

**OFFICIAL PROCEEDINGS
OF THE
City Commission
OF THE
CITY OF GRAND RAPIDS, MICHIGAN
Regular Session, Tuesday, September 24, 2024**

CALL TO ORDER

The Commission was called to order by Mayor Bliss at 7:00 p.m.

ROLL CALL

Present: Mayor Bliss, Second Ward Commissioner Knight, First Ward Commissioner O'Connor, Third Ward Commissioner Perdue, First Ward Commissioner Robbins, Second Ward Commissioner Ysasi, Third Ward Commissioner Goei

Absent: None.

The roll was called by the City Clerk.

APPROVAL OF MINUTES

On the motion of Com. O'Connor, supported by Com. Goei, the reading of the minutes of the regular session of September 10, 2024 was waived and said minutes were accepted as presented. Carried.

REPORTS OF CITY OFFICERS

93914 Result: Received and Filed

Comptroller's Warrant Report for the period of August 28, 2024 through September 9, 2024 in the amount of \$19,226,773.82.

93915 Result: Received and Filed

Treasurer's report for the period of August 27, 2024 through September 10, 2024.

CONSENT AGENDA

A. CONSENT AGENDA APPROVAL

93916 Result: Adopted

Mover: O'Connor. **Supporter:** Robbins.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

Adoption of the following items under the consent agenda.

B. FISCAL COMMITTEE**93917 Result: Approved****Mover: O'Connor. Supporter: Robbins.**

RESOLVED:

1. That a grant from the U.S. Department of Homeland Security through the Federal Emergency Management Agency in the amount of \$3,178,199.10 to support the base salary and fringe benefits for 10 firefighter positions is hereby accepted; and
2. That upon approval as to form by the City Attorney, the Mayor is hereby authorized to execute the grant agreement on behalf of the City.

93918 Result: Approved**Mover: O'Connor. Supporter: Robbins.**

RESOLVED:

1. That the City accepts the Michigan Department of Labor and Economic Opportunity Award #FTG-2024 in the amount of \$640,884.10; and
2. That the Mayor is hereby authorized to execute a grant agreement on behalf of the City in a form to be approved by the City Attorney to support acceptance of the Michigan Department of Labor and Economic Opportunity Award #FTG-2024.

93919 Result: Approved**Mover: O'Connor. Supporter: Robbins.**

RESOLVED:

1. That the City Commission authorizes a cooperative purchase through Sourcewell contract #113021-OKC for the purchase of an Original Equipment Manufacturer Pierce 100' aerial platform fire truck apparatus for the Fire Department from Halt Fire, Inc. in the amount of \$2,123,133.00; and
2. That the Mayor is authorized to execute agreements on behalf of the City to effectuate the purchase upon approval as to form by the City Attorney; and
3. The Comptroller is hereby authorized and directed to issue payments consistent with this resolution.

93920 Result: Approved**Mover: O'Connor. Supporter: Robbins.**

RESOLVED:

1. That the City Commission authorizes the acceptance of a continued grant

award for the benefit of motor vehicle theft prevention program for the ATPA portion of \$663,377.40 with a local match of \$442,251.60; and

2. That the awarded Grant CATT 22-25 between the City of Grand Rapids and the Auto Theft Prevention Authority be approved, and the Mayor, or Mayor's designee, is authorized to execute said agreement and related documents upon approval as to form by the City Attorney.

93921 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The SAFE Task Force has been allocated \$100,000 in the FY2025 budget; and
2. There are community organizations and individuals who have valid and exciting ideas on how to make for a violence free community; therefore

RESOLVED:

1. That the Mayor is hereby authorized to execute contracts of up to \$10,000 each to five qualified 501(c)(3) nonprofits and a \$10,000 contract for training and capacity building, in a form to be approved by the City Attorney in support of SAFE Task Force recommendations, in accordance with the criteria established for such contracts; and
2. The Comptroller is hereby authorized and directed to issue payments consistent with this resolution.

93922 Result: Approved

Mover: O'Connor. Supporter: Robbins.

RESOLVED:

1. That the two-year contract between the City of Grand Rapids and Grand Rapids Public Schools for an amount "not-to-exceed" \$48,000 be approved; and
2. That the Mayor is authorized to execute the contract on behalf of the City upon approval as to form by the City Attorney; and
3. The Comptroller is hereby authorized and directed to issue payments consistent with this resolution.

93923 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The Grand Rapids City Commission agree to enter into a contract with the Michigan Department of Transportation to perform certain maintenance activities utilizing City staff and equipment; and
2. The proposed contract allows for reimbursement to the City for the routine maintenance activities performed; and
3. The City of Grand Rapids and the Michigan Department of Transportation deem the maintenance activities mutually beneficial and in the best interest of the public; and
4. The City has the staff and equipment necessary to perform the maintenance activities according to Michigan Department of Transportation specifications and budget; therefore

RESOLVED:

1. The Municipal Trunkline Maintenance Contract between the Michigan Department of Transportation and the City of Grand Rapids for a term of five (5) years beginning on October 1, 2024, and terminating on September 30, 2029, in an amount "not-to-exceed" \$250,000 be approved; and
2. The Mayor is authorized to execute such contract on behalf of the City of Grand Rapids in a form approved by the City Attorney.

93924 Result: Approved

Mover: O'Connor. Supporter: Robbins.

RESOLVED:

1. That the City Commission authorizes acceptance of a grant award from the National Summer Learning Association for FAFSA completion in the amount of One Thousand Six Hundred Sixty-Six Dollars (\$1,666); and
2. That the agreement between the City and the National Summer Learning Association is hereby approved; and
3. That the grant period shall be from May 1, 2024, through August 31, 2024.

93925 Result: Approved

Mover: O'Connor. Supporter: Robbins.

RESOLVED:

1. That the City Commission authorizes acceptance of a grant award from the Michigan College Access Network for FAFSA completion in the amount of Ten Thousand Dollars (\$10,000); and

2. That the agreement between the City and the Michigan College Access Network is hereby approved, subject to Mayor's signature and approval as to form by the City Attorney; and
3. That the grant period shall be from August 1, 2024, through September 30, 2024.

93926 Result: Approved

Mover: O'Connor. Supporter: Robbins.

RESOLVED:

1. That a Memorandum of Understanding between the City and County of Kent is approved for the period of October 1, 2024, through September 30, 2027, for use of FFY 2024 Byrne Memorial Justice Assistance Grant (JAG) funds totaling \$177,293; and
2. That a Memorandum of Understanding between the City and Kent County be executed to carry out activities specified in the grant agreement, and the Mayor is authorized to execute said agreement; to approve amendments, including extensions to the period of performance and non-substantial project amendments; and other necessary documents related to the grant in a form approved by the City Attorney.

