00 AM and 5:00 AM;

Any conflicting traffic regulations on the following Traffic Control Order(s) is/are hereby rescinded: n/a

APPROVED BY THE CITY COUNCIL OF THE CITY OF LANSING ON:

ISSUED BY:

DATE:

Mitchell J Whisler
Assistant City Engineer

RECEIVED FOR FILING:

SIGNED BY:

Date

Chris Swope
City Clerk

DATE OF FILING WITH CITY CLERK: _____

**CITY OF LANSING
TRAFFIC CONTROL ORDER**

ORDER NUMBER: 24-02

FILE: East Westchester Road

In accordance with the Michigan Uniform Traffic Code R 28.1126 Rule 126, an investigation of the traffic conditions along East Westchester Road, has been made; and as a result of said investigation, it is hereby directed that:

On the north side of EAST WESTCHESTER ROAD parking shall be prohibited between the hours of 2:00 AM and 5:00 AM;

On the south side of EAST WESTCHESTER ROAD parking shall be prohibited between the hours of 2:00 AM and 5:00 AM;

Any conflicting traffic regulations on the following Traffic Control Order(s) is/are hereby rescinded: n/a

APPROVED BY THE CITY COUNCIL OF THE CITY OF LANSING ON:

ISSUED BY:

DATE:

Mitchell J Whisler
Assistant City Engineer

RECEIVED FOR FILING:

SIGNED BY:

Date

Chris Swope
City Clerk

DATE OF FILING WITH CITY CLERK: _____

Resolution #2024-###

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing ("City") and the Lansing Board of Water and Light ("BWL") entered into an agreement dated June 30, 1992, regarding return on equity payments (the "Agreement"); and

WHEREAS, the Agreement has been amended from time to time for a total of six amendments; and

WHEREAS, the City and BWL desire to enter into a seventh amendment (the "Seventh Amendment") to extend the term of the Agreement for an additional year commencing July 1, 2024, and terminating on June 30, 2025; and

WHEREAS, the BWL shall make return on equity payments to the City for FY 2024 and 2025 in the amount of 6% of total budgeted BWL operating revenue, excluding inter-utility sales, as is in effect at the start of each respective fiscal year.

NOW, THEREFORE BE IT RESOLVED, that the Seventh Amendment is hereby approved and the Mayor is authorized to execute the same, subject to approval by the City Attorney as to form.

**AMENDMENT NO. 7 TO AGREEMENT
BETWEEN THE CITY OF LANSING AND
THE BOARD OF WATER & LIGHT**

This Amendment No. 7 is entered as of this ___ day of ___, 2024, by and between the City of Lansing, 124 W. Michigan Ave., Lansing, MI 48933, hereinafter referred to as “City,” and the Board of Water & Light, 1201 South Washington Ave., Lansing, Michigan 48910, hereinafter referred to as “Board.” The City and the Board are each a “Party” and, collectively are the “Parties.”

STATEMENT OF PURPOSE

- A. The Parties entered into an Agreement dated June 30, 1992 (the “Agreement”), a copy of which is attached as **Exhibit A**;
- B. The Parties entered into Amendment No. 1 to the Agreement on December 17th, 2001, which expired June 30, 2012, a copy of which is attached as **Exhibit B**;
- C. The Parties entered into Amendment No. 2 to the Agreement on June 30, 2012, which expired June 30, 2017, a copy of which is attached as **Exhibit C**;
- D. The Parties entered into Amendment No. 3 to the Agreement on December 23, 2013, which increased the Board’s annual payment to the City to 6.1% of its revenue from retail and wholesale sales of chilled water, electric, steam, heat and water utilities for the preceding 12-month period ending May 31st of each year (the “Payment”). A copy of Amendment No. 3 is attached as **Exhibit D**;
- E. Amendment No. 3 also extended the term of the Agreement for an additional year beyond that provided for in Amendment No. 2, such that the Agreement expired June 30, 2018, unless extended in writing by the Board of Commissioners and the City Council of Lansing;
- F. The Parties entered into Amendment No. 4 to the Agreement on July 1, 2018. Amendment No. 4 extended the terms and provisions of the Agreement by an additional two years such that the Agreement expired June 20, 2020, unless extended in writing by the Commissioners of the Board and the City Council of Lansing. A copy of Amendment No. 4 is attached as **Exhibit E**; and
- G. The Parties entered into Amendment No. 5 to the Agreement on July 1, 2020. Amendment No. 5 extended the terms and provisions of the Agreement by an additional two (2) years. Further, the Parties agreed that the Board would pay to the City a fixed dollar amount for each of the Fiscal Years 2020, 2021, and 2022 as follows: FY2020 \$23,100,000; FY2021 \$25,000,000; and FY2022 \$25,000,000. It was also agreed that in addition to the amounts described in the preceding paragraph, for each of FY2021 and FY2022, the Board would pay to the City an amount determined as follows:

(the Board's revenue from retail and wholesale sales of chilled water, electric, steam, heat and water utilities for the preceding 12-month period ending May 31st minus \$409,836,066) multiplied by 3%). A copy of Amendment No. 5 is attached as **Exhibit F**.

- H. The Parties entered into Amendment No. 6 to the Agreement on July 20, 2022. Amendment No. 6 extended the terms and provisions of the Agreement by an additional two (2) years. Further, the parties agreed that the Board would pay to the City for the two fiscal years commencing on July 1, 2022, 6% of total Board operating revenues, excluding inter-utility sales, as reported in the Board's audited financial statements. The parties also agreed that payments by the Board would be made quarterly within 30 days after each quarter's end and any changes to operating revenues or inter-utility sales after a quarterly payment has been made, would be adjusted for in the subsequent quarter's payment.

Including as modified by this Amendment No. 7, and by the prior Amendments Nos. 1-6, the Parties desire to extend the term of the Agreement.

AGREEMENT

The Parties therefore agree as follows:

- 1) The term of the Agreement is extended by an additional year, such that the Agreement shall automatically terminate on June 30, 2025, unless extended further by the Commissioners of the Board and the City Council of Lansing.
- 2) The Agreement is amended that the Board shall make return on equity payments to the City for the fiscal years commencing on July 1, 2023 and July 1, 2024, in the amount of 6% of total budgeted Board operating revenues, excluding inter-utility sales, as is in effect at the start of each respective fiscal year.
- 3) Payments shall be made quarterly by the end of the month following each quarter's end. If this date falls on a weekend or holiday, payment may be made on the next business day. Q4 payment of FY2024 will incorporate the terms above including any difference between payments to date and the total fiscal year amount..
- 4) This Agreement as amended contains the entire Agreement and any terms, conditions or provisions not contained in this Agreement as amended are not binding on either Party.
- 5) This Agreement shall inure to the benefit of the Parties to the Agreement.
- 6) This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered except as agreed in writing and executed by both Parties.
- 7) Except as modified in this Amendment No. 7, the Agreement shall remain in full force and effect. Nothing herein releases the Board from any payments it is obligated to make

pursuant to the previous amendments to the Agreement.

IN WITNESS WHEREOF the parties have signed this Amendment No. 7, and it shall become effective on the date first above written.

CITY OF LANSING

By: _____
Andy Schor, Mayor

By: _____
Chris Swope, City Clerk

BOARD OF WATER & LIGHT

By: _____
Richard R. Peffley
General Manager

By: _____
Lavella J. Todd
Corporate Secretary

Approved as to form only:

Approved as to form:

City Attorney

Board of Water & Light
Legal Counsel

Approved as availability of funds:
Account No. 101-674100

Controller

**AMENDMENT NO. 6 TO AGREEMENT
BETWEEN THE CITY OF LANSING AND
THE BOARD OF WATER & LIGHT**

This Amendment No. 6 is entered as of this ____ day of _____, 2022, by and between the City of Lansing, 124 W. Michigan Ave., Lansing, MI 48933, hereinafter referred to as "City," and the Board of Water & Light, 1201 South Washington Ave., Lansing, Michigan 48910, hereinafter referred to as "Board." The City and the Board are each a "Party" and, collectively are the "Parties."

STATEMENT OF PURPOSE

- A. The Parties entered into an Agreement dated June 30, 1992 (the "Agreement"), a copy of which is attached as **Exhibit A**;
- B. The Parties entered into Amendment No. 1 to the Agreement on December 17th, 2001, which expired June 30, 2012, a copy of which is attached as **Exhibit B**;
- C. The Parties entered into Amendment No. 2 to the Agreement on June 30, 2012, which expired June 30, 2017, a copy of which is attached as **Exhibit C**;
- D. The Parties entered into Amendment No. 3 to the Agreement on December 23, 2013, which increased the Board's annual payment to the City to 6.1% of its revenue from retail and wholesale sales of chilled water, electric, steam, heat and water utilities for the preceding 12-month period ending May 31st of each year (the "Payment"). A copy of Amendment No. 3 is attached as **Exhibit D**;
- E. Amendment No. 3 also extended the term of the Agreement for an additional year beyond that provided for in Amendment No. 2, such that the Agreement expired June 30, 2018, unless extended in writing by the Board of Commissioners and the City Council of Lansing;
- F. The Parties entered into Amendment No. 4 to the Agreement on July 1, 2018. Amendment No. 4 extended the terms and provisions of the Agreement by an additional two years such that the Agreement expired June 20, 2020, unless extended in writing by the Commissioners of the Board and the City Council of Lansing. A copy of Amendment No. 4 is attached as **Exhibit E**; and
- G. The Parties entered into Amendment No. 5 to the Agreement on July 1, 2020. Amendment No. 5 extended the terms and provisions of the Agreement by an additional two (2) years. Further, the Parties agreed that the Board would pay to the City a fixed dollar amount for each of the Fiscal Years 2020, 2021, and 2022 as follows: FY2020 \$23,100,000; FY2021 \$25,000,000; and FY2022 \$25,000,000. It was also agreed that in addition to the amounts described in the preceding paragraph, for each of FY2021 and FY2022, the Board would pay to the City an amount determined as follows:

(the Board's revenue from retail and wholesale sales of chilled water, electric, steam, heat and water utilities for the preceding 12-month period ending May 31st minus \$409,836,066) multiplied by 3%). A copy of Amendment No. 5 is attached as Exhibit F.

Including as modified by this Amendment No. 6, and by the prior Amendments Nos. 1-5, the Parties desire to extend the term and modify the return on equity payment calculation of the Agreement.

AGREEMENT

The Parties therefore agree as follows:

- 1) The term of the Agreement is extended by an additional two (2) years, such that the Agreement shall automatically terminate on June 30, 2024, unless extended further by the Commissioners of the Board and the City Council of Lansing.
- 2) The Board shall make return on equity payments to the City for the two fiscal years commencing on July 1, 2022, in the amount of 6% of total Board operating revenues, excluding inter-utility sales, as reported in the Board's audited financial statements.
- 3) Payments shall be made quarterly within 30 days after each quarter's end. Any changes to operating revenues or inter-utility sales after a quarterly payment has been made, such as in the case of a year-end audit adjustment, will be adjusted for in the subsequent quarter's payment.
- 4) This Agreement as amended contains the entire Agreement and any terms, conditions or provisions not contained in this Agreement as amended are not binding on either Party.
- 5) This Agreement shall inure to the benefit of the Parties to the Agreement.
- 6) This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered except as agreed in writing and executed by both Parties.
- 7) Except as modified in this Amendment No. 6, the Agreement shall remain in full force and effect. Nothing herein releases the Board from any payments it is obligated to make pursuant to the previous amendments to the Agreement.

[Signature page follows]

IN WITNESS WHEREOF the parties have signed this Amendment No. 6, and it shall become effective on the date first above written.

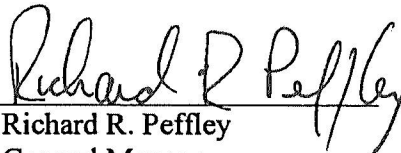
CITY OF LANSING

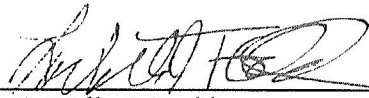
By: 
Andy Schor, Mayor

By:  7/20/2022
Chris Swope, City Clerk

For

BOARD OF WATER & LIGHT

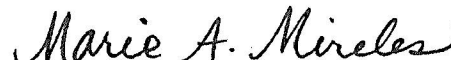
By: 
Richard R. Peffley
General Manager

By: 
LaVella J. Todd
Corporate Secretary

Approved as to form only:


City Attorney

Approved as to form:


Board of Water & Light
Legal Counsel

Approved as availability of funds:
Account No. 101-674100


Controller

Amc

EXHIBIT A

AGREEMENT
BETWEEN THE CITY OF LANSING AND
THE BOARD OF WATER & LIGHT

AGREEMENT dated the 3rd day of June, 1992, by and between the City of Lansing, hereinafter referred to as "City", and the Board of Water & Light, 123 West Ottawa, Lansing, Michigan 48933, hereinafter referred to as "Board".

WITNESSETH:

WHEREAS, pursuant to the 1978 City Charter, the Board and the City are encouraged to cooperate with each other; and

WHEREAS, Michigan law, specifically, Act 94, Public Acts of 1933, as amended, and various revenue bond covenants contained in revenue bonds issued by the Board provide that the Board shall not offer or furnish free utility service to any entity including the City; and

WHEREAS, pursuant to the 1978 City Charter the City provides to the Board, among other things, use of its streets, alleys, bridges and other public places of the City without compensation and the Board, as an agency of the City, is exempt from property taxation; and

WHEREAS, since 1972 the Board has contributed to the City an annual amount as a return on equity and City Council has now requested the Board to increase the amount it contributes to the City; and

WHEREAS, the Commissioners of the Board of Water & Light have agreed that the payment of a return on equity to the City is in the best interest of its ratepayers; and

WHEREAS, the Commissioners of the Board of Water & Light have offered to the City a proposal to modify the percentage used to calculate the Board's return on equity to the City and has requested the City to deed to the Board the parcel located at 123 W. Ottawa Street in a manner consistent with the City Charter; and

WHEREAS, the Mayor and his staff have reviewed the Board's proposal and recommend that the City Council approve of the Board's proposal;

NOW, THEREFORE, IT IS AGREED:

1. The Board's annual payment of a return on equity to the City for the next ten (10) years commencing on July 1, 1992 shall be 4.0 percent of net billed retail sales from its water, steam heat, and electric utilities for the preceding 12 month period ending May 31 of each year. Subject to the provisions of Act 94 Public Acts of 1933, as amended, and the Board's various bond covenants this amount shall be payable to the City no later than June 30th of each year.
2. In addition to any sums mentioned in paragraphs 1 and 2 of this Agreement the Board shall pay to the City the total sum of \$1,850,000.00 as consideration for a quitclaim deed from the City for the parcel at 123 West Ottawa Street. The quitclaim deed shall be in a form consistent with the 1978 City Charter and the parcel shall be held by the Board for its purposes. The sum of \$1,850,000.00 shall be payable as follows:
 - a. \$1,600,000 shall be paid to the City by the Board no later than June 30, 1992; and
 - b. \$250,000 shall be payable to the City by the Board no later than July 15, 1992.

3. The initial payment of 4.0 percent of the net billed retail sales from the Board's water, steam heat and electric utilities shall be made to the City no later than June 30, 1993, and this initial payment shall be in addition to the sum of \$250,000 which shall be paid to the City no later than July 15, 1992.
4. The City shall convey to the Board by quitclaim deed the parcel at 123 West Ottawa Street no later than June 30, 1992 in a manner consistent with the 1978 City Charter and the parcel shall be held by the Board for its purposes.
5. This Agreement shall automatically terminate on June 30, 2002, unless extended in writing by the Commissioners of the Board and the City Council of the City of Lansing.
6. This Agreement contains the entire Agreement and any terms, conditions or provisions not contained in this Agreement are not binding on either party.
7. This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered unless in writing and executed by both parties to this Agreement.

IN WITNESS WHEREOF the parties have signed this Agreement on the date first above written.

WITNESS:

James E. Ryan
Carolyn L. Hartnuff

CITY OF LANSING

By:

Terry J. McKeon
Terry J. McKeon, Mayor

By:

James D. Blair
for James D. Blair, City Clerk

WITNESS:

Beverly A. Bishop
Rosemary Sullivan

Approved as to form only:

Alvan P. Knot
Alvan P. Knot
City Attorney

BOARD OF WATER & LIGHT

By: Joseph Pandy, Jr.
Joseph Pandy, Jr.,
Director & General Manager

By: Mary E. Sova
Mary E. Sova,
Corporate Secretary

I hereby certify as to the availability of funds in Account
none required.

Stephen W. Duarte
for STEPHEN W. DUARTE
City Controller

APPROVED AS TO FORM
Laurence F. White
BOARD OF WATER & LIGHT
LEGAL COUNSEL

Resolution No. 92-8-2

ADMINISTRATIVE

WHEREAS, at the regular meeting of June 16, 1992, the Board adopted a resolution authorizing the General Manager and Corporate Secretary to enter into a Return on Equity Agreement with the City of Lansing subject to confirmation by a majority vote of the Board of Commissioners at the next regularly scheduled Board meeting, be it

RESOLVED, That the Agreement between the City of Lansing and the Board of Water and Light, dated June 30, 1992, governing the transfer of a parcel located at 123 W. Ottawa Street and a Return on Equity payment is hereby ratified, confirmed, and approved.

Recommended by Mary E. Sova 8/6/92
Mary E. Sova, Secretary Date

Approved by: Joe Pandey 8/11/92
Joseph Pandey, Jr., General Manager Date

Date Resolved by Board Action: August 25, 1992

**AMENDMENT NO. 1 TO AGREEMENT
BETWEEN THE CITY OF LANSING AND
THE BOARD OF WATER AND LIGHT**

This Amendment No. 1 is entered into as of this 17th day of December by and between the City of Lansing, 124 W. Michigan Avenue, Lansing, Michigan 48933, hereinafter referred to as "City", and the Board of Water and Light, 1232 Haco Drive, Lansing, Michigan 48912, hereinafter referred to as the "Board".

