



Item Number: 8



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 23, 2024

TO: Mark Washington, City Manager

COMMITTEE: Community Development Committee

LIAISON: Mary Kate Berens, Deputy City Manager

FROM: Tim Burkman, City Engineer
Engineering

SUBJECT: **Resolution approving an Encroachment Agreement in Summer Avenue, Allen Street, Blumrich Street and Mount Vernon Avenue Alley (Public Soccer Stadium)**

On December 12, 2023 (Proceeding No. 93150), the City approved a Memorandum of Understanding between the City and Kent County regarding the potential future amendment of the Grand Rapids-Kent County Convention/Arena Authority (CAA) Operating Agreement to support the efforts of the CAA and Grand Action 2.0 to develop, fund, and construct a public soccer stadium. Grand Action 2.0 is a 501c(3) organization and a Michigan nonprofit corporation formed for civic purposes including gaining private and public support for public facilities including a public soccer stadium.

The City has received a request from Grand Action Foundation 2.0 to encroach into the Summer Avenue, Allen Street, Blumrich Street and Mount Vernon Avenue Alley rights-of-way in connection with a pending request to permanently vacate the streets and alley for construction of the proposed public soccer stadium.

The vacation request has been circulated to affected City departments and there were no objections.

The attached resolution approves an Encroachment Agreement and authorizes the Mayor to execute said agreement on behalf of the City, contingent upon approval as to form by the City Attorney. The agreement will set forth the conditions under which the encroachment will be permitted, including requirements to remove the encroachment if requested by the City, to maintain appropriate insurance in the types and amounts determined by the City's Risk Manager, and to indemnify the City.

The vacation request will be submitted for consideration at a later date in compliance with City Commission Policy No. 1000-01 (Procedure to Grant City Consent for the Vacation of Public Right-of-Way).

cc: John Gorney

#23029

Your COMMUNITY DEVELOPMENT COMMITTEE recommends the adoption of the following resolution approving an Encroachment Agreement in Summer Avenue, Allen Street, Blumrich Street and Mount Vernon Avenue Alley (Public Soccer Stadium).

WHEREAS:

1. On December 12, 2023 (Proceeding No. 93150), the City approved a Memorandum of Understanding between the City and Kent County regarding the potential future amendment of the Grand Rapids-Kent County Convention/Arena Authority (CAA) Operating Agreement to support the efforts of the CAA and Grand Action 2.0 to develop, fund, and construct a public soccer stadium; and
2. Grand Action 2.0 is a 501c(3) organization and a Michigan nonprofit corporation formed for civic purposes including gaining private and public support for public facilities including a public soccer stadium; and
3. Grand Action Foundation 2.0 has requested approval to encroach into the Summer Avenue, Allen Street, Blumrich Street and Mount Vernon Avenue Alley rights-of-way in connection with a public soccer stadium; and
4. Grand Action Foundation 2.0 is willing to enter into an Encroachment Agreement with the City which outlines the conditions under which the City would permit the aforesaid encroachment; and
5. Grand Action Foundation 2.0 agrees to pay all costs associated with the aforesaid encroachment; therefore

RESOLVED:

1. That the City hereby approves an Encroachment Agreement with Grand Action Foundation 2.0, that consents, with conditions, to encroachments within the Summer Avenue, Allen Street, Blumrich Street and Mount Vernon Avenue Alley rights-of-way; and
2. That the Mayor is hereby authorized to execute the aforesaid Encroachment Agreement on behalf of the City, contingent upon approval as to form by the City Attorney; and
3. That the City Clerk is hereby authorized and directed to record the aforesaid Encroachment Agreement with the Kent County Register of Deeds.

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CORRECT IN FORM

CITY ATTORNEY