93927 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, the Grand Rapids City Commission hereby determines that the 101 South Division Lofts are qualified for, and should be granted, the exemption from all property taxes attributable to the rent restricted residential units occupied by low-income families and their pro-rated share of land and improvements, as provided in the State Housing Development Authority Act; therefore

RESOLVED:

1. That pursuant to Section 15(a) of the State Housing Development Authority Act and Article 5, Chapter 9 of Title I of the Code of the City of Grand Rapids, the City Commission hereby conditionally approves, subject to the receipt of the "Notification to Local Assessor of Exemption" from the Michigan State Housing Development Authority, an exemption from all property taxes attributable to the rent restricted residential units occupied by low-income families and their pro-rated share of land and improvements for the 101 South Division Lofts Limited Dividend Housing Association Limited Partnership and its successors and assigns, for the following parcel of property:

Unit No. 2 101 S. Division Lofts Condominium, according to the Master Deed thereof, recorded in Instrument No. 20081117-0100021, Kent County Records, and designated as Kent County Condominium Subdivision Plan 924, and any amendments thereto, together with rights in general common elements and limited common elements, as set forth in the Master Deed, and amended pursuant to Act 59 of the Public Acts of 1978, as amended.

Parcel Number: 41-13-25-444-002
Commonly known as 101 South Division Avenue

for a term not to exceed fifteen (15) years, provided however, upon verification by the owner to the City of a different term of a Federally-aided or Authority-aided mortgage, or Authority-aided advance or grant, the tax exemption shall be for the term of the actual assistance, not to exceed fifty (50) years. The tax exemption shall be effective on the December 31 immediately succeeding the receipt of the "Notification to Local Assessor of Exemption" from the Michigan State Housing Development Authority for said parcels. Notwithstanding the provisions of Section 15(a)(5) of the State Housing Development Authority Act to the contrary, a contract to provide tax exemption and accept payment in lieu of taxes, as previously described, between the City of Grand Rapids and the 101 South Division Lofts Limited Dividend Housing Association Limited Partnership with the Michigan State Housing Development Authority as third party beneficiary under this contract, is effectuated by the adoption of this resolution; and

2. That pursuant to Article 5, Chapter 9 of Title I of the Code of the City of Grand Rapids, the project shall pay a service charge in the amount equal to one percent (1%) of the annual shelter rental receipts for the rent restricted units occupied by low-income families and their pro-rated share of land and improvements ("Annual Shelter Rent"), in addition to making an annual contribution to the City of Grand Rapids' Affordable Housing Fund in an amount equal to two percent (2%) of Annual Shelter Rent; and if the annual contribution to the Affordable Housing Fund is not made, the service charge shall revert to four percent (4%) of Annual Shelter Rent; and
3. If the project is occupied by other than low income persons or families, that portion of the project shall pay a service charge equal to the full amount of the taxes that would be paid on that portion of the project if the project were not tax exempt, as provided by the Michigan State Housing Development Authority Act; and
4. That pursuant to Article 5, Chapter 9 of Title I of the Code of the City of Grand Rapids, the project shall annually file with the City Assessor before August 1st a complete set of audited financial statements for each previous calendar year, as requested.

93928 Result: Approved**Mover: O'Connor. Supporter: Robbins.****WHEREAS:**

1. Grand Action and the Grand Rapids-Kent County Convention/Arena Authority have submitted a formal request in the amount of \$27 million, jointly addressed to the City of Grand Rapids and Kent County, for the purpose of constructing the Acrisure Amphitheater; and
2. The requested funds represent the gap remaining in the \$183.7 million capital stack for the amphitheater project; and
3. The City of Grand Rapids and Kent County have finalized an agreement which would allocate revenue from three-eighths of the Lodging Excise Tax Fund in an amount needed to pay principal and interest on \$27.5 million bonds (accounting for the cost of issuance) issued by the City. The payment schedule will be finalized when the bonds are issued in early 2025; and
4. A one-time distribution from the Kent County Lodging Excise Tax Fund will fund a debt reserve fund to be held by the City in the amount equaling 1.5 times the average annual debt service. This reserve will be held until the bonds expire at which time the funds will be returned to the County's Lodging Excise Tax Fund. Over the period of the bond, all interest earned on the debt reserve will be deposited into the County's Lodging Excise Tax Fund; and
5. In the event that the revenues from the three-eighths of the Lodging Excise Tax Fund are insufficient to entirely cover the City's bond payment, the City will first use the bond reserve fund and then their general fund to fulfill their obligation to the bond holders. The City may regenerate the bond reserve using future surpluses of three-eighths of the Lodging Excise Tax and/or funds accumulated in the Lodging Excise Tax coming from three-eighths of lodging tax revenue; and
6. On August 22, 2024, the Kent County Commission approved an agreement with the City of Grand Rapids to allocate three-eighths of the Lodging Excise Tax Fund (i.e. the amount captured as a result of the voter approved 3% increase) to cover principal and interest payments on a \$27.5 million bond for the purpose of constructing the Acrisure Ampitheater; therefore

RESOLVED:

1. That the Grand Rapids City Commission approves an agreement with Kent County to allocate sufficient revenue from the Lodging Excise Tax Fund to cover principal and interest payments on a \$27.5 million bond issuance for the purpose of constructing the Acrisure Amphitheater; and
2. That the Mayor is hereby authorized to sign said agreement with Kent

County in a form to be approved by the City Attorney.

93929 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The City has determined to undertake, in cooperation with the City of Grand Rapids – Kent County Convention Arena Authority, among others, capital improvements consisting of the acquisition and construction of an approximately 12,000 person capacity amphitheater facility located at or in the vicinity of 201 Market Avenue, S.W. within the City as well all other work, furnishings, fixtures and equipment, and site improvements necessary and incidental thereto for the benefit of the City (the "Amphitheater Project") and to finance all or a portion of the costs of the Amphitheater Project by the issuance of one or more series of capital improvement bonds (the "Bonds") pursuant to Act 34 of the Public Acts of Michigan of 2001, as amended, MCL 141.2101 et seq. ("Act 34"); and
2. It is necessary to publish a notice of intent to issue the Bonds pursuant to Section 517 of Act 34; and
3. The City desires to express its intent to reimburse itself from proceeds of the Bonds for costs related to the Amphitheater Project that are paid prior to issuance of the Bonds; and
4. On August 22, 2024, Kent County Commission approved an agreement with the City of Grand Rapids to allocate three-eighths of the Lodging Excise Tax (i.e. the amount captured as a result of the voter approved 3% increase) to cover principal and interest payments on the \$27.5 million bond for the purpose of constructing the Acrisure Amphitheater; therefore

RESOLVED:

1. That the City shall undertake the Amphitheater Project and pay for all or a portion of the costs of the Amphitheater Project through the issuance of the Bonds in one or more series in a total amount "not-to-exceed" \$27,500,000.
2. That a notice of intent to issue the Bonds shall be published in accordance with Section 517 of Act 34.
3. That the City Clerk is authorized and directed to publish the notice of intent to issue the Bonds in *The Grand Rapids Press*, a newspaper of general circulation in the City, which notice shall contain the information required by Act 34. Such notice shall not be less than one-quarter page in size in the newspaper.