STATEMENT OF PURPOSE

The Parties have entered into an agreement (Agreement) dated June 30, 1992 which is set to expire June 30, 2002, a copy of which is attached as Exhibit A; and

Except as modified by this Amendment No. 1, the Parties desire to extend the terms and provisions of the Agreement (both this Amendment No. 1 and the Agreement are hereinafter referred to as Agreement); and

The Parties acknowledge that ownership of a utility entitles the City to receive certain benefits associated with that ownership; and

The Parties also acknowledge that it is generally accepted practice in the municipal utility industry for municipal utilities, being exempt from property taxes, to make payments to the state or local government.

AGREEMENT

The Parties therefore agree as follows:

- 1) The Board shall make an annual payment to the City for the next ten (10) years commencing on July 1, 2002, in the amount of 4.0 percent of its revenue from retail and wholesale sales of chilled water, electric, steam heat, and water utilities

for the preceding 12 month period ending May 31st of each year. Subject to the provisions of Act 94 Public Acts of 1933, as amended, and the Board's various bond covenants this amount shall be payable to the City no later than June 30th of each year.

- 2) In further consideration of this Agreement, the Board shall additionally pay to the City 4% of its wholesale sales for electricity and water for March-April-May of 2002; such payment will be made before June 30, 2002.
- 3) This Agreement shall automatically terminate on June 30, 2012, unless extended in writing by the Commissioners of the Board and the City Council of the City of Lansing.
- 4) This Agreement contains the entire Agreement and any terms, conditions or provisions not contained in this Agreement are not binding on either party.
- 5) This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered unless in writing and executed by both parties to this Agreement.
- 6) This Agreement shall inure to the benefit of the Parties.
- 7) Except as modified by this Amendment No. 1, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties have signed this Agreement on the date first above written.

WITNESS:

Linda M. Sanchez
Robert K. Miner

CITY OF LANSING

By: David C. Hollister
David Hollister, Mayor

By: Steve Dougan
Steve Dougan, City Clerk

WITNESS:

Barry A. Bishop
Rosemary Sullivan

BOARD OF WATER & LIGHT

By: Joseph M. Pandey, Jr.
Joseph Pandey, Jr.
Director and General Manager

By: Mary E. Sova
Mary E. Sova
Corporate Secretary

Approved as to form only:

James S. Sienka
James Sienka
City Attorney

I hereby certify that funds are available

Acct. No. none required

James E. Sova
James E. Sova, Principal Accountant
for City Controller

Approved as to form:

Lawrence H. Wilhite
Lawrence H. Wilhite
Board of Water & Light
Legal Counsel

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**AMENDMENT NO. 2 TO AGREEMENT
BETWEEN THE CITY OF LANSING AND
THE BOARD OF WATER AND LIGHT**

This Amendment No. 2 is entered into as of this 30th day of June, 2012, by and between the City of Lansing, 124 W. Michigan Ave., Lansing, MI 48933, hereinafter referred to as "City", and the Board of Water and Light, 1232 Haco Drive, Lansing, Michigan 48912, hereinafter referred to as "Board".

STATEMENT OF PURPOSE

The Parties have entered into an agreement dated June 30, 1992, a copy of which is attached as **Exhibit A**; and

The Parties entered into Amendment No. 1 to the original agreement on December 17th, 2002, which is set to expire June 30, 2012, a copy of which is attached as **Exhibit B**; and

Except as modified by this Amendment No. 2, the parties desire to extend the terms and provisions of the Agreement (this Amendment No. 2, Amendment No. 1, and the original agreement are hereinafter referred to collectively as the "Agreement"); and

The parties acknowledge that ownership of a utility entitles the City to receive certain benefits associated with that ownership; and

The Parties acknowledge that it is generally accepted practice in the municipal utility industry for municipal utilities, being exempt from taxes, to make payments to the state or local government.

AGREEMENT

The Parties therefore agree as follows:

- 1) The Board shall make an annual payment to the City for five (5) years

commencing on July 1, 2012, in the amount of five (5.0%) percent of its revenue from retail and wholesale sales of chilled water, electric, steam heat, and water utilities for the preceding 12 month period ending May 31st of each year (the "Payment").

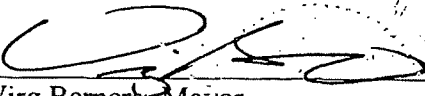
- 2) Subject to the provisions of Act 94 Public Acts of 1933, as amended, and the Board's various bond covenants, the Payment shall be payable to the City no later than June 30th of each year.
- 3) This Agreement shall automatically terminate on June 30, 2017, unless extended in writing by the Commissioners of the Board and the City Council of the City of Lansing.
- 4) This Agreement contains the entire Agreement and any terms, conditions or provisions not contained in this Agreement are not binding on either party.
- 5) This Agreement shall inure to the benefit of the Parties.

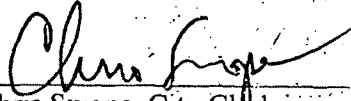
This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered unless in writing and executed by both parties to this agreement.

- 6) Except as modified in this Amendment No. 2, the original agreement and Amendment No. 2 shall remain in full force and effect. Nothing herein releases the Board from any payments it is obligated to make pursuant to the previously entered agreement and amendment.

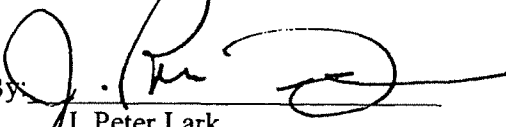
IN WITNESS WHEREOF the parties have signed this Agreement on the date first above written.

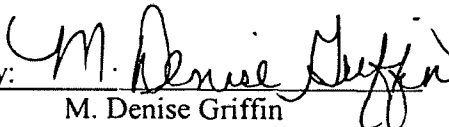
CITY OF LANSING

By: 
Virg Bernero, Mayor

By: 
Chris Swope, City Clerk

BOARD OF WATER AND LIGHT

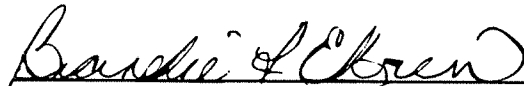
By: 
J. Peter Lark
Director and General Manager

By: 
M. Denise Griffin
Board Secretary

Approved as to form only:


City Attorney

Approved as to form:


Brandie F. Ekren
Board of Water and Light
Legal Counsel

**AMENDMENT NO. 3 TO AGREEMENT
BETWEEN THE CITY OF LANSING AND
THE BOARD OF WATER AND LIGHT**

This Amendment No. 3 ("Amendment #3") is entered into as of this 23rd day of December, 2013, by and between the City of Lansing, 124 W. Michigan Ave., Lansing, MI 48933, hereinafter referred to as "City", and the Board of Water and Light, 1232 Haco Drive, Lansing, Michigan 48912, hereinafter referred to as "Board".

STATEMENT OF PURPOSE

The Parties have entered into an agreement dated June 30, 1992, a copy of which is attached as **Exhibit A**; and

The Parties entered into Amendment No. 1 to the original agreement on December 17th, 2002, which was set to expire June 30, 2012, a copy of which is attached as **Exhibit B** ("Amendment #1"); and

The Parties entered into Amendment No. 2 to the original agreement on June 30, 2012, which was set to expire June 30, 2017, a copy of which is attached as **Exhibit C** ("Amendment #2"); and

Except as modified by this Amendment No. 3, the parties desire to extend the terms and provisions of the Agreement (this Amendment No. 3, Amendment No. 2, Amendment No. 1 and the original agreement are hereinafter referred to collectively as the "Agreement") by an additional year and increase the annual payment to the City for the remainder of the term; and

The parties acknowledge that ownership of a utility entitles the City to receive certain benefits associated with that ownership; and

The Parties acknowledge that it is generally accepted practice in the municipal utility industry for municipal utilities, being exempt from taxes, to make payments to the state or local government.

AGREEMENT

The Parties therefore agree as follows:

- 1) The term of Amendment No. 2, which is currently set to expire June 30, 2017, is extended to June 30, 2018.
- 2) The Board shall make payments to the City for the remaining five (5) years commencing on July 1, 2013, in the amount of six point one (6.1%) percent of its revenue from retail and wholesale sales of chilled water, electric, steam heat, and water utilities for the preceding 12 month period ending May 31st of each year (the "Payment").
- 3) Subject to the provisions of Act 94 Public Acts of 1933, as amended, and the Board's various bond covenants, the Payment shall be payable to the City in semi-annual installments due no later than thirty (30) days following each one-half (1/2) year this Agreement is in effect:

December 1 (estimated)
June 30 – to include reconciliation for entire fiscal year

The June 1 payment shall constitute the difference between the estimated payment for the first one-half (1/2) year and the actual calculated amount for the entire fiscal year.
- 4) This Agreement shall automatically terminate on June 30, 2018, unless extended in writing by the Commissioners of the Board and the City Council of the City of Lansing.

5) This Agreement contains the entire Agreement and any terms, conditions or provisions not contained in this Agreement are not binding on either party.

6) This Agreement shall inure to the benefit of the Parties.

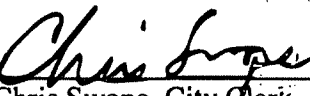
This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered unless in writing and executed by both parties to this agreement.

7) Except as modified in this Amendment No. 3, the original agreement and amendments shall remain in full force and effect. Nothing herein releases the Board from any payments it is obligated to make pursuant to the previously entered agreement and amendments.

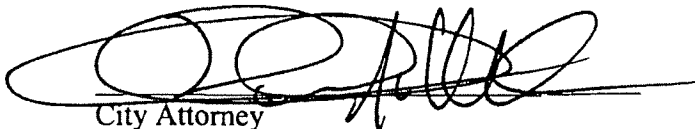
IN WITNESS WHEREOF the parties have signed this Agreement on the date first above written.

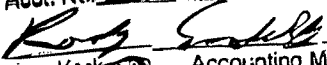
CITY OF LANSING

By: 
Virg Bernero, Mayor

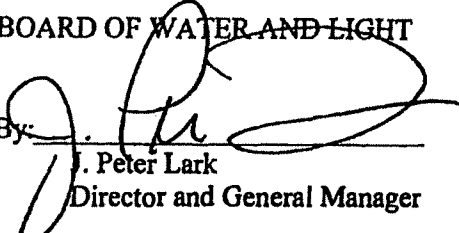
By: 
Chris Swope, City Clerk

Approved as to form only:


City Attorney

I hereby certify that funds are available
Acct. No. 101-674100

Tom Korkoske Accounting Manager

BOARD OF WATER AND LIGHT

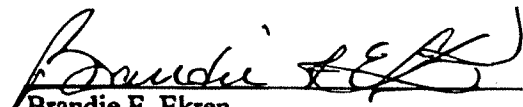
By: 

J. Peter Lark
Director and General Manager

By: 

M. Denise Griffin
Board Secretary

Approved as to form only:



Brandie F. Ekren
Board of Water and Light Legal Counsel

**AMENDMENT NO. 4 TO AGREEMENT
BETWEEN THE CITY OF LANSING AND
THE BOARD OF WATER AND LIGHT**

This Amendment No. 4 ("Amendment No. 4") is entered into as of this 1ST day of JULY, 2018 by and between the City of Lansing, 124 W. Michigan Ave., Lansing, MI 48933, hereinafter referred to as "City", and the Board of Water and Light, 1232 Haco Drive, Lansing, Michigan 48912, hereinafter referred to as "Board".

STATEMENT OF PURPOSE

- A. The Parties entered into an original agreement, dated June 30, 1992, a copy of which is attached as **Exhibit A**.
- B. The Parties extended the original agreement by Amendment No. 1, dated December 17th, 2002, which expired June 30, 2012; by Amendment No. 2, dated June 30, 2012, which expired June 30, 2017; and by Amendment No. 3, dated December 23, 2013, which is set to expire June 30, 2018. A copy of Amendment No. 3 is attached as **Exhibit B**.
- C. As modified by this Amendment No. 4, the Parties desire to extend the terms and provisions of the original agreement, as extended and modified by Amendments No. 1, No. 2, and No. 3, by this Amendment No. 4 (collectively "this Agreement") through June 30, 2020 to and continue the annual 6.1% Payment to the City for the remainder of this term.
- D. The Parties acknowledge that ownership of a utility entitles the City to receive certain benefits associated with that ownership, and that it is generally acceptable practice in

the municipal utility industry for municipal utilities, being exempt from taxes, to make payments to the state or local government.

AGREEMENT

The Parties, therefore, in acknowledgement and reliance on the Statement of Purpose and in consideration of the mutual covenants herein contained, agree as follows:

- 1) The term of Amendment No. 3, which is currently set to expire June 30, 2018, is extended to June 30, 2020.
- 2) The Board shall extend its payments to the City, under this Agreement, commencing on July 1, 2018 through June 30, 2020, in the continued amount equal to six point one (6.1%) percent of its revenue from retail and wholesale sales of chilled water, electric, steam heat, and water utilities for the proceeding 12 month period ending May 31st of each year (the "Payment").
- 3) Subject to the provisions of Act 94 Public Acts of 1933, as amended, and the Board's various bond covenants, the Payment shall be payable to the City in semi-annual installments due no later than thirty (30) days following each one/half (1/2) year that this Agreement is in effect as follows:

First ½ year – June 1 to December 1 of each Payment year – to be an estimated payment;

Second ½ year – December 2 to May 31 of each Payment year – to include reconciliation payment for entire fiscal year.

The May 31 payment date calculation shall constitute the difference between the estimated payment for the first one-half (1/2) year and the actual calculated amount for the entire fiscal year.

- 4) This Agreement shall automatically terminate on June 30, 2020, unless extended in writing by the Commissioners of the Board and the City Council of the City of Lansing.
- 5) This Agreement contains the entire agreement and any terms, conditions or provisions not contained in this Agreement are not binding on either party.
- 6) This Agreement shall inure the benefit of the Parties. This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered unless in writing and executed by both parties to this Agreement.
- 7) Except as modified in this Amendment No. 4, the original agreement and Amendments No. 1, No. 2 and No. 3 shall remain in full force and effect. Nothing herein releases the Board from any payments it is obligated to make pursuant to the previously entered original agreement and Amendments No. 1, No. 2 and No. 3.

IN WITNESS WHEREOF the parties have signed this Agreement on the date first above written.

CITY OF LANSING

By: _____

Andy Schor, Mayor

By: _____

Chris Swope, City Clerk

Approved as to form only:

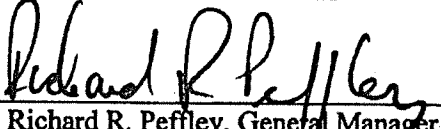

James D. Smerka, City Attorney

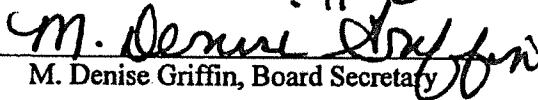
I hereby certify that funds are available

Acct. No. N/A


Randy Endsley, Accounting Manager

BOARD OF WATER AND LIGHT

By: 
Richard R. Peffley, General Manager

By: 
M. Denise Griffin, Board Secretary

Approved as to form only:

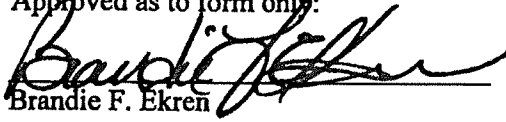

Brandie F. Ekren
Board of Water and Light Legal Counsel

EXHIBIT F

AMENDMENT NO. 5 TO AGREEMENT BETWEEN THE CITY OF LANSING AND THE BOARD OF WATER AND LIGHT

This Amendment No. 5 is entered as of this 1st day of July, 2020, by and between the City of Lansing, 124 W. Michigan Ave., Lansing, MI 48933, hereinafter referred to as "City", and the Board of Water and Light, 1201 South Washington Ave., Lansing, Michigan 48910, hereinafter referred to as "Board". The City and the Board are each a "Party" and, collectively are the "Parties".

STATEMENT OF PURPOSE

- A. The Parties entered into an Agreement dated June 30, 1992 (the "Agreement"), a copy of which is attached as **Exhibit A**; and
- B. The Parties entered into Amendment No. 1 to the Agreement on December 17th, 2001, which expired June 30, 2012, a copy of which is attached as **Exhibit B**; and
- C. The Parties entered into Amendment No. 2 to the Agreement on June 30, 2012, which expired June 30, 2017, a copy of which is attached as **Exhibit C**;
- D. The Parties entered into Amendment No. 3 to the Agreement on December 23, 2013, which increased the Board's annual payment to the City to 6.1% of its revenue from retail and wholesale sales of chilled water, electric, steam, heat and water utilities for the preceding 12 months period ending May 31st of each year (the "Payment"). A copy of Amendment No. 3 is attached as **Exhibit D**, and
- E. Amendment No. 3 also extended the term of the Agreement for an additional year beyond that provided for in Amendment No.2, such that the Agreement expired June 30, 2018, unless extended in writing by the Board of Commissioners and the City Council of Lansing.
- F. The Parties entered into Amendment No. 4 to the Agreement on July 1, 2018. Amendment No. 4 extended the terms and provisions of the Agreement by an additional two years such that the Agreement expires June 20, 2020, unless extended in writing by the Commissioners of the Board and the City Council of Lansing. A copy of Amendment No. 4 is attached as **Exhibit E**.

Including as modified by this Amendment No. 5, and by the prior Amendments No.s 1 – 4, the Parties desire to extend the terms and provisions of the Agreement by an additional two (2) years. Further, the Parties agree that the Board will pay to the City a fixed dollar amount for each of the Fiscal Years 2020, 2021, and 2022 as follows: FY2020 \$23,100,000; FY2021 \$25,000,000; and FY2022 \$25,000,000.