4. That the City, pursuant to Section 1.150-2 of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended, declares its intent to reimburse itself the costs of the Amphitheater Project and costs related thereto in an amount “not-to-exceed” \$27,500,000 through the issuance of the Bonds.
5. That a copy of this resolution shall be available for public inspection at the office of the City Clerk, 2nd Floor, City Hall, 300 Monroe Avenue, N.W., in the City.
6. That all resolutions or parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, rescinded.

93930 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, the Fiscal Committee has considered the attached bids; therefore

RESOLVED that contracts be prepared between the City and the following vendors, and that the Mayor be authorized to sign the contracts on behalf of the City, as follows, in a form to be approved by the City Attorney:

1. Boss Solutions

One-year contract extension with Boss Solutions for continued maintenance and support of the underground utility damage prevention one call ticket handling solution for the “not-to-exceed” annual amount of \$13,500.00.

2. Fredrickson Supply

One-year term contract with two, one-year renewal options for the “as-needed” rental of refuse trucks for the Public Works Department from Fredrickson Supply for the annual “not-to-exceed” amount of \$200,000.00; the three-year estimated total is \$600,000.00.

3. Bond Fluidaire

Fredrickson Supply

One-year term contracts with two, one-year renewal options for the “as-needed” purchase and delivery of various hoses and fittings for the Environmental Services Department from Bond Fluidaire for Sections I, II, & III for the annual “not-to-exceed” amount of \$15,000.00 (estimated three-year total amount of \$45,000.00); and from Ferguson Enterprises (dba Ferguson Waterworks) for Sections II & IV for the annual “not-to-exceed” amount of \$15,000.00 (estimated three-year total amount of \$45,000.00).

4. United Diagnostic Services

One-year term contract for the “as needed” services of cancer screenings for the Fire Department from United Diagnostic services for the annual “not-to-exceed” amount of \$51,600.00.

5. Elan Financial Services

Three-year agreement with Elan Financial Services for continued commercial charge card and account services for Citywide use, at no annual fee with an updated rebate schedule, estimated to provide an annual rebate to the City of \$15,000 (spend dependent).

FURTHER RESOLVED that the Purchasing Agent be authorized to proceed with awards to the following vendors:

6. Q-Mation, Inc.

One-year term contract, with two, one-year renewal options for annual support and maintenance of the Wonderware customer-first agreement standard level software and licenses from Q-Mation, Inc. for the Environmental Services Department for the first-year annual amount of \$52,657.00.

7. Lunghamer Ford of Owosso

Cooperative purchase through the State of Michigan MiDEAL Contract #071B7700180 is recommended for the purchase of twenty-six (26) 2025 Ford Maverick Super Crew AWD Hybrid vehicles for the Fleet Management Department from Lunghamer Ford of Owosso for the total amount of \$809,720.00.

8. Lunghamer Ford of Owosso

Cooperative purchase through the State of Michigan MiDEAL Contract #071B7700180 is recommended for the purchase of eleven (11) 2025 Ford Escape AWD Hybrid vehicles for the Fleet Management Department from Lunghamer Ford of Owosso for the total amount of \$374,748.00.

C. COMMUNITY DEVELOPMENT COMMITTEE**93931 Result: Approved**

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The City of Grand Rapids (the "City") and the City of Walker ("Walker") have previously entered into the Grand Rapids-Walker Development Cooperation Agreement (the "PA 425 Agreement") that conditionally transferred approximately 200 acres of vacant land located in Walker east of Walker Avenue, south of Four Mile Road, west of Bristol Avenue and north of Interstate Highway I-96 (the "Property") to the City of Grand Rapids, pursuant to Act 425 of the Public Acts of Michigan of 1984, as amended, MCL 124.21 et seq. ("Act 425"); and

2. The terms and conditions of the conditional transfer of such property were set forth in the PA 425 Agreement approved by the City Commission on May 24, 2016 (via Proceeding No. 85699); and
3. On October 23, 2018, the City Commission approved (via Proceeding No. 88263) a First Amendment to the PA 425 Agreement, extending the termination date to allow for more time to reimburse the developer of the Property for eligible Brownfield activities; and
4. The City and Walker now propose a Second Amendment to the PA 425 Agreement to enable the developer to be reimbursed for additional eligible Brownfield expenses, specifically public infrastructure on Walker Avenue, south of Four Mile Road; and
5. Prior to consideration of the approval of the PA 425 Agreement the City Commission must hold a public hearing pursuant to Act 425; therefore

RESOLVED:

1. That a public hearing be held on the Second Amendment to the PA 425 Agreement and the conditional transfer of property on October 8, 2024, at 2:00 p.m. in the City Commission Chambers on the 9th floor of City Hall, 300 Monroe Avenue NW, Grand Rapids; and
2. That the City Clerk is hereby authorized and directed to (a) post notice of the public hearing at City Hall, (b) publish notice of the public hearing in The Grand Rapids Press, a newspaper of general circulation in the City, and (c) mail by First Class Mail notice of the public hearing to the property owner(s) of record of the Property as indicated on the most recent City Assessor's records. Such posting, publication and notice shall be made at least 10 days prior to the public hearing; and
3. That prior to the public hearing, a copy of this resolution and the PA 425 Agreement shall be available at the City Clerk's office during regular business hours for public examination and inspection; and
4. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

93932 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. On December 7, 2010, the City Commission approved a New Personal Property Exemption application (via Proceeding No. 79949) as filed by Keebler Company; and
2. Since the approval of New Personal Property Exemption Certificate #310-2011 by the State Tax Commission on December 7, 2010, the installation of

new personal property at 310 28th Street SE (the "Project") was completed;
and

3. The Project has been transferred to Kellanova Manufacturing, LLC; therefore

RESOLVED:

1. That the transfer of New Personal Property Exemption Certificate #310-2011 from Keebler Company to Kellanova Manufacturing, LLC is approved; and
2. That the Economic Development Department shall provide notice of the assignment to the State Tax Commission.

93933 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. On April 23, 2019 (Proceeding No. 88701), the City awarded contracts on an "as-needed" basis to Abatement & Demolition Services, LLC (ADS) and Pro-Tech Environmental & Construction Services, Inc. (Pro-Tech) hereinafter referred to as the "Contractors" for the following project:

As-Needed Asbestos and Lead Abatement at Various Locations
(hereinafter referred to as the "Project"); and

2. The contract documents for the Project included provisions for the City, at its option, to extend each contract for an additional period of time contingent upon successful negotiations with the contractors; and
3. On June 16, 2020 (Proceeding No. 89959) the City extended contracts with ADS & Pro-Tech to June 30, 2021; and
4. On June 15, 2021 (Proceeding No. 90888) the City Extended contracts with ADS & Pro-Tech to June 30, 2022; and
5. On March 29, 2022 (Proceeding No. 91541) the City Extended contracts with ADS & Pro-Tech to June 30, 2023; and
6. On July 11, 2023 (Proceeding No. 92718) the City Extended contracts with ADS & Pro-Tech to June 30, 2024; and
7. On February 6, 2024 (Proceeding No. 93264) the City increased the not to exceed expenditures to \$900,000; and
8. On August 13, 2024 (Proceeding No. 93796) the City extended contracts with ADS & Pro-Tech to June 30, 2025; and

9. The City desires to increase the amount of expenditures authorized for projects associated with the aforesaid contracts in the amount of \$1,100,000 with total expenditures “not-to-exceed” \$2,000,000.

RESOLVED:

1. That expenditures for the Project be increased in the amount of \$1,100,000 with total expenditures “not-to-exceed” \$2,000,000.
2. That total expenditures for the Project in an amount of \$2,000,000 will be charged to the appropriate budgets for which these services are required. Said amount of \$2,000,000 include costs for construction, engineering/inspection, consultant services, testing and administration.
3. That the City Comptroller is hereby authorized and directed to make payment, in amounts and to said payees, as the City Engineer or his designee requests in connection with the Project.

93934 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, bids were received on September 5, 2024 for the following project:

Replacement of Private Lead Service Lines Contract 2024-3
(hereinafter referred to as the “Project”)

and BRiK Plumbing, LLC (BRiK) submitted a bid of \$865,699.10 for which the engineer’s estimate is \$963,740; therefore

RESOLVED:

1. That the bid of BRiK be accepted and that, upon approval as to form by the City Attorney, the Mayor and City Clerk be authorized to execute the contract documents for the Project on behalf of the City.
2. That total expenditures for the Project be authorized in an amount “not-to-exceed” \$1,124,700 which includes the costs of the construction contract, engineering/inspection, and contingencies. Said amount of \$1,124,700 to be charged to the applicable Water Fund Codes.
3. That the City Comptroller is hereby authorized and directed to make payment, in amounts and to said payees, as the City Engineer or his designee requests in connection with the Project.

93935 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, bids were received on September 10, 2024 for the following project:

Replacement of Private Lead Service Lines Contract 2024-4
(hereinafter referred to as the "Project")

and McDonald Plumbing Co. (McDonald) submitted a bid of \$407,865 for which the engineer's estimate is \$483,670; therefore

RESOLVED:

1. That the bid of McDonald be accepted and that, upon approval as to form by the City Attorney, the Mayor and City Clerk be authorized to execute the contract documents for the Project on behalf of the City.
2. That total expenditures for the Project be authorized in an amount "not-to-exceed" \$567,750 which includes the costs of the construction contract, engineering/inspection, and contingencies. Said amount of \$567,750 to be charged to the applicable Water Fund Codes.
3. That the City Comptroller is hereby authorized and directed to make payment, in amounts and to said payees, as the City Engineer or his designee requests in connection with the Project.

93936 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, it is necessary to approve a Construction Agreement in the amount of \$47,250 and Encroachment Agreement and accept a Sidewalk and Utilities Easement for the construction of public street lighting and improvements in connection with Improvements in Michigan Street and Lafayette Avenue (Corwell Health - New Ambulatory Building); therefore

RESOLVED:

1. That the aforesaid Construction Agreement in the amount of \$47,250 and Encroachment Agreement between the City of Grand Rapids and Corewell Health (Developer) be approved and that, upon approval as to form by the City Attorney, the Mayor and City Clerk be authorized to execute said Agreements on behalf of the City; and
2. That the City accept a Sidewalk and Utilities Easement for the construction and maintenance of public improvements from the following property owner, with description of the aforesaid Easement and for the nominal considerations as noted, which were paid by the developer.

Corewell Health \$1.00
100 Michigan Street NE
Grand Rapids, Michigan 49503

201 Michigan Street NE, Parcel No. 41-14-19-381-032

Total of Easement Area: 1968 Square Feet

3. That the City Clerk is hereby authorized and directed to record the aforesaid Easement with the Kent County Register of Deeds.

93937 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, bids were received on September 5, 2024 for the following project:

Repairs to Surface Lots at Various Locations
(hereinafter referred to as the "Project")

and C & D Hughes, Inc. (C&D) submitted a bid of \$584,472.80 for which the engineer's estimate, prepared by Hubbell, Roth & Clark, Inc. (HRC), is \$604,118; therefore

RESOLVED:

1. That the bid of C&D be accepted and that, upon approval as to form by the City Attorney, the Mayor and City Clerk be authorized to execute the contract documents for the Project on behalf of the City.
2. That total expenditures for the Project be authorized in an amount "not-to-exceed" \$799,495 which includes the costs of the construction contract, previously authorized design phase services by HRC, construction phase services including inspection by HRC, administration, and contingencies. Said amount of \$799,495 to be charged to the applicable Parking System Fund codes.
3. That the City Comptroller is hereby authorized and directed to make payment, in amounts and to said payees, as the City Engineer or his designee requests in connection with the Project.

93938 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, it is necessary to approve a Construction Agreement in the amount of \$5,000 and accept a Public Utilities Easement for the construction of public storm sewer and improvements in connection with Construction of Lafayette Avenue Alley and Storm Sewer in Public Easement (SE) (MoTown Square); therefore

RESOLVED:

1. That the aforesaid Construction Agreement in the amount of \$5,000 between the City of Grand Rapids, and MoTown Square Limited Dividend Housing Association Limited Partnership (Developer) be approved and that, upon

approval as to form by the City Attorney, the Mayor and City Clerk be authorized to execute said Agreement on behalf of the City; and

2. That the City accept a Public Utilities Easement for the construction and maintenance of public utilities from the following property owner, with description of the aforesaid Easement and for the nominal considerations as noted, which were paid by the developer.

MoTown Square Limited Dividend Housing \$1.00
Association Limited Partnership
1167 Madison Avenue SE
Grand Rapids, Michigan 49507

240 Hall Street SE, Parcel No. 41-18-06-127-078

Total of Easement Area: 2,640 Square Feet

3. That the City Clerk is hereby authorized and directed to record the aforesaid Easement with the Kent County Register of Deeds.

93939 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS, bids were received on September 10, 2024 for the following project:

Replacement of Elevators at Monroe Center Parking Ramp
(hereinafter referred to as the "Project")

and McGraw Construction Inc. (McGraw) submitted a bid of \$1,426,309 for which the engineer's estimate, prepared by Fishbeck, Thompson, Carr & Huber, Inc. (Fishbeck), is \$1,485,190; therefore

RESOLVED:

1. That the bid of McGraw be accepted and that, upon approval as to form by the City Attorney, the Mayor and City Clerk be authorized to execute the contract documents for the Project on behalf of the City.
2. That total expenditures for the Project be authorized in an amount "not-to-exceed" \$1,837,630 which includes the costs of the construction contract, previously authorized design phase services by Fishbeck, construction phase services including inspection by Fishbeck, administration, and contingencies. Said amount of \$1,837,630 to be charged to the applicable Parking System Fund codes.
3. That the City Comptroller is hereby authorized and directed to make payment, in amounts and to said payees, as the City Engineer or his designee requests in connection with the Project.