In addition to the amounts described in the preceding paragraph, for each of FY2021 and FY2022, the Board shall pay to the City an amount determined as follows:

(the Board's revenue from retail and wholesale sales of chilled water, electric, steam, heat and water utilities for the preceding 12 months period ending May 31st minus \$409,836,066) multiplied by 3%.

For purposes of illustration only:

In FY 2021, the Board will pay to the City \$25,000,000.

In addition, assuming the Board's revenues for the prior year ending May 2021 are \$420,000,000, the additional revenue calculation payable to the City would be:

$$\$420,000,000 - \$409,836,066 = \$10,163,934.$$

$$\$10,163,934 \times 3\% = \$304,918 \text{ payable to the city, in addition to } \$25,000,000.$$

If this calculation results in a negative number or zero (0), no additional payment will be required.

AGREEMENT

The Parties therefore agree as follows:

- 1) The terms of the Agreement are extended by an additional two years, such that the Agreement shall automatically terminate on June 30, 2022, unless extended further by the Commissioners of the Board and the City Council of Lansing.
- 2) The Agreement as amended contains the entire Agreement and any terms, conditions or provisions not contained in this Agreement as amended are not binding on either Party.
- 3) This Agreement shall inure to the benefit of the Parties to the Agreement.
- 4) This Agreement, or any of its terms or provisions, shall not be waived, modified or otherwise altered except as agreed in writing and executed by both Parties.
- 5) Except as modified in this Amendment No. 5, the Agreement shall remain in full force and effect. Nothing herein releases the Board from any payments it is obligated to make pursuant to the previous amendments to the Agreement.

[Signature page follows]

IN WITNESS WHEREOF the parties have signed this Amendment No. 5, and it shall become effective on the date first above written.

CITY OF LANSING

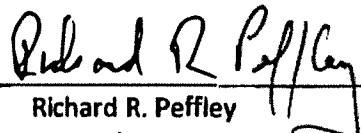
By: 

Andy Schor, Mayor

By: 

for Chris Swope, City Clerk

BOARD OF WATER AND LIGHT

By: 

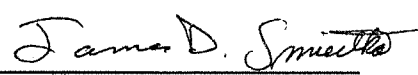
Richard R. Peffley
General Manager

By: 

M. Denise Griffin
Corporate Secretary

Digitally signed by M. Denise Griffin
DN: cn=M. Denise Griffin, o=Lansing
Board of Water and Light, ou,
email=MDenise.Griffin@lbwl.com,
c=US
Date: 2020.07.23 15:02:05 -04'00'

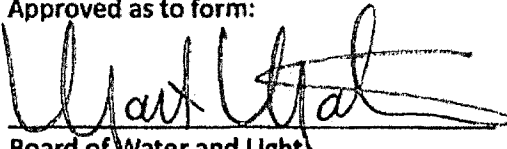
Approved as to form only:



City Attorney and Number P20608

076492.000026 4822-8219-0010.3

Approved as to form:



Board of Water and Light
Legal Counsel

Resolution #2024-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

**RESOLUTION APPROVING BROWNFIELD PLAN #81 AMENDMENT #1
NEOGEN EXPANSION BROWNFIELD REDEVELOPMENT PROJECT**

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on **[insert date]**, and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on **[insert date]**, reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$208,000,000 million.
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on July 12, 2024, unanimously recommended approval of the Plan, for this Project; and

WHEREAS, the City of Lansing Department of Economic Development and Planning has determined the proposed Project is consistent with local development and redevelopment plans and zoning ordinances, and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly

considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and
- The proposed project is consistent with local development and redevelopment plans and zoning ordinances as has also been determined by the City of Lansing Department of Economic Development and Planning.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project'.

THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY (LBRA)

**Resolution Recommending Approval of Plan #81 Amendment #1
NEOGEN Lansing Expansion - Brownfield Redevelopment Project**

At a meeting of the Board of Directors of the Lansing Brownfield Redevelopment Authority (LBRA) City of Lansing, Michigan, held on Friday, July 12, 2024, at 8:30 a.m., pursuant to notice duly given:

PRESENT: Members: Chair - Shelley Davis Boyd, Vice-Chair - Calvin Jones, Secretary - Dr. Alane Laws-Barker, Chaz Carrillo, Sandra Lupien, Rawley Van Fossen

ABSENT: Members: Treasurer - Catherine Rathbun, Michael McKissic, Jordan Sutton

The following preamble and resolution was offered by;

Member: Van Fossen, and seconded by

Member: Jones

WHEREAS, The LBRA (Authority) staff has worked closely with representatives of NEOGEN Properties IX, LLC (the "Developer") to draft Brownfield Plan #81 - Amendment #1 – NEOGEN Lansing Expansion Brownfield Redevelopment Project (Plan); and

WHEREAS, The LBRA staff has duly reviewed such Plan and has found it to be in compliance with the provisions of Act 381 of Michigan Public Acts of 1996, as amended (Act), and meets the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act;
3. The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA staff recommends approval of Brownfield Plan #81 – Amendment #1 – NEOGEN Lansing Expansion Brownfield Redevelopment Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY, AS FOLLOWS:

1. The Brownfield Plan described as Brownfield Plan #81 – Amendment #1 – NEOGEN Lansing Expansion Brownfield Redevelopment Project in the form filed herewith is hereby approved by the Lansing Brownfield Redevelopment Authority and recommended for consideration by the City Council of the City of Lansing pursuant to Act 381 of Michigan Public Acts of 1996, as amended.
2. The LBRA Board hereby requests that the Lansing City Council, after required notification as specified by the Act, hold a public hearing in consideration of this matter, and subsequently approve the Plan.

YEAS: SIX (6)

NAYS: ZERO (0)

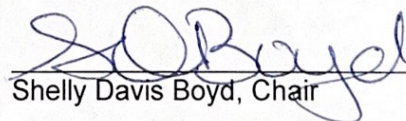
ABSTENTIONS: ZERO (0)

ABSENT: THREE (3)

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the Brownfield Redevelopment Authority held on the 12th day of July 2024, and said resolution is on file in the office of the Lansing Brownfield Redevelopment Authority and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting of at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the Board's By-Laws.

IN WITNESS WHEREOF, I have hereunto affixed my official signature.


Shelly Davis Boyd, Chair

Lansing Brownfield Redevelopment Authority



Lansing Brownfield Redevelopment Authority NEOGEN Lansing Expansion Brownfield Redevelopment Project

Brownfield Plan #81 Amendment No. 1

720 E. Shiawassee Street and 703 E. Michigan Avenue
Lansing, Michigan 48912

PREPARED BY:

Triterra
1305 S. Washington Avenue, Suite 102
Lansing, Michigan 48910
Contact Person: Dave Van Haaren
dave.vanhaaren@triterra.us
Phone: 517-853-2152

REVIEWED BY:

Lansing Brownfield Redevelopment Authority
401 S. Washington Avenue, Suite 101
Lansing, Michigan 48933
Contact Person: Karl Dorshimer
karl@lansingedc.com
Phone: 517-243-3512

Brownfield Plan approved by the LBRA on June 10, 2022
Adopted by the Lansing City Council on July 18, 2022
First Amendment approved by the LBRA on July 12, 2024
Adopted by the Lansing City Council on _____

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- Figure 3: Sample Locations with Analytical Exceedances

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- Table 2: Tax Increment Revenue Capture Estimates
- Table 3: Tax Increment Revenue Reimbursement Allocation Table
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ATTACHMENTS

- Attachment A: Legal Description of the Property
- Attachment B: EGLE BEA Acknowledgement Letter

1. Project Summary Sheet

The purpose of this Brownfield Plan Amendment (the “Amendment”) is to 1) update the definition of the eligible property to include the entirety of the parcels located at 720 E Shiawassee Street (33-01-01-15-151-272) and 703 E Michigan Avenue (33-01-01-15-151-003), (herein referred to as the “Property” or “eligible property”), 2) update/realign eligible activity costs based on current redevelopment plans at both parcels within the property, and 3) adjust the proposed tax increment revenue (TIR) capture schedule based on the current/future eligible costs and taxable value for the eligible property.

Project Name: NEOGEN Lansing Expansion Brownfield (Phase I and Phase II) Redevelopment Project (the “Project”)

Developer: NEOGEN Properties IX, LLC (the “Developer”)
620 Leshar Place
Lansing, MI 48912

Property Location: 720 E. Shiawassee Street (33-01-01-15-151-273) and 703 E. Michigan Avenue (33-01-01-15-151-003) located in Lansing, Michigan 48906 (the “Property”).

Type of Eligible Property: “Facility” and “Adjacent and Contiguous”

Project Description: Phase I of the NEOGEN Lansing Expansion Project is currently underway on the northern 2.568-acre portion of the Property and includes a new three-story manufacturing and research building comprising 176,000 gross square feet, including a 23,000 square foot high-bay production space, on the eligible property. NEOGEN is in the process of consolidating and expanding its manufacturing operations, Research & Development operations, and its headquarters. The proposed Phase II of their expansion includes the demolition of the Herbert Building at 720 E. Shiawassee and construction of a new 35,000 square foot manufacturing and research space, acquisition of the parcel located at 703 E. Michigan Ave. and renovation of its existing building for facilities and production support, and construction of a 4,700 square foot extension of the manufacturing building currently under construction under Phase I. This project is vital to the planned

expansion and consolidation. NEOGEN estimates 115 new, full-time equivalent jobs as part of its current expansion plan.

To support Phase I of the Expansion Project, Brownfield Plan (Brownfield Plan #81) was adopted by the City of Lansing on July 18, 2022. In Plan #81, Phase I total private investment was projected to be \$71.5 million of which \$5 million would be used to pay for brownfield costs necessary to prepare the site for development. The Plan, as previously approved, would use the new property taxes generated by the \$71.5 million investment to reimburse NEOGEN for the \$5 million in extraordinary brownfield costs. Phase I also was expected to create 60 new jobs in Lansing.

Since the approval of Brownfield Plan #81 the project has increased in scope and size causing total estimated Phase I private investment and brownfield costs to increase to \$169.8 million and \$6.2 million, respectively.

Concurrently to construction of Phase I, the planning, designing, and budgeting for Phase II has been completed with an estimated \$38.2 million of additional private investment of which \$2.4 million represents additional brownfield costs. Phase II will also result in an additional 55 new jobs in Lansing.

Thus, to accommodate the increase in the scope of Phase I plus the addition of Phase II, Plan #83 needs to be amended.

The amendment of Plan #83 will result in a grand total of \$208 million of private investment and the creation 115 new jobs in Lansing. The increase in total private investment from both phases of the expansion project will generate additional new property taxes to both reimburse Neogen and create an immediate pass through increase in taxes to all taxing units included the City of Lansing.

The larger private investment also makes the life of the brownfield plan shorter from 10 to 9 years. After the plan expires and additional \$2.1 million of property taxes will be shared proportionately each year among all taxing units

Total Capital Investment:	Property and Building Improvements and Personal Property Investment is estimated at \$208,000,000 (not including acquisition) of which there is \$8,655,302 in eligible activities associated with the proposed Project.
----------------------------------	--

Estimated Job

Creation/Retention: The completed project will create 115 new jobs ranging from \$15.00 – 27.00/hour.

Duration of Plan: 10 years (9 years of capture starting in 2024)

Total New Taxes Generated by Development for the Duration (10 years) of the Brownfield Plan: \$12,293,796		% of New Taxes
Uses		
Portion Captured by LBRA to Reimburse Developer and City	\$8,655,302	70.4%
Passed Through to: (Debt Millage, 10% Local Millage, 10% State School and State Education Tax)	\$2,568,159	20.9%
Portion Captured for LBRA Plan Administration / Local Brownfield Revolving Fund (LBRF) (10% of available Local TIR*)	\$766,101	6.2%
Portion Passed Through to State Brownfield Revolving Fund	\$304,233	2.5%
TOTAL NEW TAXES GENERATED	\$12,293,796	100%

*TIR = tax increment revenue

2. Purpose of Amendment and Past Use of the Property

The City of Lansing Brownfield Redevelopment Authority (Authority or “LBRA”), duly established by resolution of the City Council of the City of Lansing, pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, MCLA 125.2651 et. seq., as amended (Act 381), is authorized to exercise its powers within the City of Lansing, Michigan. A Brownfield Plan (Brownfield Plan #81) was adopted by the City of Lansing on July 18, 2022; The purpose of this Amendment, to be implemented by the LBRA, is 1) update the definition of the eligible property to include the parcels located at 720 E Shiawassee Street (33-01-01-15-151-272) and 703 E Michigan Avenue (33-01-01-15-151-003), 2) update/realign eligible activity costs based on costs incurred to date and future costs associated with the redevelopment of the additional parcels, and 3) adjust the proposed tax increment revenue (TIR) capture schedule based on the current/future eligible costs and taxable value for the eligible property.

The Amendment will allow the LBRA to use tax increment financing to reimburse **NEOGEN Properties IX, LLC** (the “Developer”) for the costs of eligible activities required to redevelop the eligible property located at 720 E. Shiawassee Street and 703 E. Michigan Avenue in the City of Lansing, Michigan. Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

The Property is fully defined in the following table and in Attachment A.

Eligible Property		
Address	Tax ID	Basis of Eligibility
720 E. Shiawassee Street	33-01-01-15-151-273	Facility
703 E. Michigan Avenue	33-01-01-15-151-003	Adjacent and Contiguous

The Property is located within the boundaries of the City of Lansing and is surrounded by commercial property and thoroughfares. Property layout and boundaries are depicted in Figure 2. The legal descriptions of the Property are included in Attachment A.

The Property consists of a total of approximately 8.90-acres and is comprised of two adjacent and contiguous parcels. Six buildings exist on the northern parcel of the Property. One building exists on the southern parcel. The remainder of the Property is comprised of paved parking. The buildings on the northern parcel are currently owned and operated by Neogen, including the new manufacturing and research building. The building on the southern parcel is currently owned by Sparrow Hospital, with plans for Neogen to acquire after approval of this amendment.

The northern parcel of the Property was a rail/coal yard from at least 1913 until approximately 1981. During that time up to three rail lines, five rail spurs, six coal storage buildings, two office buildings, a garage, a scale, two above ground oil tanks, and various sheds/outbuildings existed on the Property. The Property has been used as a parking lot since approximately 1994. The existing storage building on the Property was constructed in approximately 1998.

Environmental subsurface investigation activities conducted in September and October 2021 included a geophysical survey, the excavation of a test pit, and the advancement of sixteen (16) soil borings on the subject property. The investigation identified a 1,200-gallon underground storage tank (UST) at the northern end of the Property. The soil borings were advanced to depths of 2.5 to 20.0 feet below ground surface and were located adjacent to the UST and throughout the subject Property. The soil boring and sample locations are depicted in Figure 3.

The UST was removed from the site on October 26, 2021. Various holes were observed on the tank bottom and side walls and visual evidence of petroleum contamination was observed within surrounding soils. Approximately 39 yards of impacted soil was removed from the property by the property owner at that time, Edward W. Sparrow Hospital Association (Sparrow Hospital), and the soils were transported to Granger Waste Services for disposal.

Soil contamination at the Property contains petroleum parameters adjacent to the former UST location and naphthalene and mercury various locations within urban fill material at concentrations above Part 201 Residential Generic Cleanup Criteria (GCC). Triterra's soil and groundwater sample results are summarized in Table 1 and Table 2 respectively. Soil Boring locations and analytical result exceedances are depicted in Figure 3.

The history of the southern parcel of the Property is currently unknown. Included in eligible activity costs is a Phase I Environmental Site Assessment to be conducted on the parcel.

The Property is considered an "eligible property" as defined by Act 381, Section 2 because: (a) the Property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local governmental unit under MCL 125.2782(k); (c) the parcel located at 720 E. Shiawassee Street is a "facility" as the term is defined by Part 201 of Michigan's Natural Resources and Environmental Protection Act ("NREPA"), P.A. 451 of 1994, as amended; and (d) the parcel located at 703 E. Michigan Avenue is adjacent and contiguous to the "facility" parcel and development of the adjacent and contiguous parcel is estimated to increase the captured taxable value of the "facility" parcel.

3. Brownfield Project Description

With over 600 employees now residing within its Lansing campus, NEOGEN's growth continues. They are currently in the process of consolidation and expansion of their manufacturing operations, R&D, and headquarters. The result of this expansion will create a world class manufacturing operation which will emphasize and showcase high tech manufacturing and R&D operations. The expansion plan includes both retaining NEOGEN's current employment base along with continued employment growth.

The entire 8.90-acre Property will be redeveloped to include the construction of a new three-story manufacturing and research building comprising 176,000 gross square feet, including a 23,000 square foot high-bay production space, on the eligible property. The demolition of the Herbert Building at 720 E. Shiawassee and construction of a new 35,000 square foot manufacturing and research space, acquisition of the south parcel and renovation of the existing building at 703 E. Michigan Ave., for facilities and production support and construction of a 4,700 square foot building to house Ethylene Oxide (ETO). This project is vital to the planned expansion and consolidation project.

Total capital investment is estimated at \$208,000,000, not including acquisition. This Project will result in the creation of 115 new FTE jobs. New jobs will include laborers, skilled manufacturers, quality control professionals, research & development resource technicians, supervisors and managers with salaries ranging from \$15.00 – 27.00/hour. The Project is also projected to create/leverage over 100 temporary construction related jobs.

4. Developer Eligible Activities

The Developer will fund the improvements being made to the site including the public infrastructure improvements. Once the development project is complete a portion of the resulting increase in Property taxes will be used to reimburse the Developer and the City for their brownfield costs to redevelop the Property. The activities that are intended to be carried out at the Property are considered “eligible activities” as defined by Sec 2 of Act 381 and EGLE pre-approved activities, EGLE department specific activities, asbestos and lead survey activities, demolition, site preparation, infrastructure improvements, and preparation and implementation of a Brownfield Plan and Act 381 Work Plan and Amendment. EGLE pre-approved activities and a portion of department specific activities were conducted by the City of Lansing through the LBRA, therefore, the applicable portion of LBRA costs will be reimbursed back to the LBRA under this Brownfield Plan Amendment. The breakdown of costs between the Developer and City are provided on Table 1. Brownfield Eligible Activities.

The costs of eligible activities included in this Amendment can be reimbursed with the new local and state increment tax revenues generated by the Property redevelopment and captured by the LBRA, subject to any limitations and conditions described in this Amendment and the terms of a Reimbursement Agreement between the Developer and the Authority (the “Reimbursement Agreement”). The total estimated eligible activity costs estimated for Developer reimbursement is \$8,655,302.

Brownfield Plan #81, Amendment No. 1
NEOGEN Lansing Expansion Brownfield Redevelopment Project
July 8, 2024

Summary of Eligible Activities		Split of Costs between NEOGEN and the LBRA	
		NEOGEN	LBRA
EGLE Eligible Activities	Cost		
Pre-Approved Activities	\$103,900	\$80,950	\$22,950
Department Specific Activities	\$3,073,312	\$3,068,262	\$5,050
Total Environmental Eligible Activities	\$3,177,212	\$3,149,212	\$28,000
MSF Eligible Activities	Cost		
Asbestos and Lead Activities	\$93,750	\$93,000	\$750
Demolition	\$914,760	\$914,760	
Site Preparation	\$3,895,885	\$3,895,885	
Infrastructure Improvements	\$155,300	\$155,300	
Total Non-Environmental Eligible Activities	\$5,059,695	\$5,058,945	\$750
Contingency (15%) *	\$374,895	\$374,895	
Brownfield Plan & Act 381 Work Plan Preparation Phase I	\$22,500	\$22,500	
Brownfield Plan & Act 381 Work Plan Preparation Amendment 1	\$9,500	\$9,500	
Brownfield Plan & Act 381 Work Plan Implementation	\$6,500	\$6,500	
Brownfield Plan Application Fee	\$5,000	\$5,000	
Total Eligible Cost for Reimbursement	\$8,655,302	\$8,626,552	\$28,750

* Pre-Approved Activities, UST Removal, Asbestos/Lead Surveys, Brownfield Plan and Act 381 Work Plan preparation, including Amendment, are excluded from contingency calculation.

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property.

If the state approves an Act 381 Workplan with less state tax capture than what was in the Amendment approved by the City, the not to exceed amount of local capture in the Amendment will automatically be adjusted by the LBRA to maintain the current state to local capture ratio.

5. Captured Taxable Value and Tax Increment Revenues

The costs of eligible activities included in, and authorized by, this Amendment can be reimbursed with incremental local and state tax revenues generated by the Property redevelopment and captured by the LBRA. The LBRA will not be obligated to reimburse the Developer for Eligible Activities completed after December 31, 2029.

The taxable value of the Property according to the city assessor was \$3,203,281 which is the initial taxable value for this Amendment. The new, stabilized, projected taxable value for 2027 was estimated at \$29,658,000. Estimated taxable values were based on estimates determined by the Project's development team. The actual taxable value will be determined by the City's Assessor after the Project is completed.

It is estimated that the LBRA will capture tax increment revenues from 2024 through 2032 to reimburse the Developer and the LBRA for the cost of eligible activities, pay for the LBRA's administration of the Plan/Amendment and make deposits into the LBRA's Local Brownfield Revolving Fund (LBRF). This Amendment will pass through 10% of new local and state taxes per year for the local and state taxing jurisdictions. Additionally, 10% of available local TIR will be captured for the duration of the Amendment for deposit into the LBRA's Local Brownfield Revolving Fund (LBRF) and/or LBRA Administration costs.

The captured incremental taxable value and associated tax increment revenue will be determined by the City Assessor. The actual increased taxable value of the land and all future taxable improvements on the Property may vary. Furthermore, the amount of tax increment revenue available under this Amendment will be based on the actual millage levied annually by each local taxing jurisdiction on the increase in tax value resulting from the redevelopment project that is eligible and approved for capture.

6. Method of Brownfield Plan Financing

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Amendment.

The inclusion of eligible activities and estimates of cost to be reimbursed in this Amendment are intended to authorize the LBRA to fund such reimbursements. Reimbursements under the Reimbursement Agreement shall not exceed the cost of eligible activities and reimbursement limits described in this Amendment. Annually, the LBRA will capture 10% of the available new local taxes for LBRA Plan/Amendment administration and/or deposits into the LBRF.

7. Amount of Note or Bonded Indebtedness Incurred

None.

8. Duration of the Brownfield Plan

The duration of this Amendment shall not exceed 9 years total tax capture after the first year of tax capture anticipated as 2024.

9. Estimated Impact on Taxing Jurisdictions

The table on the following page presents a summary of the new tax revenues generated by the taxing jurisdictions whose millage is subject to capture by the LBRA under this Amendment. These are estimations based on the commercial components of the proposed redevelopment.

Projected Impact to Taxing Jurisdictions			
Taxing Unit	New Taxes to Taxing Units*	New Taxes for BRA Administration, LBRF Deposits and Developer Reimbursement	Total New Taxes
School Operating	\$255,728	\$1,513,673	\$1,769,402
State Education Tax (SET)	\$57,517	\$550,950	\$608,467
Lansing Oper	\$347,172	\$3,124,550	\$3,471,722
Ingham County Sum	\$121,094	\$1,089,847	\$1,210,942
Ingham County	\$80,914	\$728,226	\$809,140
Ingham Intermed	\$88,182	\$793,642	\$881,825
Lansing Comm College	\$67,313	\$605,815	\$673,128
CATA	\$53,388	\$480,496	\$533,884
Lansing Sch Sink	\$52,817	\$475,353	\$528,170
CADL-Library	\$27,859	\$250,735	\$278,595
Airport Auth	\$12,483	\$112,349	\$124,832
Montgomery Drain	\$46,432		\$46,432
Public Safety	\$625,053		\$625,053
Lansing School Debt	\$732,205		\$732,205
Total	\$2,568,159 (20.89%)	\$9,725,637 (79.11%)	\$12,293,796 (100%)

* Increased by investment, but not captured by the LBRA

Additional information related to the impact of tax increment financing on the various taxing jurisdictions is presented in Table 2.

10. Legal Description & Site Map

The Property location and boundaries are shown on Figures 1 and 2. The legal description of the Property is described below and provided in Attachment A.

LEGAL DESCRIPTIONS

720 E. Shiawassee Street (33-01-01-15-151-273):

BEGINNING AT THE NORTHWEST CORNER OF LOT 10 ASSESSOR'S PLAT NO. 5 BEING A SUBDIVISION ON PART OF THE SOUTHWEST 1/4 OF THE NORHTWEST 1/4 OF SECTION 15 TOWN 4 NORTH RANGE 2 WEST CITY OF LANSING INGHAM COUNTY MICHIGAN THENCE S89DEG46'25"E ALONG THE NORTH LINE OF 8, 9 AND 10 OF SAID ASSESSOR'S PLAT NO. 5 ALSO BEING THE SOUTH RIGHT OF WAYLINE OF SHIAWASSEE STREET 206.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 8, THENCE S0DEG24'35"W ALONG SAID EAST LINE OF LOT 8 A DISTANCE OF 155.75FEET, THENCE N89DEG46'25"W 6.45 FEET THENCE S0DEG24'35"W PARALLEL WITH THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET TO THE SOYTH LINE OF SAID LOT 8 THENCE S1DEG13'20"E 123.30 FEET, THENCE SOUTHEASTERLY 130.83FEET ALONG THE ARC OF A 239FOOR RADIUS CURVE TO THE RIGHT THE LONG CHORD OF SAID CURVE BEARING S16DEG27'14"E 129.2 FEET, THENCE SOUTHEASTERLY 102.96FEET ALONG THE ARC OF A 258 FOOT RADIUSCURVE TO THE LEFT THE LONG CHORD OF SAID CURVE BEARING S20DEG43'01"E 102.29 FEET THRNCE N89DEG35'10"W 228.05 FEET TO THE EASTERLY RIGHT OF WAY LINE OF CSX RAIL ROAD THENCE N0EG24'35"EALONG SAID EASTERLY RIGHT OF WAY LIN 341.75 FET TO THE SOUTH LINE OF SAID ASSESSORS PLATNO. THENCEN89DEG46'25"W ALONG THE SOUTH LINE OF SAID ASSESSORS PLAT NO. 5 DISTANCE OF 46.5FEET TOTHE WEST LINE OF SAID SECTION 15 THENCE N0DEG24;35"ALONG SAID WEST LINE OF SECTION 15 A DISTANCE OG 255.75 FEET TO THE POINT OF BEGINNING. CONTAINING 2.568 ACRES MORE OR LESS INCLUSIVE OF THE LAND CONTAINED WITH EASEMENT TO CSX RAILROAD AS CRECORDED IN LIBER 1668 PAGE 727-753. AREA OF THE ABOVE DESCRIBED EASEMENT IS 0.242 OG AN ACRE NET AREA WITHOUT RAILROD EASEMENT 2.326 ACRES SUBJECT TO ALL EASEMENTS H OF RECORD AND UECORDED THE BASIS OF BEARING FOR THIS SURVEY ASSUMES THEWEST LINE OF SECTION 15 TO BEAR N0DEG24'35"WFROM MICHIGAN STATE PLAN COORDINATES DERIVED FROM GPS FIELD OBSERVATION LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N

R2W AND LOTS 4, 5, 6, 7, 11, 12 & E 6.45 FT OF S 100 FT LOT 8 ASSESSORS PLAT NO 5, ALSO W 41.25 FT LOT 12 JEROMES ADD, ALSO COM SW COR SAID LOT, TH S 192 FT, W 140.01 FT, N 12.7 FT, W 11.06 FT TO C/L RAILROAD SPUR TRACK, NW'LY ON C/L 102.32 FT ALONG A 258 FT RAD CURVE TO THE LT CHORD BEARING N 20 DEG 29MIN 14SCD W 101.65 FT, N'LY ON C/L 130.77 FT ALONG 239 FT RAD CURVE TO THE RT CHORD BEARING N 16DEG 12MIN 45SCD W 129.2 FT, N 123.2 FT TO S LINE ASSESSORS PLAT NO 5, E TO NW COR LOT 12 JEROMES ADD, S TO BEG ALSO WITH A PARCEL OF LAND SPLIT/COMBINED ON 02/07/2023 FROM 33-01-01-15-151-271, 33-01-01-15-151-241, 33-01-01-15-151-253, 33-01-01-15-151-261; SPLIT ON 08/23/2023 WITH 33-01-01-15-151-272 & 33-01-01-15-151-004 INTO 33-01-01-15-151-273

703 E. Michigan Avenue (33-01-01-15-151-003):

PART OF SOUHWEST 1/4 OF THE NORTHWEST 1/4, OF SECTION TOWN 4 NORTH, RANGE 2WEST CITY OF LANSING, INGHAM COUNTYM MICHIGAN MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF MICHIGAN AVENUE AND A PARALLEL WITH AND 46.5 FEET EAST FROM THE WEST LINE OF SAID SECTION 15, THENCE N0DEG24'35"E 634.03 FEET, THENCE S 89DEG35'10"E 239.05 FEET , THENCE S0DEG43'38"W181.70 FEET, THENCE S7DEG44'37"E 19.47 FEET,THENCE N 89DEG17'22"W 92.25 FEET THENCE S0DEG42'38"W 432.39 FEET TO THE NORHT LINE OF MICHIGAN AVENUE, THENCE S89DEG59'55"W ON SAID NORTH LINE 146.23 FEET TO POINT OF BEGINNING. LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W SPLIT/COMBINED ON 01/10/2022 FROM 33-01-01-15-151-002;

11. Personal Property

Due to Personal Property exemptions, this Amendment will not capture incremental tax revenues resulting from personal.

12. Displacement of Persons

No persons will be displaced as a result of this Project.

13. Local Brownfield Revolving Fund

The LBRA will capture all available tax increment revenues for deposit to the LBRF as permitted by Act 381.

14. Other Information

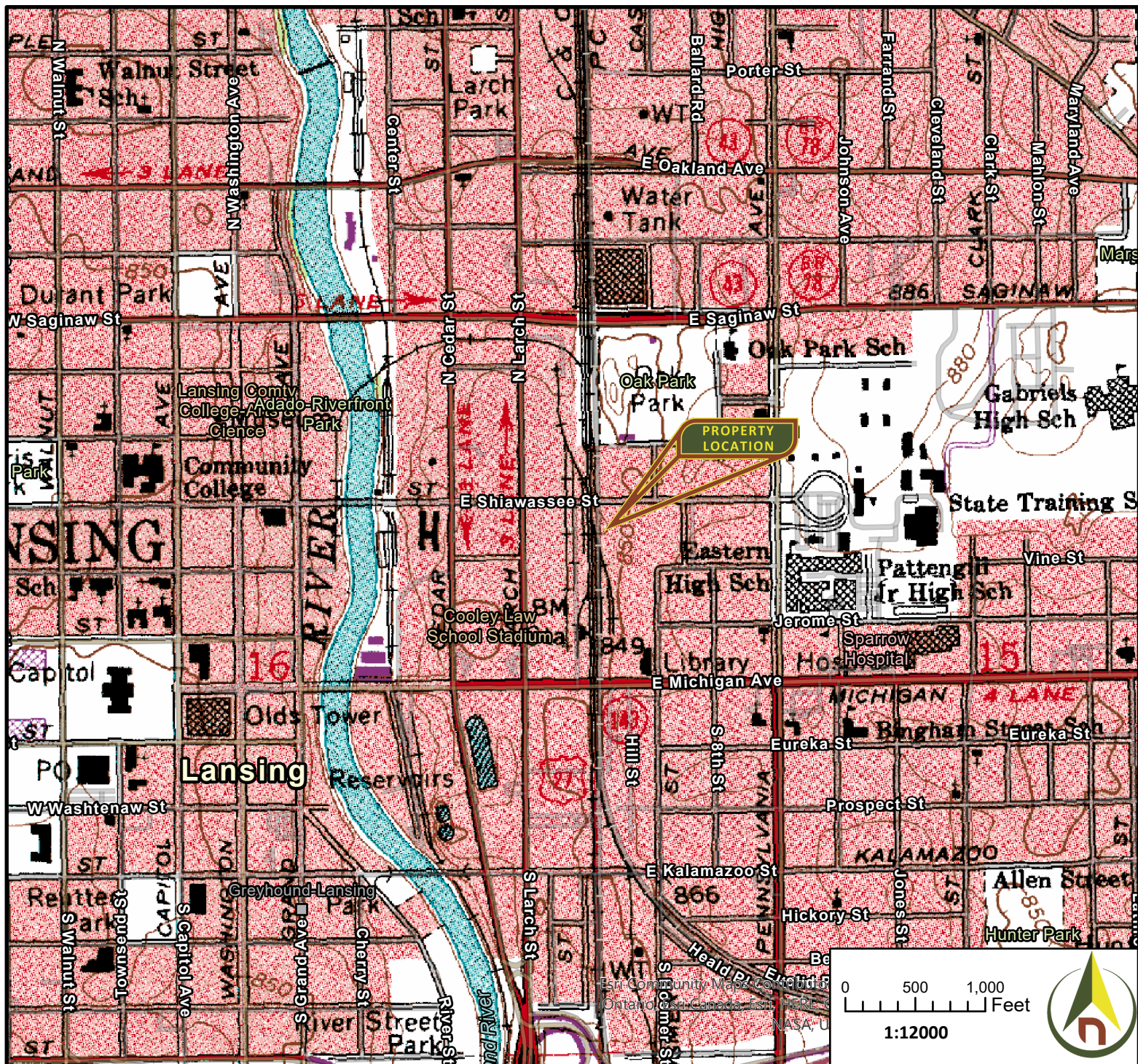
The LBRA and the Lansing City Council, in accordance with the Act, may further amend the Brownfield Plan, or this Amendment, in the future to fund additional eligible activities associated with the Project described herein.