93940 Result: Approved**Mover: O'Connor. Supporter: Robbins.****WHEREAS:**

1. On December 5, 2023 (Proceeding No. 93099) the City Commission approved a resolution approving a one-year term contract with two, one-year renewal options for services related to the turnkey purchase, installation, and on-going maintenance of Chargepoint EV charging station equipment and hardware at City lots under the control of Mobile GR; and
2. It is necessary to grant an Easement to Consumers Energy for the described property in connection with the provision of EV charging infrastructure; therefore

RESOLVED:

1. That the City hereby approves an easement from the following property owner for the described property for the nominal consideration of One Dollar (\$1.00):

Consumers Energy (\$1.00)
One Energy Plaza
Jackson, MI 49201

2000 Division Avenue South Parcel Number: 41-18-07-101-038

Total of Easement Area: 450 Square Feet

2. That the Mayor is hereby authorized to execute the aforesaid easement 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 easement with the Kent County Register of Deeds.

D. COMMITTEE OF THE WHOLE**93941 Result: Approved****Mover: O'Connor. Supporter: Robbins.****WHEREAS:**

1. The State of Michigan has provided for the issuance of additional Liquor Licenses within the Downtown Development District, as authorized by Public Act 501 of 2006 (MCL 436.1521a(1)(b)); and
2. Rak Thai, LLC, at 435 Ionia Ave SW, Suite 124 Grand Rapids, MI 49503, Kent County, has submitted an application for a license under Section 521a(1)(b) of the Act; and

3. Rak Thai, LLC has supplied information with their application which supports the required stipulations of the Act; and
4. The City Assessor has submitted an affidavit stating the total amount of public and private investment in real and personal property within the Downtown Development District is in excess of \$200,000 over the preceding five (5) year time period; and
5. The Downtown Development Authority adopted a resolution on September 11, 2024, recommending approval of the issuance of a Development District Liquor License at 435 Ionia Ave SW, Unit 124, Grand Rapids, MI 49503, Kent County, above all others; therefore

RESOLVED that the request from Rak Thai, LLC located at 435 Ionia Ave SW, Unit 124, Grand Rapids, MI 49503, Kent County for a Development District Liquor License pursuant to Public Act 501 of 2006 (MCL 436.1521a(1)(b)) be approved above others.

93942 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The member of the Grand Valley Metropolitan Council have by majority vote approved Amendment No. 42 (Addition of Blendon Township) in the Articles of Incorporation of Grand Valley Metropolitan Council; and
2. The amendments have now been submitted for approval by the legislative bodies of the local governmental units that belong to the Grand Valley Metropolitan Council; and
3. The City of Grand Rapids has considered Amendment No. 42 to the Articles of Incorporation of the Grand Valley Metropolitan Council; therefore

RESOLVED:

1. That Amendment No. 42 to the Articles of Incorporation of the Grand Valley Metropolitan Council is hereby approved.
2. That the Mayor and City Clerk are hereby authorized to execute the amendment in a form approved by the City Attorney.

93943 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The City Commission Policy 700-02 "Submission of Applications for Grand-In-Aid Assistance" was adopted on February 15, 1972; and
2. On September 10, 2024, the City of Grand Rapids discussed proposed amended language to this Policy; and
3. The amended language would place formal limits on City roster positions that are grant funded so that when grant funds expire, the funded position would need to be removed from the City roster; therefore

RESOLVED that the City Commission approves the attached City Commission Policy 700-02, as amended.

93944 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The City Commission approved a Brownfield Plan (the "Plan") for the City of Grand Rapids Brownfield Redevelopment Authority (the "Authority") on December 22, 1998, pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of Michigan of 1996, as amended, MCL 125.2651 et seq. ("Act 381"); and
2. The Board of the Authority has recommended the Brownfield Plan Amendment for the Southtown Lofts project (the "Project") described therein (the "Amendment"); and
3. The City Commission held a public hearing on August 27, 2024, on the Amendment after notice in accordance with the requirements of Act 381; therefore

RESOLVED:

1. That the Amendment constitutes a public purpose under Act 381; and
2. That the Amendment meets all the requirements of Section 13(1) of Act 381; and
3. That the proposed method of financing the costs of the eligible activities, as identified in the Amendment and defined in Act 381, is feasible and the Authority has the authority to arrange the financing; and
4. That the costs of the eligible activities proposed in the Amendment are reasonable and necessary to carry out the purposes of Act 381; and
5. That the amount of captured taxable value estimated to result from the adoption of the Amendment is reasonable; and
6. That the Amendment is approved; and

7. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

93945 Result: Approved

Mover: O'Connor. Supporter: Robbins.

WHEREAS:

1. The designation of the 640 Eastern Avenue Neighborhood Enterprise Zone is in accordance with the Neighborhood Enterprise Zone Act, Act 147 of the Public Acts of Michigan of 1992, as amended; and
2. The City Commission on January 30, 2018, approved Resolution No. 87390 and adopted an amended City Commission Policy No. 900-45 for Neighborhood Enterprise Zones, which contains a statement of the City's goals, objectives, and requirements to designate an eligible area; and
3. The City Commission on November 12, 2013, approved Resolution No. 82916 and adopted an Ordinance to amend Chapter 69 of Title V of the City Code entitled, Neighborhood Enterprise Zones (NEZ); and
4. The adopted goals of this NEZ designation are to: revitalize existing neighborhoods and promote the creation of new residential areas; promote new construction and the rehabilitation of housing; encourage investment, advance City strategies for homeownership, economic development, mixed-income development, sustainability, infill, and elimination of blight; and to implement the Master Plan; and
5. Designation of the 640 Eastern Avenue NEZ is consistent with the Master Plan and City neighborhood preservation and economic development goals; and
6. The NEZ designation addresses the strategic goals for the area relative to the maintenance, preservation, and improvement of the existing housing, and promoting homeownership and development of housing for all persons regardless of income level living within the proposed NEZ; and
7. The owner or developer or prospective owner or developer of a proposed new facility or an owner or developer or prospective developer proposing to substantially rehabilitate property located in the 640 Eastern Avenue NEZ may file an application for a 15-year neighborhood enterprise zone exemption certificate with the City Clerk in accordance with the Neighborhood Enterprise Zone Act, Act 147 of the Public Acts of Michigan of 1992, as amended, and in accordance with the Chapter 69 of Title V of the Code of the City of Grand Rapids, and City Commission Policy 900-45, as amended; and

8. As part of the NEZ designation process, the City Commission establishes the 640 Eastern Avenue NEZ as a Qualified Downtown Revitalization District in accordance with the Neighborhood Enterprise Zone Act, Act 147 of the Public Acts of Michigan of 1992, as amended, and in accordance with the Chapter 69 of Title V of the Code of the City of Grand Rapids, and City Commission Policy 900-45, as amended; therefore

RESOLVED:

1. That the City Commission establishes the 640 Eastern Avenue NEZ as a Qualified Downtown Revitalization District in accordance with the Neighborhood Enterprise Zone Act, Act 147 of the Public Acts of Michigan of 1992, as amended; and
2. That the City Commission hereby establishes the 640 Eastern Avenue NEZ as that area consisting of the parcel of land known as 640 Eastern Avenue SE (PPN 41-14-32-152-001); and
3. That the City Clerk shall forward a certified copy of this resolution to the Michigan State Tax Commission.