FIGURES

Figure 1: Property Location Map

Figure 2: Eligible Property Map

Figure 3: Sample Locations with Analytical Exceedances



TRI TERRA

FIGURE 1 PROPERTY LOCATION

NORTHERN 2.568 ACRES OF PARCEL NO. 33-01-01-15-151-002
LANSING, MICHIGAN 48912

INGHAM COUNTY
T4N, R2W, SECTION 15

PROJECT NUMBER 21-2806



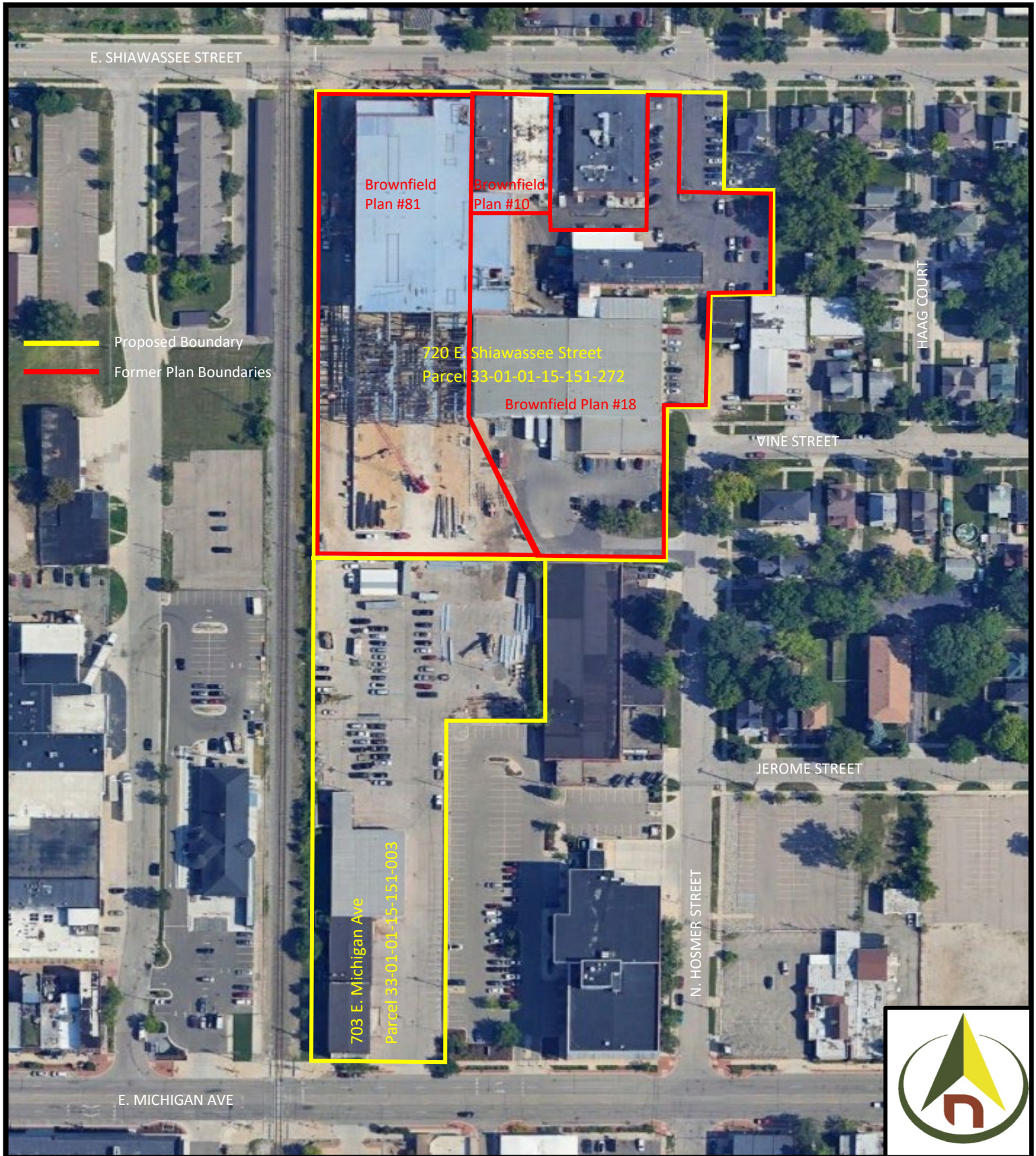
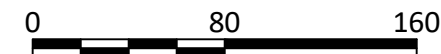


	FIGURE 3	720 E. SHIAWASSEE STREET 703 E. MICHIGAN AVENUE LANSING, MICHIGAN 48912
	ELIGIBLE PROPERTY BOUNDARY MAP	
PROJECT NUMBER: 21-2806	DATE: 7/1/2024	DIAGRAM CREATED BY: CJZ



GRAPHIC SCALE
1" = 80'

SYMBOLS LEGEND

- SB-4 SOIL BORING LOCATION
- SS-2 SOIL SAMPLE LOCATION
- UST FORMER UST
- PROPOSED BUILDING FOUNDATIONS
- SAN PROPOSED SANITARY LINE
- ST PROPOSED STORM SEWER LINE
- W PROPOSED WATER LINE

B-6W @ 6.5-10'
10/14/2021
Ba: 750

 GROUNDWATER ANALYTICAL

B-7
2-3'
10/14/2021

 SOIL ANALYTICAL

CONSTITUENTS LEGEND

VOLATILES (VOCs)

E: Ethylbenzene
NPH: Naphthalene
BaP: Benzo(a)pyrene
Fl: Fluoranthene
PHNH: Phenanthrene
IPBZ: Isopropylbenzene
2MN: 2-Methylnaphthalene

INORGANICS, METALS

As: Arsenic
Ba: Barium
Hg: Mercury, Total
Se: Selenium

NOTES

1. Soil concentrations are in μg per kg (ppb).
2. Groundwater concentrations are in μg per L (ppb).
3. All exceedances are highlighted in red.
4. Figure includes analytical exceedances only. See analytical data and tables for additional detail.
5. If no data is presented for a sample location then there were no exceedances above applicable criteria.

TRIOTERRA

1305 South Washington, Suite 102, Lansing, MI 48910
Phone: 517-702-0470 Fax: 517-702-0477
www.triterra.us

Diagram is for illustrative purposes only. Exact locations of items shown on figure may vary slightly.

DATE: 10/31/2021

DRAWN BY: JWJ

DATE: 1/9/2023

REVISED BY: JWJ

SAMPLE LOCATIONS WITH ANALYTICAL EXCEEDANCES

NORTHERN 2.568 ACRES OF PARCEL
NO. 33-01-01-15-151-002
LANSING, MICHIGAN 48912

PROJECT NUMBER: 21-2806

FIGURE 3

SHIAWASSEE STREET

S-2
11'
10/26/2021
E: 650

SS-13
2.0'
11/11/2022
BaP: 9,600
Fl: 31,100
NPH: 1,500
PHNH: 20,100
As: 8,040
Hg: 142
Se: 590

B-6W @ 6.5-10'
10/14/2021
Ba: 750

B-7
2-3'
10/14/2021
NPH: 1,200
Hg: 151

SS-20
5-6'
12/14/2022
NPH: 1,800
PHNH: 2,200

B-13W@11.5-14'
10/14/2021
Ba: 482

SS-16
2.0'
11/11/2022
As: 5,830
Se: 460

SS-19
3-4'
12/14/2022
E: 2,500
nPBz: 6,100
nBB: 4,800
NPH: 8,000
2MN: 20,000
PHNH: 16,600

SW-1
7.0-8.0'
11/11/2022
IPBZ: 900
NPH: 2,700
2MN: 6,900

C & X RAILROAD

SPARROW HOSPITAL
703 E MICHIGAN AVE

ANDERSON SERVICE
201 N HOSMER ST

MFG BUILDING
301 N HOSMER ST

MFG BUILDING
720 E SHIAWASSEE ST

OFFICE BUILDING
728 E SHIAWASSEE ST

APPROXIMATE PROPERTY BOUNDARY

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Tax Increment Revenue Capture Estimates

Table 3: Tax Increment Revenue Reimbursement Allocation Table

Table 4: Tax Increment Revenue Reimbursement Entity Allocation Table

Table 1
Brownfield Eligible Activities
720 E. Shiawassee Street and 703 E. Michigan Avenue
Lansing, MI

					REIMBURSEMENT ALLOCATION			REIMBURSEMENT ENTITY	
ELIGIBLE ACTIVITIES	NO. OF UNITS	UNIT TYPE	UNIT RATE	ESTIMATED TOTAL COST	EGLE ACTIVITIES	MSF ACTIVITIES	LOCAL-ONLY ACTIVITIES	NEOGEN	LBRA
EGLE ELIGIBLE ACTIVITIES									
Pre-Approved Activities									
Total Pre-Approved Activities				\$ 103,900	\$ 103,900			\$ 80,950	\$ 22,950
Department Specific Activities									
Total Department Specific Activities				\$ 3,073,312			\$ 3,073,312	\$ 3,068,262	\$ 5,050
EGLE ELIGIBLE ACTIVITIES TOTAL				\$ 3,177,212	\$ 103,900	\$ -	\$ 3,073,312	\$ 3,149,212	\$ 28,000
MSF ELIGIBLE ACTIVITIES									
Asbestos and Lead Activities									
Total Asbestos and Lead Activities				\$ 93,750	\$ -	\$ 93,750	\$ -	\$ 93,000	\$ 750
Demolition									
Total Demolition Activities				\$ 914,760	\$ -	\$ 914,760	\$ -	\$ 914,760	\$ -
Site Preparation									
Total Site Preparation Activities				\$ 3,895,885	\$ -	\$ 3,895,885	\$ -	\$ 3,895,885	\$ -
Infrastructure Improvements									
Total Infrastructure Improvement Activities				\$ 155,300	\$ -	\$ 155,300	\$ -	\$ 155,300	
MSF ELIGIBLE ACTIVITIES TOTAL				\$ 5,059,695	\$ -	\$ 5,059,695	\$ -	\$ 5,058,945	\$ 750
MSF AND EGLE ELIGIBLE ACTIVITIES TOTAL				\$ 8,236,907	\$ 103,900	\$ 5,059,695	\$ 3,073,312	\$ 8,208,157	\$ 28,750
Contingency (15%)				\$ 374,895	\$ -	\$ 253,395	\$ 121,500	\$ 374,895	
Brownfield Plan & Act 381 Work Plan Preparation - Phase I	1	LS	\$ 22,500	\$ 22,500		\$ 21,375	\$ 1,125	\$ 22,500	
Brownfield Plan & Act 381 Work Plan Preparation - Amendment 1	1	LS	\$ 9,500	\$ 9,500		\$ 9,025	\$ 475	\$ 9,500	
Brownfield Plan & Act 381 Work Plan Implementation	1	LS	\$ 6,500	\$ 6,500	\$ -	\$ 6,175	\$ 325	\$ 6,500	
LBRA Brownfield Application Fee	1	LS	\$ 5,000	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ 5,000	
TOTAL ELIGIBLE COST FOR REIMBURSEMENT				\$ 8,655,302	\$ 103,900	\$ 5,349,665	\$ 3,201,737	\$ 8,626,552	\$ 28,750
State Brownfield Revolving Fund				\$ 304,233					
BRA Administrative Fees/LBRF				\$ 766,101					
GRAND TOTAL				\$ 9,725,637					
					1.20%	61.81%	36.99%		

NOTES:
These costs and revenue projections should be considered approximate estimates based on expected conditions and available information.
It cannot be guaranteed that the costs and revenue projections will not vary from these estimates.
Costs for Phase I ESAs, Phase II ESAs, BEAs, Asbestos Surveys, Brownfield Plan and Act 381 Work Plan are excluded from contingency calculation.

Table 2
Tax Increment Revenue Capture Estimates
720 E. Shiawassee Street and 703 E. Michigan Avenue
Lansing, MI

Estimated Taxable Value (TV) Increase Rate:		1% per year																		
Plan Year Capture Year	2023		2024		2025		2026		2027		2028		2029		2030		2031		2032	
	1		2		3		4		5		6		7		8		9		10	
			1		2		3		4		5		6		7		8		9	
Base Taxable Value (TV)	\$	-	\$	3,203,281	\$	3,203,281	\$	3,203,281	\$	3,203,281	\$	3,203,281	\$	3,203,281	\$	3,203,281	\$	3,203,281	\$	3,203,281
Estimated New TV	\$	-	\$	3,288,381	\$	7,500,000	\$	20,000,000	\$	29,650,000	\$	29,946,500	\$	30,245,965	\$	30,548,425	\$	30,853,909	\$	31,162,448
Total Incremental Difference	\$	-	\$	85,100	\$	4,296,719	\$	16,796,719	\$	26,446,719	\$	26,743,219	\$	27,042,684	\$	27,345,144	\$	27,650,628	\$	22,179,592

School Tax Revenue		Millage Rate																				
School Operating	17.44780	\$	-	\$	1,485	\$	74,968	\$	293,066	\$	461,437	\$	466,610	\$	471,835	\$	-	\$	-	\$	-	
State Education Tax (SET)	6.00000	\$	-	\$	511	\$	25,780	\$	100,780	\$	158,680	\$	160,459	\$	162,256	\$	-	\$	-	\$	-	
School Total:	23.44780	32.97%	\$	-	\$	1,995	\$	100,749	\$	393,846	\$	620,117	\$	627,070	\$	634,091	\$	-	\$	-	\$	-

Total New Taxes		Not Captured		Captured	
\$	1,769,402	\$	255,728	\$	1,513,673
\$	608,467	\$	57,517	\$	550,950
\$	2,377,869	\$	313,246	\$	2,064,623

Local Tax Revenue - Capturable		Millage Rate																				
LANSING OPER	19.44000	\$	-	\$	1,654	\$	83,528	\$	326,528	\$	514,124	\$	519,888	\$	525,710	\$	531,590	\$	537,528	\$	431,171	
INGHAM CNTY SUM	6.78070	\$	-	\$	577	\$	29,135	\$	113,894	\$	179,327	\$	181,338	\$	183,368	\$	185,419	\$	187,491	\$	150,393	
INGHAM COUNTY	4.53080	\$	-	\$	386	\$	19,468	\$	76,103	\$	119,825	\$	121,168	\$	122,525	\$	123,895	\$	125,279	\$	100,491	
INGHAM INTERMED	4.93780	\$	-	\$	420	\$	21,216	\$	82,939	\$	130,589	\$	132,053	\$	133,531	\$	135,025	\$	136,533	\$	109,518	
LANSING COM COLLEGE	3.76920	\$	-	\$	321	\$	16,195	\$	63,310	\$	99,683	\$	100,801	\$	101,929	\$	103,069	\$	104,221	\$	83,599	
CATA	2.98950	\$	-	\$	254	\$	12,845	\$	50,214	\$	79,062	\$	79,949	\$	80,844	\$	81,748	\$	82,662	\$	66,306	
LANSING SCH SINK	2.95750	\$	-	\$	252	\$	12,708	\$	49,676	\$	78,216	\$	79,093	\$	79,979	\$	80,873	\$	81,777	\$	65,596	
CADL-LIBRARY	1.56000	\$	-	\$	133	\$	6,703	\$	26,203	\$	41,257	\$	41,719	\$	42,187	\$	42,658	\$	43,135	\$	34,600	
AIRPORT AUTH	0.69900	\$	-	\$	59	\$	3,003	\$	11,741	\$	18,486	\$	18,694	\$	18,903	\$	19,114	\$	19,328	\$	15,504	
Local Total:	47.66450	67.03%	\$	-	\$	4,056	\$	204,801	\$	800,607	\$	1,260,570	\$	1,274,702	\$	1,288,976	\$	1,303,393	\$	1,317,953	\$	1,057,179
Total Capturable Taxes:	71.11230	100.00%	\$	-	\$	6,052	\$	305,550	\$	1,194,453	\$	1,880,687	\$	1,901,772	\$	1,923,067	\$	1,303,393	\$	1,317,953	\$	1,057,179

\$	3,471,722	\$	347,172	\$	3,124,550
\$	1,210,942	\$	121,094	\$	1,089,847
\$	809,140	\$	80,914	\$	728,226
\$	881,825	\$	88,182	\$	793,642
\$	673,128	\$	67,313	\$	605,815
\$	533,884	\$	53,388	\$	480,496
\$	528,170	\$	52,817	\$	475,353
\$	278,595	\$	27,859	\$	250,735
\$	124,832	\$	12,483	\$	112,349
\$	8,512,237	\$	851,224	\$	7,661,014
\$	10,890,106	\$	1,164,469	\$	9,725,637

Non-Capturable Millages		Millage Rate																			
MONTGOMERY DRAIN	0.26000	\$	-	\$	22	\$	1,117	\$	4,367	\$	6,876	\$	6,953	\$	7,031	\$	7,110	\$	7,189	\$	5,767
PUBLIC SAFETY	3.50000	\$	-	\$	298	\$	15,039	\$	58,789	\$	92,564	\$	93,601	\$	94,649	\$	95,708	\$	96,777	\$	77,629
LANSING SCHOOL DEBT	4.10000	\$	-	\$	349	\$	17,617	\$	68,867	\$	108,432	\$	109,647	\$	110,875	\$	112,115	\$	113,368	\$	90,936
Total Non-Capturable Taxes:	4.10000	\$	-	\$	349	\$	17,617	\$	68,867	\$	108,432	\$	109,647	\$	110,875	\$	112,115	\$	113,368	\$	90,936

\$	46,432	\$	46,432	\$	-
\$	625,053	\$	625,053	\$	-
\$	732,205	\$	732,205	\$	-
\$	1,403,690	\$	1,403,690	\$	-

Notes:

\$	12,293,796	\$	2,568,159	\$	9,725,637
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Table 3
Tax Increment Revenue Reimbursement Allocation Table
720 E. Shiawassee Street and 703 E. Michigan Avenue
Lansing, MI

Developer/City Projected Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	20.3%	\$ 1,760,390		\$ 1,760,390
Local	79.7%	\$ 3,693,175	\$ 3,201,737	\$ 6,894,912
TOTAL		\$ 5,453,565	\$ 3,201,737	\$ 8,655,302
EGLE	1.9%	\$ 103,900		
MSF	98.1%	\$ 5,349,665		

Estimated Total Years of Plan: 10

Administrative Fees & Loan Funds*	
State Brownfield Revolving Fund	\$ 304,233
BRA Administrative Fees / LBRF	\$ 766,101