ORDINANCES

93946 Result: Approved

Mover: O'Connor. Supporter: Ysasi.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

ORDINANCE NO. 2024 - 36

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That the following constitutes amended additions to the designated line items of Section 1 of Ordinance 2024-23, the Budget of the City of Grand Rapids for Fiscal Year 2025, as amended.

General Operating Fund

Previously Approved Resources	188,725,613.00
Other	125,000.00
From (To) Fund Balance	-
Total Amended Resources	<u>188,850,613.00</u>
Previously Approved Appropriations	188,725,613.00
Stormwater Department	125,000.00
Total Amended Appropriations	<u>188,850,613.00</u>

Other Grants Fund

Previously Approved Resources	22,836,234.46
Other	590,363.00

From (To) Fund Balance	-
Total Amended Resources	<u>23,426,597.46</u>
Previously Approved Appropriations	22,836,234.46
Requested Changes	590,363.00
Total Amended Appropriations	<u>23,426,597.46</u>
MI Indigent Defense Commission Fund	
Previously Approved Resources	1,173,980.97
Other	3,334,860.84
From (To) Fund Balance	-
Total Amended Resources	<u>4,508,841.81</u>
Previously Approved Appropriations	1,173,980.97
Requested Changes	3,334,860.84
Total Amended Appropriations	<u>4,508,841.81</u>
Community Development Program Fund	
Previously Approved Resources	8,828,749.80
Other	177,948.86
From (To) Fund Balance	-
Total Amended Resources	<u>9,006,698.66</u>
Previously Approved Appropriations	8,828,749.80
Requested Changes	177,948.86
Total Amended Appropriations	<u>9,006,698.66</u>
Lead Hazard Control/Reduction Fund	
Previously Approved Resources	6,787,316.64
Other	762,546.40
From (To) Fund Balance	-
Total Amended Resources	<u>7,549,863.04</u>
Previously Approved Appropriations	6,787,316.64
Requested Changes	762,546.40
Total Amended Appropriations	<u>7,549,863.04</u>
61st District Court Grants Fund	
Previously Approved Resources	575,012.08
Other	466,000.00
From (To) Retained Earnings	-
Total Amended Resources	<u>1,041,012.08</u>
Previously Approved Appropriations	575,012.08
Requested Changes	466,000.00
Total Amended Appropriations	<u>1,041,012.08</u>

Parks - Capital Projects Fund

Previously Approved Resources	9,122,697.56
Other	479,600.00
From (To) Fund Balance	-
Total Amended Resources	<u>9,602,297.56</u>
Previously Approved Appropriations	9,122,697.56
Requested Changes	479,600.00
Total Amended Appropriations	<u>9,602,297.56</u>

Capital Improvement Bonds Series 2024 Fund - Street Lighting & Chiller

Previously Approved Resources	-
Other	12,870,162.55
From (To) Fund Balance	-
Total Amended Resources	<u>12,870,162.55</u>
Previously Approved Appropriations	-
Requested Changes	12,870,162.55
Total Amended Appropriations	<u>12,870,162.55</u>

Capital Improvement Bonds Series 2024 Fund - Parks

Previously Approved Resources	-
Other	11,402,219.40
From (To) Fund Balance	-
Total Amended Resources	<u>11,402,219.40</u>
Previously Approved Appropriations	-
Requested Changes	11,402,219.40
Total Amended Appropriations	<u>11,402,219.40</u>

Vital Streets Capital Projects - Non-Bond Fund

Previously Approved Resources	36,859,494.10
Other	376,005.40
From (To) Fund Balance	-
Total Amended Resources	<u>37,235,499.50</u>
Previously Approved Appropriations	36,859,494.10
Requested Changes	376,005.40
Total Amended Appropriations	<u>37,235,499.50</u>

Capital Improvement Fund

Previously Approved Resources	97,432,184.61
Other	4,950.00
From (To) Fund Balance	-
Total Amended Resources	<u>97,437,134.61</u>
Previously Approved Appropriations	97,432,184.61

Requested Changes	4,950.00
Total Amended Appropriations	<u>97,437,134.61</u>

Result: Approved**Mover: O'Connor. Supporter: Knight.****Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei**

Motion to give immediate effect.

93947 Result: Approved**Mover: Ysasi. Supporter: Robbins.****Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei**

**AN ORDINANCE TO AMEND MAP 11 OF CHAPTER 61
OF TITLE V OF THE CODE OF THE CITY OF GRAND RAPIDS,
THE "ZONING ORDINANCE"**

ORDINANCE NO. 2024 - 37

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Map 11 of Chapter 61 of Title V of the City Code of Grand Rapids be amended to rezone 1947 and 1961 Alpine Avenue NW from the SD-IT (Special District-Industrial Transportation) Zone District to the TN-TCC (Traditional Neighborhood-Transitional City Center) Zone District to facilitate future commercial redevelopment.

Parcel Identification #: 41-13-14-227-007

Property Address: 1947 Alpine Avenue NW

Legal Description: Part of the Northeast ¼, commencing on the West line of Alpine Avenue (66 feet wide) 121.84 feet South of the North section line, thence N87°11'38"W 325.63 feet to the Northerly line of the Grand Rapids Eastern (formerly the Central Michigan, formerly the GT, formerly the Detroit, Grand Haven and Milwaukee) Railroad Company's right of way (100 feet wide), thence S57°41'20"E along said Northerly line 384.81 feet to the Westerly line of Alpine Avenue, thence North along said Westerly line 190.20 feet to the point of beginning. Section 14, T7N, R12W.

Parcel Identification #: 41-13-14-227-006

Property Address: 1961 Alpine Avenue NW

Legal Description: Part of the Northeast ¼, commencing at the intersection of North section line and the West line of Alpine Avenue (66 feet wide), thence South along the West line of said Avenue 121.84 feet, thence N87°11'38"W 325.63 feet to the Northerly line of Grand Rapids Eastern (formerly the Central Michigan, formerly the GT, formerly the Detroit, Grand Haven and Milwaukee) Railroad Company's right of way (100 feet wide), thence N57°41'20"W along said Northerly line 269.43 feet to the North section line, thence S86°03'11"E along

the North section line 553.81 feet to the point of beginning. Section 14, T7N, R12W

93948 Result: Approved

Mover: O'Connor. Supporter: Robbins.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

**AN ORDINANCE TO AMEND MAP 45 OF CHAPTER 61 OF TITLE V
OF THE CODE OF THE CITY OF GRAND RAPIDS,
THE "ZONING ORDINANCE"**

ORDINANCE NO. 2024 - 38

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Map 45 of Chapter 61 of Title V of the City Code of Grand Rapids be amended to rezone 1813 Boston Street SE and 1550 Plymouth Avenue SE from the MCN-LDR (Mid-20th Century Neighborhood-Low Density Residential) Zone District into an existing Planned Redevelopment District at 1845 and 1919 Boston Street SE, and amending the site plan associated with the expanded Planned Redevelopment District to facilitate the construction of new assisted living and independent living residences at Beacon Hill at Eastgate.

The properties can be described as follows:

1550 PLYMOUTH AVE SE (41-18-04-177-024)

PART IF NWFR L 1/4 COM 33 FT N & 39 FT E OF SW COR OF SE 1/4 NWFR L 1/4 TH E ALONG N LINE OF BOSTON ST 79.90 FT TH N 175.7 FT TH W 85.70 FT TO W LINE OF PLYMOUTH AVE TH S LONG SD W LINE 169.70 FT TH SELY TO BEG * SEC 4 T6N R11 W 0.35A.

1813 BOSTON ST SE (41-18-04-177-012)

PART OF NW FR L 1/4 OF* SEC 4 T6N R11W* COM 118.7 FT E OF SW COR OF SE 1/4 OF NW FR L 1/4 SD SEC TH E 90 FT N 208.7 FT W 90 FT TH S TO BEG

1845 SE BOSTON ST (41-18-04-177-013)

SW 1/4 OF SE 1/4 OF NW 1/4 OF* SEC 4 T6N R11W* EXCEPT 1 ACRE IN SQUARE FORM OUT OF THE SW COR THEREOF /9 ACRES/

1919 BOSTON ST SE (41-18-04-177-030)

PART OF MARYBURG PLAT ALSO PART OF MARYBURG PLAT NO. 1 ALSO PART OF NW 1/4 SEC 4 T6N R11W COM AT SE COR OF LOT 29 OF MARYBURG PLAT TH N 86D 52M 20S W ALONG N LINE OF BOSTON ST 355.09 FT TO SW COR OF MARYBURG PLAT NO. 1 TH S 0D 02M 40S W 33.05 FT TH N 86D 52M 20S W ALONG S LINE OF NW 1/4 445.13 FT TH N 0D 08M 40S E 992.27 FT ALONG E LINE OF JOHN NEWHOF PLAT NO. 1 & ITS SLY EXT TH S 86D 38M 00S E ALONG S LINE OF SHANGRAI-LA HEIGHTS NO. 1 443.50 FT TH S 0D 02M 40S W ALONG W LINE OF

MARYBURG PLAT NO. 1 357.43 FT TO NW COR OF LOT 72 OF SD PLAT TH N 89D 18M 30S E ALONG S LINE OF EVERGREEN ST 228.34 FT TH S 0D 00M 00S ALONG W LINE OF MARYBURG PLAT 183.01 FT TO A PT 17.0 FT N OF SW COR OF LOT 19 MARYBURG PLAT TH S 19D 26M 41S E 18.02 FT TO A PT ON S LINE OF SD LOT 6.0 FT E OF SW COR OF SD LOT TH N 89D 57M 30S E ALONG S LINE OF SD LOT 25.86 FT TH S 0D 00M 00S ALONG E LINE OF W 31.87 FT OF LOTS 20 & 21 MARYBURG PLAT 60.0 FT TH S 89D 57M 30S E ALONG N LINE OF S 1/2 OF LOT 21 MARYBURG PLAT 93.65 FT TH S 0D 02M 30S E ALONG W LINE OF CORNELL DR 362.24 FT TO BEG

Section 2. As provided in Section 5.12.12.F. of the Zoning Ordinance, that the following provisions are an integral part of this Ordinance:

1. That the application and plans submitted by the applicant and signed, dated and stamped by the Planning Director, shall constitute the approved plans, except if plan elements do not meet ordinance requirements and/or as amended in this resolution.
2. That the use shall operate according to the application and per testimony as recorded in the Planning Commission minutes.
3. That signage for the development, including the retail café use, shall be governed by the rules and requirements for residential zone district, unless a Planned Sign Program shall be approved in the future.
4. That a Land Use Development Services (LUDS) permit, building permit, and all other required permits be obtained from the City of Grand Rapids prior to construction, demolition, or operation.
5. That the site shall maintain at least 30% greenspace and 48% tree canopy.
6. That construction activity shall be limited to 7 a.m. to 7 p.m.
7. That the proposed use will comply with all other applicable City ordinances and policies and all State laws.
8. That this approval shall take effect as required by the City Commission approval in accordance with Section 5.12.12.G. of the Zoning Ordinance.

93949 Result: Approved

Mover: O'Connor. Supporter: Ysasi.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

**AN ORDINANCE TO AMEND MAP 43 OF CHAPTER 61 OF TITLE V
OF THE CODE OF THE CITY OF GRAND RAPIDS,
THE "ZONING ORDINANCE"**

ORDINANCE NO. 2024 - 39**THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:**

Section 1. That 1639 Madison Avenue SE located on Map 43 of Chapter 61 of Title V of the City Code of Grand Rapids be rezoned from TN-LDR (Traditional Neighborhood-Low Density Residential) and TN-TBA (Traditional Neighborhood-Traditional Business Area) Zone Districts to the SD-IT (Special District-Industrial Transportation) Zone District, with a conditional rezoning agreement to facilitate the construction of a light industrial manufacturing facility.

The property is described as follows:

1639 Madison Avenue SE / 41-18-06-326-037

The South 1/2 of Lot 28, and all of Lots 29 through 44 and 66 through 75, inclusive, Jed Miner's Addition to the City of Grand Rapids, Kent County, Michigan, (as recorded in Liber 11 of Plats, Page 17, Kent County Records); also including a vacated portion of Lafayette Avenue; also including a vacated portion of Montgomery Street; being part of the East 1/2 of the Southwest 1/4 of Section 6, Town 6 North, Range 11 West, City of Grand Rapids, Kent County Michigan. This parcel can more accurately be described as: Commencing at the Center of said Section 6; thence N88°15'25"W 33.09 feet along the North line of the SW 1/4 of said Section 6 to the West line of Madison Avenue; thence S02°22'16"E 283.79 along said West line of Madison Avenue to the PLACE OF BEGINNING of this description; thence N88°18'37"W 820.90 feet to the NW corner of said Lot 44; thence S02°22'42"E 106.62 feet along the West line of said Lot 44 to the North line of Montgomery Street; thence S88°18'23"E 420.78 feet along said North line to the West line of vacated Montgomery Street; thence S02°28'45"E 50.62 feet along said West line to the South line of Montgomery Street; thence N88°10'56"W 40.00 feet along said South line to the NW corner of said Lot 66; thence S02°19'13"E 105.28 feet along the West line of said Lot 66 to the SW corner of said Lot 66; thence S88°13'08"E 440.15 feet along the South line of said Lots 66 through 73 and Lot 75 to the West line of Madison Avenue; thence N02°22'16"W 263.16 along said West line of Madison Avenue to the Place of Beginning. Contains 3.53 acres.