* During the life of the Plan

		2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTALS
Plan Year Capture Year		1	2	3	4	5	6	7	8	9	10	11	12	13	
		1	1	2	3	4	5	6	7	8	9	10	11	12	
Available Tax Increment Revenue (TIR)															
Total State Tax Capture Available	\$	-	\$ 1,995	\$ 100,749	\$ 393,846	\$ 620,117	\$ 627,070	\$ 634,091	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Capture for State Brownfield Revolving Fund (3 mills of SET) (25-Yrs)	\$	-	\$ 255	\$ 12,890	\$ 50,390	\$ 79,340	\$ 80,230	\$ 81,128	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 304,233
Capture of Available State Tax Increment for Taxing Units (10%) ("Pass-Through")	\$	-	\$ 174	\$ 8,786	\$ 34,346	\$ 54,078	\$ 54,684	\$ 161,178	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 313,246
State TIR Available for Reimbursement	\$	-	\$ 1,566	\$ 79,073	\$ 309,110	\$ 486,699	\$ 492,156	\$ 391,785	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Local Tax Capture Available	\$	-	\$ 4,056	\$ 204,801	\$ 800,607	\$ 1,260,570	\$ 1,274,702	\$ 1,288,976	\$ 1,303,393	\$ 1,317,953	\$ 1,057,179	\$ -	\$ -	\$ -	
Capture of Available Local Tax Increment for Taxing Units (10%) ("Pass-Through")	\$	-	\$ 406	\$ 20,480	\$ 80,061	\$ 126,057	\$ 127,470	\$ 128,898	\$ 130,339	\$ 131,795	\$ 105,718	\$ -	\$ -	\$ -	\$ 851,224
Capture for BRA Administrative Fees and/or Local Brownfield Revolving Fund (10% of available Local TIR)	\$	-	\$ 365	\$ 18,432	\$ 72,055	\$ 113,451	\$ 114,723	\$ 116,008	\$ 117,305	\$ 118,616	\$ 95,146	\$ -	\$ -	\$ -	\$ 766,101
Local TIR Available for Reimbursement	\$	-	\$ 3,286	\$ 165,889	\$ 648,492	\$ 1,021,061	\$ 1,032,509	\$ 1,044,071	\$ 1,055,748	\$ 1,067,542	\$ 856,315	\$ -	\$ -	\$ -	
Total State & Local TIR Available for Reimbursement	\$	-	\$ 4,852	\$ 244,961	\$ 957,602	\$ 1,507,761	\$ 1,524,665	\$ 1,435,856	\$ 1,055,748	\$ 1,067,542	\$ 856,315	\$ -	\$ -	\$ -	
DEVELOPER AND LBRA	Beginning Balance														
	\$ 8,655,302	\$ 8,655,302	\$ 8,650,451	\$ 8,405,489	\$ 7,447,887	\$ 5,940,126	\$ 4,415,461	\$ 2,979,605	\$ 1,923,857	\$ 856,315	\$ -	\$ -	\$ -	\$ -	
MSF Eligible Activities	\$ 5,349,665	\$ 5,349,665	\$ 5,344,906	\$ 5,104,611	\$ 4,165,253	\$ 2,686,218	\$ 1,190,601	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
State Tax Reimbursement	\$ 1,726,852	\$ -	\$ 1,536	\$ 77,566	\$ 303,221	\$ 477,427	\$ 482,780	\$ 384,321	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,726,852
Local Tax Reimbursement	\$ 3,622,813	\$ -	\$ 3,223	\$ 162,728	\$ 636,137	\$ 1,001,608	\$ 1,012,838	\$ 806,279	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,622,813
EGLE Eligible Activities	\$ 103,900	\$ 103,900	\$ 103,808	\$ 99,141	\$ 80,897	\$ 52,171	\$ 23,124	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
State Tax Reimbursement	\$ 33,539	\$ -	\$ 30	\$ 1,506	\$ 5,889	\$ 9,272	\$ 9,376	\$ 7,464	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 33,539
Local Tax Reimbursement	\$ 70,361	\$ -	\$ 63	\$ 3,160	\$ 12,355	\$ 19,453	\$ 19,671	\$ 15,659	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 70,361
LOCAL-ONLY Activities	\$ 3,201,737	\$ 3,201,737	\$ 3,201,737	\$ 3,201,737	\$ 3,201,737	\$ 3,201,737	\$ 3,201,737	\$ 2,979,605	\$ 1,923,857	\$ 856,315	\$ -	\$ -	\$ -	\$ -	
Local-Only Tax Reimbursement	\$ 3,201,737	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 222,132	\$ 1,055,748	\$ 1,067,542	\$ 856,315	\$ -	\$ -	\$ -	\$ 3,201,737
TOTAL ANNUAL DEVELOPER AND LBRA REIMBURSEMENT	\$	-	\$ 4,852	\$ 244,961	\$ 957,602	\$ 1,507,761	\$ 1,524,665	\$ 1,435,856	\$ 1,055,748	\$ 1,067,542	\$ 856,315	\$ -	\$ -	\$ -	
															\$ 9,725,637
Developer/City Reimbursement Complete															

Table 4
Tax Increment Revenue Reimbursement Entity Allocation Table
720 E. Shiawassee Street and 703 E. Michigan Avenue
Lansing, MI

							NEOGEN		LBRA				TOTALS		
TIF Eligible Activities:							\$8,626,552.34		\$28,750		\$0		\$8,655,302		
% of Total Eligible Activities:							99.67%		0.33%		0.00%		100.00%		
Total Interest Allocation:							\$0		\$0		\$0		\$0		
% of Total Interest Allocation:							0.00%		0.00%		0.00%		0.00%		
Period	Year	A Local / State Annual Total Tax Capture	B Capture for State Brownfield Revolving Fund (SBRF)	C Capture for State and Local Taxing Units (10%) ("Pass-Through")	D Capture for BRA Administrative Fees and/or Local Brownfield Revolving Fund (10% of available Local TIR)	E = A-B-C-D Total State & Local TIR Available for Reimbursement to Developer	TIF Eligible Activity Reimbursement	0.0% Interest	TIF Eligible Activity Reimbursement	0.0% Interest	TIF Eligible Activity Reimbursement	0.0% Interest	TIF Eligible Activity Reimbursement	Interest Earned / Paid	TIF Available After Reimbursement
1	2024	\$6,052	\$255	\$580	\$365	\$4,852	\$ -	\$0	\$ 4,852	\$0	\$0	\$0	\$4,852	\$0	\$0
2	2025	\$305,550	\$12,890	\$29,266	\$18,432	\$244,961	\$ 221,063	\$0	\$ 23,898	\$0	\$0	\$0	\$244,961	\$0	\$0
3	2026	\$1,194,453	\$50,390	\$114,406	\$72,055	\$957,602	\$ 957,602	\$0	\$0	\$0	\$0	\$0	\$957,602	\$0	\$0
4	2027	\$1,880,687	\$79,340	\$180,135	\$113,451	\$1,507,761	\$ 1,507,761	\$0	\$0	\$0	\$0	\$0	\$1,507,761	\$0	\$0
5	2028	\$1,901,772	\$80,230	\$182,154	\$114,723	\$1,524,665	\$ 1,524,665	\$0	\$0	\$0	\$0	\$0	\$1,524,665	\$0	\$0
6	2029	\$1,923,067	\$81,128	\$184,194	\$116,008	\$1,541,738	\$ 1,435,856	\$0	\$0	\$0	\$0	\$0	\$1,435,856	\$0	\$0
7	2030	\$1,303,393	\$0	\$130,339	\$117,305	\$1,055,748	\$ 1,055,748	\$0	\$0	\$0	\$0	\$0	\$1,055,748	\$0	\$0
8	2031	\$1,317,953	\$0	\$131,795	\$118,616	\$1,067,542	\$ 1,067,542	\$0	\$0	\$0	\$0	\$0	\$1,067,542	\$0	\$0
9	2032	\$1,057,179	\$0	\$105,718	\$95,146	\$856,315	\$ 856,315	\$0	\$0	\$0	\$0	\$0	\$856,315	\$0	\$0
10	2033	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
11	2034	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
12	2035	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
13	2036	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
14	2037	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
15	2038	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
16	2039	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
17	2040	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
18	2041	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
19	2042	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
20	2043	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
21	2044	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
22	2045	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
23	2046	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
24	2047	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
25	2048	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
26	2049	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
27	2050	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
28	2051	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
29	2052	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30	2053	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTALS:		\$10,890,106	\$304,233	\$1,058,587	\$766,101	\$8,761,184	\$8,626,552	\$0	\$28,750	\$0	\$0	\$0	\$8,655,302	\$0	\$0
% of Tax Capture:		100.00%	2.79%	9.72%	7.03%	80.45%	98.46%	0.00%	0.33%	0.00%	0.00%	0.00%	98.79%	0.00%	0.00%
TIF Eligible Activities and Interest Subtotals:							\$8,626,552		\$28,750		\$0		\$8,655,302		

Attachment A

Legal Description of the Property

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703 E MICHIGAN AVE LANSING, MI 48912 (Property Address)

Parcel Number: 33-01-01-15-151-003



Property Owner: EDWARD W SPARROW HOSPITAL ASSOC

Summary Information

> Assessed Value: \$0 | Taxable Value: \$0 > Property Tax information found

Item 1 of 1 0 Images / 1 Sketch



Access additional record information for a small convenience fee. *

> Additional areas of information include: Delinquent Tax Information

Show Purchase Options

* Additional record information is free for all homeowners, click the 'Show Purchase Options' button for more information.

Important Message

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Local unit email and telephone numbers are available at: <https://docs.ingham.org/Department/Equalization/Twp-City%20Directory%20List22.pdf>

Owner and Taxpayer Information

Owner	EDWARD W SPARROW HOSPITAL ASSOC FACILITIES DEVELOPMENT 1322 E MICHIGAN AVE STE 306 LANSING, MI 48912	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2024

Property Class	201 COMMERCIAL-IMPROVED	Unit	01 LANSING CITY
School District	LANSING PUBLIC SCHOOL DIST	Assessed Value	\$0
MAP #	LG-0015 -0015	Taxable Value	\$0
TOP TEN	50	State Equalized Value	\$0
NEW PERMITS	Not Available	Date of Last Name Change	12/13/2023
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
TYPE CODE	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information

Homestead Date No Data to Display

Principal Residence Exemption	June 1st	Final
2023	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2023	\$0	\$0	\$0
2022	\$0	\$0	\$0
2021	\$0	\$0	\$0

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Zoning Code	H LT IN	Total Acres	0.000
Land Value	\$0	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	I300- INDUSTRIAL CENTRAL SUBMARKET	Mortgage Code	No Data to Display
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
No lots found.		
Total Frontage: 0.00 ft		Average Depth: 0.00 ft

Legal Description

PART OF SOUHWEST 1/4 OF THE NORTHWEST 1/4, OF SECTION TOWN 4 NORTH, RANGE 2WEST CITY OF LANSING, INGHAM COUNTYM MICHIGAN MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF MICHIGAN AVENUE AND A PARALLEL WITH AND 46.5 FEET EAST FROM THE WEST LINE OF SAID SECTION 15, THENCE N0DEG24'35"E 634.03 FEET, THENCE S 89DEG35'10"E 239.05 FEET , THENCE S0DEG43'38"W181.70 FEET, THENCE S7DEG44'37"E 19.47 FEET,THENCE N 89DEG17'22"W 92.25 FEET THENCE S0DEG42'38"W 432.39 FEET TO THE NORHT LINE OF MICHIGAN AVENUE, THENCE S89DEG59'55"W ON SAID NORTH LINE 146.23 FEET TO POINT OF BEGINNING. LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W SPLIT/COMBINED ON 01/10/2022 FROM 33-01-01-15-151-002;

Land Division Act Information

Date of Last Split/Combine	01/10/2022	Number of Splits Left	97
Date Form Filed	No Data to Display	Unallocated Div.s of Parent	0
Date Created	01/10/2022	Unallocated Div.s Transferred	0
Acreage of Parent	4.68	Rights Were Transferred	Not Available
Split Number	426	Courtesy Split	Not Available
Parent Parcel	No Data to Display		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
No sales history found.						

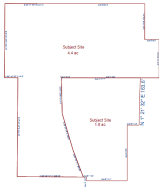
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720 E SHIAWASSEE ST LANSING, MI 48912 (Property Address)

Parcel Number: 33-01-01-15-151-273



Item 1 of 6 0 Images / 6 Sketches

Property Owner: NEOGEN CORPORATION

Summary Information

- > Commercial/Industrial Building Summary
- Yr Built: 1954

- # of Buildings: 6

- Total Sq.Ft.: 260,130
- > Assessed Value: \$3,501,600 | Taxable Value: \$3,203,281

Important Message

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Local unit email and telephone numbers are available at: <https://docs.ingham.org/Department/Equalization/Twp-City%20Directory%20List22.pdf>

Owner and Taxpayer Information

Owner	NEOGEN CORPORATION 620 LESHER PL LANSING, MI 48912-1509	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2024

Property Class	301 INDUSTRIAL-IMPROVED	Unit	01 LANSING CITY
School District	LANSING PUBLIC SCHOOL DIST	Assessed Value	\$3,501,600
MAP #	AP-0005 -0018	Taxable Value	\$3,203,281
TOP TEN	13301	State Equalized Value	\$3,501,600
NEW PERMITS	Not Available	Date of Last Name Change	08/23/2023
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
TYPE CODE	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information

Homestead Date No Data to Display

Principal Residence Exemption	June 1st	Final
2023	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2023	\$0	\$0	\$0
2022	\$0	\$0	\$0
2021	\$0	\$0	\$0

Land Information

Zoning Code	H LT IN	Total Acres	6.335
Land Value	\$373,508	Land Improvements	\$4,362
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
		Age Code	No Data to Display

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Lot Dimensions/CommentsIRREG

Neighborhood Enterprise ZoneNo

Lot(s)	Frontage	Depth
No lots found.		
Total Frontage: 0.00 ft		Average Depth: 0.00 ft

Legal Description

BEGINNING AT THE NORTHWEST CORNER OF LOT 10 ASSESSOR'S PLAT NO. 5 BEING A SUBDIVISION ON PART OF THE SOUTHWEST 1/4 OF THE NORHTWEST 1/4 OF SECTION 15 TOWN 4 NORTH RANGE 2 WEST CITY OF LANSING INGHAM COUNTY MICHIGAN THENCE S89DEG46'25"E ALONG THE NORTH LINE OF 8, 9 AND 10 OF SAID ASSESSOR'S PLAT NO. 5 ALSO BEING THE SOUTH RIGHT OF WAYLINE OF SHIAWASSEE STREET 206.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 8, THENCE S0DEG24'35"W ALONG SAID EAST LINE OF LOT 8 A DISTANCE OF 155.75FEET, THENCE N89DEG46'25"W 6.45 FEET THENCE S0DEG24'35"W PARALLEL WITH THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET TO THE SOYTH LINE OF SAID LOT 8 THENCE S1DEG13'20"E 123.30 FEET, THENCE SOUTHEASTERLY 130.83FEET ALONG THE ARC OF A 239FOOR RADIUS CURVE TO THE RIGHT THE LONG CHORD OF SAID CURVE BEARING S16DEG27'14"E 129.2 FEET, THENCE SOUTHEASTERLY 102.96FEET ALONG THE ARC OF A 258 FOOT RADIUSCURVE TO THE LEFT THE LONG CHORD OF SAID CURVE BEARING S20DEG43'01"E 102.29 FEET THRNCE N89DEG35'10"W 228.05 FEET TO THE EASTERLY RIGHT OF WAY LINE OF CSX RAIL ROAD THENCE N0EG24'35"EALONG SAID EASTERLY RIGHT OF WAY LIN 341.75 FET TO THE SOUTH LINE OF SAID ASSESSORS PLATNO. THENCEN89DEG46'25"W ALONG THE SOUTH LINE OF SAID ASSESSORS PLAT NO. 5 DISTANCE OF 46.5FEET TOTHE WEST LINE OF SAID SECTION 15 THENCE N0DEG24;35"ALONG SAID WEST LINE OF SECTION 15 A DISTANCE OG 255.75 FEET TO THE POINT OF BEGINNING. CONTAINING 2.568 ACRES MORE OR LESS INCLUSIVE OF THE LAND CONTAINED WITH EASEMENT TO CSX RAILROAD AS CRECORDED IN LIBER 1668 PAGE 727-753. AREA OF THE ABOVE DESCRIBED EASEMENT IS 0.242 OG AN ACRE NET AREA WITHOUT RAILROD EASEMENT 2.326 ACRES SUBJECT TO ALL EASEMENTS H OF RECORD AND UECORDED THE BASIS OF BEARING FOR THIS SURVEY ASSUMES THEWEST LINE OF SECTION 15 TO BEAR N0DEG24'35"WFROM MICHIGAN STATE PLAN COORDINATES DERIVED FROM GPS FIELD OBSERVATION LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W AND LOTS 4, 5, 6, 7, 11, 12 & E 6.45 FT OF S 100 FT LOT 8 ASSESSORS PLAT NO 5, ALSO W 41.25 FT LOT 12 JEROMES ADD, ALSO COM SW COR SAID LOT, TH S 192 FT, W 140.01 FT, N 12.7 FT, W 11.06 FT TO C/L RAILROAD SPUR TRACK, NW'LY ON C/L 102.32 FT ALONG A 258 FT RAD CURVE TO THE LT CHORD BEARING N 20 DEG 29MIN 14SCD W 101.65 FT, N'LY ON C/L 130.77 FT ALONG 239 FT RAD CURVE TO THE RT CHORD BEARING N 16DEG 12MIN 45SCD W 129.2 FT, N 123.2 FT TO S LINE ASSESSORS PLAT NO 5, E TO NW COR LOT 12 JEROMES ADD, S TO BEG ALSO WITH A PARCEL OF LAND SPLIT/COMBINED ON 02/07/2023 FROM 33-01-01-15-151-271, 33-01-01-15-151-241, 33-01-01-15-151-253, 33-01-01-15-151-261; SPLIT ON 08/23/2023 WITH 33-01-01-15-151-272 & 33-01-01-15-151-004 INTO 33-01-01-15-151-273

Land Division Act Information

Date of Last Split/Combine	08/23/2023	Number of Splits Left	95
Date Form Filed	No Data to Display	Unallocated Div.s of Parent	0
Date Created	08/23/2023	Unallocated Div.s Transferred	0
Acreage of Parent	6.34	Rights Were Transferred	Not Available
Split Number	532	Courtesy Split	Not Available
Parent Parcel	No Data to Display		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
05/18/2018	\$1.00	QC	NEOGEN PROPERTIES L L C	NEOGEN CORPORATION	21-NOT USED/OTHER	2018 019783
05/18/2018	\$1.00	QC	NEOGEN PROPERTIES VIII L L C	NEOGEN CORPORATION	21-NOT USED/OTHER	2018 019779
03/31/2014	\$590,000.00	WD	VANDREUMEL JAMES W & PAMELA J	NEOGEN PROPERTIES VIII L L C	21-NOT USED/OTHER	2014 014016
12/23/2003	\$802,000.00	WD	UNISOURCE WORLDWIDE INC	NEOGEN PROPERTIES II L L C	33-TO BE DETERMINED	L3087-P176
11/04/2002	\$10.00	QC	IKON OFFICE SOLUTIONS INC	UNISOURCE WORLDWIDE INC	33-TO BE DETERMINED	UNRECORDED
03/19/2002	\$372,000.00	WD	E SHIAWASSEE ST (720) LLC	NEOGEN PROPERTIES LLC	03-ARM'S LENGTH	L2949P155

Building Information - 20340 sq ft Industrial - Engineering (Commercial)

Floor Area	20,340 sq ft	Estimated TCV	\$909,819
Occupancy	Industrial - Engineering	Class	C
Stories Above Ground	3	Average Story Height	13 ft
Basement Wall Height	14 ft	Identical Units	Not Available
Year Built	1954	Year Remodeled	2003
Percent Complete	100%	Heat	Package Heating & Cooling
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		Estimated Age	40 yrs

Building Information - 1848 sq ft Warehouses - Storage (Commercial)

Floor Area	1,848 sq ft	Estimated TCV	\$133,909
Occupancy	Warehouses - Storage	Class	C
Stories Above Ground	1	Average Story Height	23 ft
Basement Wall Height	0 ft	Identical Units	<i>Not Available</i>
Year Built	2009	Year Remodeled	<i>No Data to Display</i>
Percent Complete	100%	Heat	Space Heaters, Gas with Fan
Physical Percent Good	74%	Functional Percent Good	100%
Economic Percent Good	100%	Effective Age	13 yrs

Building Information - 28568 sq ft Warehouses - Storage (Commercial)

Floor Area	28,568 sq ft	Estimated TCV	\$715,692
Occupancy	Warehouses - Storage	Class	S
Stories Above Ground	1	Average Story Height	24 ft
Basement Wall Height	0 ft	Identical Units	<i>Not Available</i>
Year Built	1978	Year Remodeled	<i>No Data to Display</i>
Percent Complete	100%	Heat	Forced Air Furnace
Physical Percent Good	40%	Functional Percent Good	100%
Economic Percent Good	100%	Effective Age	36 yrs

Building Information - 18874 sq ft Warehouses - Storage (Commercial)

Floor Area	18,874 sq ft	Estimated TCV	\$279,983
Occupancy	Warehouses - Storage	Class	C
Stories Above Ground	3	Average Story Height	9 ft
Basement Wall Height	0 ft	Identical Units	<i>Not Available</i>
Year Built	1912	Year Remodeled	1978
Percent Complete	100%	Heat	Space Heaters, Gas with Fan
Physical Percent Good	37%	Functional Percent Good	100%
Economic Percent Good	100%	Effective Age	48 yrs

Building Information - 30000 sq ft Warehouses - Storage (Commercial)

Floor Area	30,000 sq ft	Estimated TCV	\$270,271
Occupancy	Warehouses - Storage	Class	C
Stories Above Ground	3	Average Story Height	14 ft
Basement Wall Height	14 ft	Identical Units	<i>Not Available</i>
Year Built	1916	Year Remodeled	2015
Percent Complete	0%	Heat	Space Heaters, Steam w/ Boiler
Physical Percent Good	52%	Functional Percent Good	90%
Economic Percent Good	90%	Effective Age	26 yrs

Building Information - 177000 sq ft Industrial - Light Manufacturing (Commercial)

Floor Area	177,000 sq ft	Estimated TCV	\$4,315,726
Occupancy	Industrial - Light Manufacturing	Class	S
Stories Above Ground	3	Average Story Height	14 ft
Basement Wall Height	0 ft	Identical Units	<i>Not Available</i>
Year Built	2023	Year Remodeled	<i>No Data to Display</i>
Percent Complete	35%	Heat	No Heating or Cooling
Physical Percent Good	98%	Functional Percent Good	100%
Economic Percent Good	100%	Effective Age	1 yrs

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

Attachment B

EGL E BEA Acknowledgement Letter



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

March 23, 2022

ACKNOWLEDGEMENT OF RECEIPT OF A BASELINE ENVIRONMENTAL ASSESSMENT

BEA ID: 00009594-BEA-1

Legal Entity: NEOGEN Properties IX LLC, 620 Leshler Place, Lansing, Michigan 48912

Property Address: 703 East Michigan Avenue – northern 2.568 acres of, Lansing, Ingham County; Parcel ID No.: 33-01-01-15-151-002

On March 2, 2022, the Michigan Department of Environment, Great Lakes, and Energy (EGLE) received a Baseline Environmental Assessment (BEA) dated December 13, 2021, for the above legal entity and property. This letter is your acknowledgement that EGLE has received and recorded the BEA. EGLE maintains an administrative record of each BEA as received.

This BEA was submitted pursuant to Section 20126(1)(c) of Part 201, Environmental Remediation, and/or Section 21323a(1)(b) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). A BEA is submitted for the purpose of establishing an exemption to liability for a new owner or operator of property that has been demonstrated to be a facility or property as defined by Section 20101(1)(s) of Part 201, Environmental Remediation, and/or property as defined by Section 21303(d) of Part 213, Leaking Underground Storage Tanks, of the NREPA. Pursuant to Sections 20126(1)(c) and 21323a(1)(b), the conditions of this exemption require the legal entity to disclose the BEA to a subsequent purchaser or transferee of the property.

The BEA is only for the legal entity and property or properties identified on the BEA Submittal Form and in the BEA that have been demonstrated to be a facility. Each new legal entity that becomes the owner or operator of this facility must submit their own BEA.

EGLE is not making any findings about whether the submitter is liable or is eligible to submit. The submitted BEA does not alter liability with regard to a subsequent release, threat of release, or exacerbation of existing conditions that is the responsibility of the legal entity submitting the BEA.

EGLE does not review BEAs to determine the adequacy of the submittal. The 2020 Volatilization to Indoor Air Pathway (VIAP) Screening Levels (SLs) may be proposed as site-specific criteria when used to determine that a property is or contains a facility or site. EGLE's approval of these numeric site-specific criteria is required. Since the BEA has not been reviewed, if the BEA relied upon the 2020 VIAP SLs then their use within the BEA is approved only for the purpose of confirming the status of the property as a facility under Part 201 or a site under Part 213.

The legal entity, as the owner and/or operator of a facility or property, may have Due Care responsibilities under Section 20107a of Part 201, Environmental Remediation and/or Section 21304c of Part 213, Leaking Underground Storage Tanks, of the NREPA.

The legal entity may also have responsibility under applicable state and federal laws, including, but not limited to, Part 201, Environmental Remediation; Part 111, Hazardous Waste Management; Part 211, Underground Storage Tank Regulations; Part 213, Leaking Underground Storage Tanks; Part 615, Supervisor of Wells, of the NREPA; and the Michigan Fire Prevention Code, 1941 PA 207, as amended. Please review the enclosed brochure on "due care." An owner or operator of contaminated property has an obligation to assure the property is safe for the intended use and is protective of the public health and safety.

Pursuant to Section 20112a(6) of Part 201, Environmental Remediation, the property(s) identified in the BEA will be placed on the inventory of facilities, which is updated daily and posted on EGLE's website: <https://secure1.state.mi.us/FacilitiesInventoryQueries>

Authorized signature:



David LaBrecque, District Supervisor
Lansing District Office
Remediation and Redevelopment Division
Michigan Department of Environment, Great Lakes, and Energy
525 West Allegan Street
P.O. Box 30242
Lansing, Michigan 48909
517-285-7889
labrecqued@michigan.gov

Enclosure
cc: Triterra

**CITY OF LANSING BROWNFIELD PLAN #81 – AMENDMENT #1
NEOGEN EXPANSION PROJECT
BROWNFIELD PLAN APPROVAL PROCESS SCHEDULE**

DATE/TIME	BOARD/COMMITTEE/ LOCATION	ACTION	ATTENDANCE REQUIRED BY APPLICANT
July 12, 2024 8:30AM	Lansing Brownfield Redevelopment Authority	LBRA approves Brownfield Plan #80.	YES
July 22, 2024 7:00PM	Lansing City Council Lansing City Hall - Council Chambers - 10th FL 124 W. Michigan Avenue	Amended plan received and referred to Committee on Development and Planning by council.	NO
July 24, 2024 3:30PM	Committee on Development and Planning Lansing City Hall - Council Conf. Rm - 10th FL 124 W. Michigan Avenue	Amended plan presented to Committee on Development and Planning.	YES Presentation on Project and Plan
Aug 12, 2024 7:00PM	Lansing City Council Lansing City Hall - Council Chambers - 10th FL 124 W. Michigan Avenue	Presentation to Council and setting of public hearing.	YES Presentation on Project and Plan
Aug 26, 2024 7:00PM	Lansing City Council Lansing City Hall - Council Chambers - 10th FL 124 W. Michigan Avenue	Public hearing held at City Council. Plan referred to the Committee on Development and Planning for approval.	YES
Aug 28, 2024 3:30PM	Committee on Development and Planning Lansing City Hall - Council Conf. Rm - 10th FL 124 W. Michigan Avenue	Committee on Development and Planning passes resolution to approve the Brownfield Plan.	YES
Sep 9, 2024 7:00PM	Lansing City Council Lansing City Hall - Council Chambers - 10th FL 124 W. Michigan Avenue	City Council approves Brownfield Plan.	YES

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, **[insert date]**, at 7:00 p.m. in the Tony Benavides City of Lansing Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Ave. Lansing, MI 48933, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 720 E. Shiawassee Street and 703 E. Michigan Avenue located in the City of Lansing, but more particularly described as:

720 E. Shiawassee Street (33-01-01-15-151-273):

BEGINNING AT THE NORTHWEST CORNER OF LOT 10 ASSESSOR'S PLAT NO. 5 BEING A SUBDIVISION ON PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15 TOWN 4 NORTH RANGE 2 WEST CITY OF LANSING INGHAM COUNTY MICHIGAN THENCE S89DEG46'25"E ALONG THE NORTH LINE OF 8, 9 AND 10 OF SAID ASSESSOR'S PLAT NO. 5 ALSO BEING THE SOUTH RIGHT OF WAYLINE OF SHIAWASSEE STREET 206.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 8, THENCE S0DEG24'35"W ALONG SAID EAST LINE OF LOT 8 A DISTANCE OF 155.75 FEET, THENCE N89DEG46'25"W 6.45 FEET THENCE S0DEG24'35"W PARALLEL WITH THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET TO THE SOUTH LINE OF SAID LOT 8 THENCE S1DEG13'20"E 123.30 FEET, THENCE SOUTHEASTERLY 130.83 FEET ALONG THE ARC OF A 239 FOOT RADIUS CURVE TO THE RIGHT THE LONG CHORD OF SAID CURVE BEARING S16DEG27'14"E 129.2 FEET, THENCE SOUTHEASTERLY 102.96 FEET ALONG THE ARC OF A 258 FOOT RADIUS CURVE TO THE LEFT THE LONG CHORD OF SAID CURVE BEARING S20DEG43'01"E 102.29 FEET THENCE N89DEG35'10"W 228.05 FEET TO THE EASTERLY RIGHT OF WAY LINE OF CSX RAIL ROAD THENCE N0DEG24'35"E ALONG SAID EASTERLY RIGHT OF WAY LINE 341.75 FEET TO THE SOUTH LINE OF SAID ASSESSOR'S PLAT NO. 5 THENCE N89DEG46'25"W ALONG THE SOUTH LINE OF SAID ASSESSOR'S PLAT NO. 5 DISTANCE OF 46.5 FEET TO THE WEST LINE OF SAID SECTION 15 THENCE N0DEG24'35"E ALONG SAID WEST LINE OF SECTION 15 A DISTANCE OF 255.75 FEET TO THE POINT OF BEGINNING. CONTAINING 2.568 ACRES MORE OR LESS INCLUSIVE OF THE LAND CONTAINED WITH EASEMENT TO CSX RAILROAD AS C RECORDED IN LIBER 1668 PAGE 727-753. AREA OF THE ABOVE DESCRIBED EASEMENT IS 0.242 OR AN ACRE NET AREA WITHOUT RAILROAD EASEMENT 2.326 ACRES SUBJECT TO ALL EASEMENTS OF RECORD AND RECORDED THE BASIS OF BEARING FOR THIS SURVEY ASSUMES THE WEST LINE OF SECTION 15 TO BEAR

N0DEG24'35"W FROM MICHIGAN STATE PLAN COORDINATES DERIVED FROM GPS FIELD OBSERVATION LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W AND LOTS 4, 5, 6, 7, 11, 12 & E 6.45 FT OF S 100 FT LOT 8 ASSESSORS PLAT NO 5, ALSO W 41.25 FT LOT 12 JEROMES ADD, ALSO COM SW COR SAID LOT, TH S 192 FT, W 140.01 FT, N 12.7 FT, W 11.06 FT TO C/L RAILROAD SPUR TRACK, NW'LY ON C/L 102.32 FT ALONG A 258 FT RAD CURVE TO THE LT CHORD BEARING N 20 DEG 29MIN 14SCD W 101.65 FT, N'LY ON C/L 130.77 FT ALONG 239 FT RAD CURVE TO THE RT CHORD BEARING N 16DEG 12MIN 45SCD W 129.2 FT, N 123.2 FT TO S LINE ASSESSORS PLAT NO 5, E TO NW COR LOT 12 JEROMES ADD, S TO BEG ALSO WITH A PARCEL OF LAND SPLIT/COMBINED ON 02/07/2023 FROM 33-01-01-15-151-271, 33-01-01-15-151-241, 33-01-01-15-151-253, 33-01-01-15-151- 261; SPLIT ON 08/23/2023 WITH 33-01-01-15-151-272 & 33-01-01-15-151-004 INTO 33-01- 01-15-151-273

703 E. Michigan Avenue (33-01-01-15-151-003):

PART OF SOUHWEST 1/4 OF THE NORTHWEST 1/4, OF SECTION TOWN 4 NORTH, RANGE 2WEST CITY OF LANSING, INGHAM COUNTYM MICHIGAN MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF MICHIGAN AVENUE AND A PARALLEL WITH AND 46.5 FEET EAST FROM THE WEST LINE OF SAID SECTION 15, THENCE N0DEG24'35"E 634.03 FEET, THENCE S 89DEG35'10"E 239.05 FEET , THENCE S0DEG43'38"W181.70 FEET, THENCE S7DEG44'37"E 19.47 FEET, THENCE N 89DEG17'22"W 92.25 FEET THENCE S0DEG42'38"W 432.39 FEET TO THE NORHT LINE OF MICHIGAN AVENUE, THENCE S89DEG59'55"W ON SAID NORTH LINE 146.23 FEET TO POINT OF BEGINNING. LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W SPLIT/COMBINED ON 01/10/2022 FROM 33-01-01-15-151-002.

Approval of this Brownfield Plan will enable the Lansing Brownfield Redevelopment Authority to capture incremental tax increases which result from the redevelopment of

the property to pay for costs associated therewith. Further information regarding this issue, including maps, plats, and a description of the brownfield plan will be available for public inspection and may be obtained from Karl Dorshimer – President and CEO, Lansing Economic Development Corporation, 401 South Washington Square, Suite 101, Lansing, MI 48933, (517) 243-3512.

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
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

Resolution #2024-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #81 AMENDMENT #1
NEOGEN EXPANSION BROWNFIELD REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 720 E. Shiawassee Street and 703 E. Michigan Avenue located in the City of Lansing, and;

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard, and;

WHEREAS, the brownfield plan is available for public inspection at the Lansing Economic Area Partnership, 401 S. South Washington Sq., Suite 101, Lansing, MI 48933, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on **[insert date]** at 7:00 p.m. on Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

720 E. Shiawassee Street (33-01-01-15-151-273):

BEGINNING AT THE NORTHWEST CORNER OF LOT 10 ASSESSOR'S PLAT NO. 5 BEING A SUBDIVISION ON PART OF THE SOUTHWEST 1/4 OF THE NORHTWEST 1/4 OF SECTION 15 TOWN 4 NORTH RANGE 2 WEST CITY OF LANSING INGHAM COUNTY MICHIGAN THENCE S89DEG46'25"E ALONG THE NORTH LINE OF 8, 9 AND 10 OF SAID ASSESSOR'S PLAT NO. 5 ALSO BEING THE SOUTH RIGHT OF WAYLINE OF SHIAWASSEE STREET 206.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 8, THENCE S0DEG24'35"W ALONG SAID EAST LINE OF LOT 8 A DISTANCE OF 155.75FEET, THENCE N89DEG46'25"W 6.45 FEET THENCE S0DEG24'35"W PARALLEL WITH THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET TO THE SOUTH LINE OF SAID LOT 8 THENCE S1DEG13'20"E 123.30 FEET, THENCE SOUTHEASTERLY 130.83FEET ALONG THE ARC OF A 239FOOR RADIUS CURVE TO THE RIGHT THE LONG CHORD OF SAID CURVE BEARING S16DEG27'14"E 129.2 FEET, THENCE SOUTHEASTERLY 102.96FEET ALONG THE ARC OF A 258 FOOT RADIUSCURVE TO THE LEFT THE LONG CHORD OF SAID CURVE BEARING S20DEG43'01"E 102.29 FEET THRNCE N89DEG35'10"W 228.05 FEET TO THE EASTERLY RIGHT OF WAY LINE OF CSX RAIL ROAD THENCE

N0EG24'35"E ALONG SAID EASTERLY RIGHT OF WAY LIN 341.75 FET TO THE SOUTH LINE OF SAID ASSESSORS PLATNO. THENCE N89DEG46'25"W ALONG THE SOUTH LINE OF SAID ASSESSORS PLAT NO. 5 DISTANCE OF 46.5FEET TOTHE WEST LINE OF SAID SECTION 15 THENCE N0DEG24;35"ALONG SAID WEST LINE OF SECTION 15 A DISTANCE OG 255.75 FEET TO THE POINT OF BEGINNING. CONTAINING 2.568 ACRES MORE OR LESS INCLUSIVE OF THE LAND CONTAINED WITH EASEMENT TO CSX RAILROAD AS C RECORDED IN LIBER 1668 PAGE 727-753. AREA OF THE ABOVE DESCRIBED EASEMENT IS 0.242 OG AN ACRE NET AREA WITHOUT RAILROD EASEMENT 2.326 ACRES SUBJECT TO ALL EASEMENTS H OF RECORD AN DUECORDED THE BASIS OF BEARING FOR THIS SURVEY ASSUMES THEWEST LINE OF SECTION 15 TO BEAR N0DEG24'35"WFROM MICHIGAN STATE PLAN COORDINATES DERIVED FROM GPS FIELD OBSERVATION LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W AND LOTS 4, 5, 6, 7, 11, 12 & E 6.45 FT OF S 100 FT LOT 8 ASSESSORS PLAT NO 5, ALSO W 41.25 FT LOT 12 JEROMES ADD, ALSO COM SW COR SAID LOT, TH S 192 FT, W 140.01 FT, N 12.7 FT, W 11.06 FT TO C/L RAILROAD SPUR TRACK, NW'LY ON C/L 102.32 FT ALONG A 258 FT RAD CURVE TO THE LT CHORD BEARING N 20 DEG 29MIN 14SCD W 101.65 FT, N'LY ON C/L 130.77 FT ALONG 239 FT RAD CURVE TO THE RT CHORD BEARING N 16DEG 12MIN 45SCD W 129.2 FT, N 123.2 FT TO S LINE ASSESSORS PLAT NO 5, E TO NW COR LOT 12 JEROMES ADD, S TO BEG ALSO WITH A PARCEL OF LAND SPLIT/COMBINED ON 02/07/2023 FROM 33-01-01-15-151-271, 33-01-01-15-151-241, 33-01-01-15-151-253, 33-01-01-15-151- 261; SPLIT ON 08/23/2023 WITH 33-01-01-15-151-272 & 33-01-01-15-151-004 INTO 33-01- 01-15-151-273;

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and that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project and the scheduled public hearing.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

Tuesday, July 16, 2024

Roger G. Isaac, Attorney
C/O Parinaaz, Inc.
rgilaw@sbcglobal.net

RID # RQ-2407-08299 **Reference/Transaction:** Transfer ownership 2024 SDD and SDM licensed business from Store 102, LLC; New Sunday Sales permit (AM); New Sunday Sales permit (PM) for SDM license – Mixed Spirit Drink; New Sunday Sales permit (PM) for SDD license – Spirits

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: Parinaaz, Inc.

Business address and phone number: 200 S Martin Luther King Jr Blvd, Lansing, MI 48915

Home address and phone number of partner(s)/subordinates:
Harmeet Singh, 759 Pemberton Ln, Jackson, MI 49203, C: 517-416-1315

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.**

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

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

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

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

SR

cc: Parinaaz, Inc.: harmmeetmeeth@yahoo.com
Store 102, LLC: store102llc@gmail.com
Lansing City: city.clerk@lansingmi.gov

From: David Ellis <davjefellis@gmail.com>

Sent: Thursday, July 18, 2024 2:19 PM

To: City Council <City.Council@lansingmi.gov>; Lansing Mayor <Lansing.Mayor@lansingmi.gov>; Kilpatrick, Andrew <Andrew.Kilpatrick@lansingmi.gov>

Subject: [EXTERNAL] Michigan Avenue Redesign

Hi all,

Yesterday I made my way down to see the nearly completed portions of Michigan Avenue (hi Mayor Schor!) and am lightheaded with anger at how seemingly not a single piece of input from cycling advocates from the past two years was taken into account. I've attached an image of the project so far where you can see that the bike lane is just a widened sidewalk (img1). This is a flawed and unsafe design that has already been opposed by the Tri-County Bicycle Association.

A cyclist as far back from the road as a sidewalk is less visible to vehicles approaching intersections, leading to more crashes. Public Service acknowledged this in an open house meeting with the sentiment of "we hope they'll obey the law and yield". This was paired with the plan's "double stop line" (attached img2) design that not only encourages, but tells drivers to stop their vehicles blocking the crosswalk/bike lane. This is the kind of design you make when you are trying to maximize conflict points.

The more obvious issue with cycling on a sidewalk is conflicts with pedestrians. I have been told there will be some delineation between the cycle track and sidewalk, but MSU's own similar bike and pedestrian paths have proven conflicts will still occur. If you'd like to see this for yourself, take a bike ride on the path between Beal and Farm next semester. This issue is only going to be exacerbated by the pedestrian space being effectively narrowed by separating it from the green space.

I've heard from Public Service the plan on completion of the project is to do traffic counts in order to potentially remove the second (already redundant) Westbound traffic lane in favor of on-street bike lanes for those dissatisfied with the sidewalk lanes.

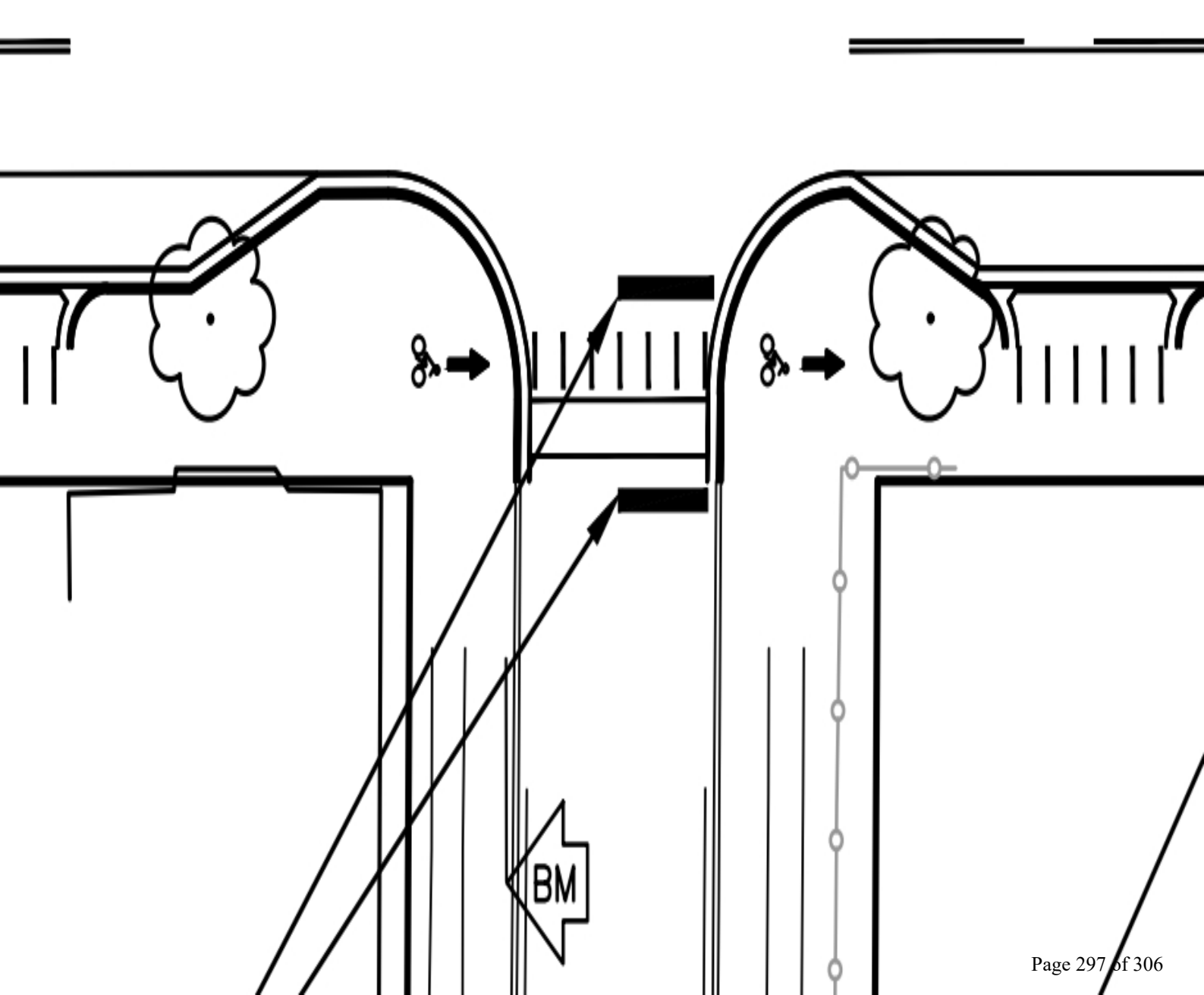
Building an inadequate and unsafe bike lane is not a solution to building an inadequate bike lane and unsafe. Do it right the first time. **Do not** do it wrong twice. That is **dumb**. That is **really dumb**. We are planning to dedicate 21 feet of ROW to get 0 feet of adequate bike facility.

Instead of dedicated that excess space to a second and redundant bike facility, it could be used for green space, or a bus only lane for the high frequency CATA Route 1. I've attached an image I had made before just showcasing how I feel the space could have been better used (img3)

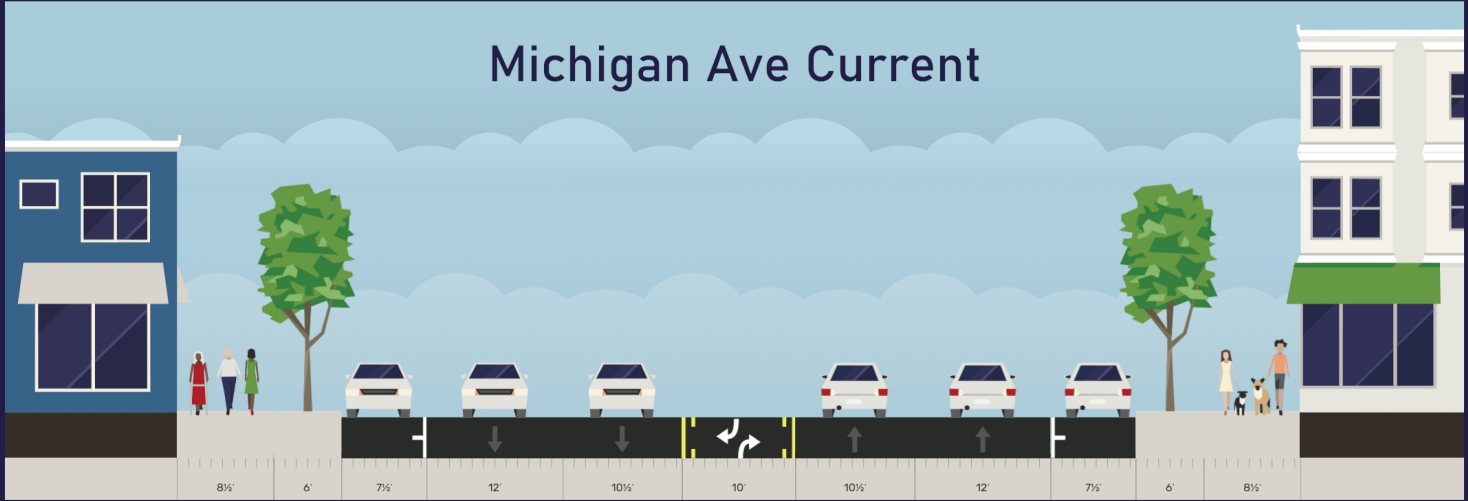
So please actually be willing to listen to input and make changes to a plan before it's cast in concrete. I have a strong feeling we've already seen the final product back when the plan was first revealed, but please for once let Lansing actually be able to make a good change in road design.

David Ellis
Downtown Resident





Michigan Ave Current



Michigan Ave Redesign



Michigan Ave Post Traffic Study



Michigan Ave Post Traffic Study Alt



OFFICIAL PETITION
TO
COUNCIL MEMBERS
LANSING, MI



Lansing City Hall
124 W Michigan Ave
Fl 6
Lansing, MI 48933-1692

To Members of the Lansing City Council:

There is a national movement underway to cut back on quality-of-life policing methods such as making arrests for vandalism, littering, loitering, vagrancy, public intoxication, and other quality of life violations.

As a registered voter in Lansing, I urge you to maintain all quality-of-life policing methods, vigorously defend these methods, support our police in enforcement of quality-of-life violations, and make sure our district attorney is fully behind quality-of-life policing methods.

Quality of life policing, as well as pro-active policing methods, have cleaned up and maintained order in many neighborhoods in our city and helped reduce more serious crime nationwide between 1985 and 2015 by over 50%.

Mr. Richard Plotnick

Mr. Franklin Predmore

Mr. Fred Gerhardt

Mr. John O'meara

Mr. David Womboldt

Mr. Lanny Dittmer

Mr. Boyd Kinzley

Ms. Betty Harder

Robert Cappelletti

Thelma Becht

Jennifer Wing-Proctor

Christine Darling

Randolph Freder Block

Ms. Maria Mejorado

Mr. Dale Sherwin

Ms. Stephanie Ann Butler

Ms. Sarah Elizabeth Gaither

Mrs. Marian Boucher

Mr. John Rhodes

Mr. James Winn

From: Rep. Kara Hope (District 74) <KaraHope@house.mi.gov>
Sent: Wednesday, July 3, 2024 4:41 PM
To: Angelique Goulet
Subject: [EXTERNAL] Budget Update

Dear Local Leader:

Last week, the Michigan House approved a \$82.5 billion budget. [Senate Bill 747](#) and [House Bill 5507](#) both await the governor's signature, which is expected soon. The budget is a huge document, so I wanted to highlight some appropriations that directly benefit South Lansing and Delhi Township.

Our 2025 budget puts people first by investing in working families, community revitalization, public safety, housing, health care accessibility, and education. Specifically, it includes the following:

- 13.7% statutory revenue sharing increase in Ingham County;
- 2.5% operations increase for public universities and community colleges;
- \$200 million to continue free breakfast and lunch for all public schools students K-12;
- \$15 million for Ingham County Housing Trust fund;
- \$12.5 million for a new Ingham County juvenile justice facility;
- \$10 million for Potter Park Zoo to construct a new feline and primate building;
- \$5 million for a new CATA station;
- \$5 million to the Board of Water and Light for steam-to-hot-water conversion;
- \$4 million in elections funding for Lansing, East Lansing, Grand Rapids, and Ann Arbor and \$1.25 million to the Michigan Municipal Clerks Association for election accessibility grants;
- \$3.3 million to a Lansing nonprofit to develop long-term housing for recovery patients;
- \$3 million to Lansing Economic Area Partnership for Michigan Avenue property redevelopment;
- \$2.5 million to the Lansing School District for infrastructure;
- \$1.5 million to Small Talk Child Advocacy Center and \$2 million to child advocacy centers statewide;
- \$1.5 million for the Ingham County Road Department;
- \$1 million for the Lansing Lugnuts stadium;
- \$1 million for the Lansing Rescue Mission;
- \$1 million for the Cristo Rey Community Center's healthcare program;
- \$1 million for Lansing Entertainment and Public Facilities Authority;
- \$533,300 for the Lansing Symphony Orchestra;
- \$500,000 for Turning Point to help students grades six through twelve in Lansing develop strategies for success;
- \$320,000 for Building Twentyone Teen Center in Delhi Township;
- \$225,000 to support cold case investigations in Lansing;
- Free pre-school to families at or below 400% of the federal poverty line, adding up to 5,000 kids to the program; and
- Free community college for all in-district students, with an additional \$1,000 for community college students who are eligible for the federal Pell grant.

While we did a lot of great things with this budget, it is important to note that the Legislature had less money to work with for Fiscal Year 2025, as one-time federal Covid relief funds are no longer available.

For more details on the school aid fund ([House Bill 5507](#)) and the general omnibus budget ([Senate Bill 747](#)), please see the linked analyses from the House and Senate Fiscal Agencies.

Please contact my office with questions or concerns at (517) 373-8900 or by email at KHope@house.mi.gov. (Please note the office will not be staffed on July 4 and 5.)

Thank you for your public service, and enjoy the holiday weekend.

Sincerely,

A handwritten signature in cursive script that reads "Kara Hope".

Kara Hope
State Representative

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed Bates misc

Name (print) Loretta Stancaway E-Mail (optional) soswop@aol.com

Address (street, city, zip) 546 Armstrong Rd

Company or organization represented, etc. (if applicable) _____

Signature [Signature] Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
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Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

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.

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Topic(s) to be addressed Mental Health

Name (print) Jody Washington E-Mail (optional) _____

Address (street, city, zip) Lansing

Company or organization represented, etc. (if applicable) _____

Signature _____ Pronouns _____

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Topic(s) to be addressed Charter Commission

Name (print) Nicholas Zande E-Mail (optional) nizande@gmail.com

Address (street, city, zip) 4111 W. Willow Ave Lansing MI 48906

Company or organization represented, etc. (if applicable) ENNA

Signature Nicholas Zande Pronouns he/him

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Topic(s) to be addressed Public Pedestrian & Bike Safety

Name (print) David Ellis E-Mail (optional) _____

Address (street, city, zip) 323 N Walnut St

Company or organization represented, etc. (if applicable) _____

Signature David Ellis Pronouns _____

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Topic(s) to be addressed General Concern

Name (print) Thomas Kweku E-Mail (optional) _____

Address (street, city, zip) 819 Blanchette Drive

Company or organization represented, etc. (if applicable) _____

Signature Thomas Kweku Pronouns Male

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