93950 Result: Approved

Mover: O'Connor. Supporter: Robbins.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

**ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 61,
TITLE V OF THE CODE OF THE CITY OF GRAND RAPIDS
ENTITLED "ZONING ORDINANCE"**

ORDINANCE NO. 2024 - 40**THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:**

Section 1. That Title V, Chapter 61, Subsection B.3. of Section 5.6.01. of the Code of the City of Grand Rapids be amended to read as follows:

Sec. 5.6.01. Purpose and Intent.

3. “*Core Commercial Areas.* Core commercial areas are primarily focused around particular intersections, with defined edges that abut less intense uses. Transit-Oriented Development Zone Districts are focused on creating viable areas for transit and transit stations. The scale and intensity of those core areas, however, varies depending upon the Neighborhood Classification, the available land area, proximity of established residential neighborhoods and street capacity. Rezoning requests to a Transit-Oriented Development require the installation of a qualifying transit station, as described in Section 5.6.08.B.2.c.”

Section 2. That the Car wash and Vehicle fuel station rows of the Auto Oriented use category of Title V, Chapter 61, Table 5.06.06.B. of Section 5.6.06. of the Code of the City of Grand Rapids be amended to read as follows:

Sec. 5.6.06. Uses of Land.

B. *Uses Table.*

Table 5.6.06.B. Uses: Mixed-Use Commercial Zone Districts								
Use Category	Specific Use	TN			TN MCN MON	MCN MON	NOS	Use or Other Regulations
		CC *	TCC	TBA ***	TOD **	C		
COMMERCIAL, OFFICE, RETAIL								
Auto-Oriented	Car wash	X	X	S	X	“S”	X	-
	Vehicle fuel station (without vehicle repair, may include 1,000 sq. ft. convenience store)	S	S	S	X	“S”	X	5.9.38.

Section 3. That Title V, Chapter 61, Section 5.6.06. of the Code of the City of Grand Rapids be amended by deleting subsection 5.6.06.E.

Section 4. That Title V, Chapter 61, Subsection B. of Section 5.6.07. of the Code of the City of Grand Rapids be amended to read as follows:

Sec. 5.6.07. Site Layout and Building Placement Requirements.

B. “*Lot Density.*

1. **Maximum Density.** The minimum lot area requirements may not permit the maximum permitted density. Other factors, such as off-street parking, height limits, and lot configuration may limit the overall density.
2. **Bonus Allowances.** Buildings may qualify for a density bonus based upon the Gross Floor Area (GFA) of the development devoted to the features established in Table 5.6.07.B.2. Density Bonus Table.

Table 5.6.07.B.2. Density Bonus Table			
Feature Type	District	Bonus	
Mixed-Income Housing (5.6.07.B.2.a.)	TCC, TBA, TOD, C	Minimum lot area per dwelling unit may be reduced by up to 500 sq. ft. per unit for providing a mix of affordable and market rate dwelling units	
Micro-Unit (5.6.07.B.2.b.)	TCC, TBA, TOD, C	Minimum lot area per dwelling unit waived	
Affordable Housing (5.6.07.B.2.c.)	TCC; TBA, TOD, C	Minimum lot area per dwelling unit may be reduced with provision of affordable units	Up to 500 sq. ft. per unit with units priced between 60% and 70% AMI
			Up to 1,000 sq. ft. per unit with units priced at or below 30% AMI

- a. **Mixed-Income Housing Bonus.** The minimum lot area per dwelling unit in a multiple family development may be reduced by up to five hundred (500) square feet per unit for development projects that satisfy the criteria below:
 - i. The development is located within a half mile of a Bus Rapid Transit (BRT) station or one quarter of a mile of a transit stop, as measured from the nearest lot line to the right-of-way of the street along which the transit line runs;
 - ii. The development includes at least twenty (20) dwelling units;
 - iii. Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of rental units are priced for households at or below sixty (60) percent of Area Median Income, as adjusted for family size, with rental charges priced by the same method for at least fifteen (15) years;
 - iv. Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of ownership units are priced for households at or below eighty (80) percent of Area Median Income, as adjusted for family size;
 - v. The remaining units are priced at market rate;

- vi. The affordable units shall be comparable in unit sizes and amenities to the market rate units and shall be evenly distributed throughout the development;
 - vii. Provisions shall be made for the annual certification of eligible tenants and purchasers, certification of rental property and monitoring of affordable housing requirements. A density agreement shall be approved by the City Commission.
- b. *Micro-Unit Density Bonus.* The minimum lot area per dwelling unit in a multiple family development may be waived when all of the following conditions are met.
- i. The unit has a GFA of no more than four hundred seventy-five (475) square feet;
 - ii. The primary entrance of the building containing the unit(s) is located within a half mile of a Bus Rapid Transit (BRT) station or one quarter of a mile of a transit stop;
 - iii. In addition to required vehicle parking per Section 5.10.04.C., two (2) bicycle spaces per unit are provided, and;
 - iv. The unit shall be subject to the occupancy limitations of the International Property Maintenance Code, as amended.
- c. *Affordable Housing Bonus.* There are two bonus alternatives available for Multiple-Family developments in accordance with the provisions of Table 5.6.07.B.2.
- i. *Alternative 1:* The minimum lot area per dwelling unit may be reduced by up to five-hundred (500) square feet per dwelling unit where at least twenty (20) percent of the total number of dwelling units are priced between sixty (60) percent and seventy-nine (79) percent of Area Median Income, as adjusted for family size, with rates remaining affordable for at least thirty (30) years.
 - ii. *Alternative 2:* The minimum lot area per dwelling unit may be reduced by up to one thousand (1,000) square feet per dwelling unit where at least twenty (20) percent of the total number of dwelling units are priced at or below thirty (30) percent of Area Median Income, as adjusted for family size, with rates remaining affordable for at least thirty (30) years. Within the TOD and C Zone Districts, this bonus

may be used in conjunction with 5.6.08.B.2.d. for one (1) additional story.

- iii. The Affordable Housing Bonus, as permitted in subsections i. and ii. above, are available only when the following conditions are met:
 - (a) The affordable units shall be comparable in unit sizes, amenities and location with the market rate units.
 - (b) The property owner agrees to the submission of annual reports to the City regarding certification of eligible tenants and purchasers, annual certification of rental property and monitoring of affordable rental housing requirements.
 - (c) That the property owner agrees in writing and recorded with the Kent County Register of Deeds and in a form approved by the City Attorney, that continual compliance with all conditions contained herein are necessary to maintain compliance with this Chapter. A violation of any condition is a violation of the Zoning Ordinance and is a nuisance per se for which the City of Grand Rapids may in addition to other remedies, institute any court or enforcement action provided for by law, including but not limited to, seeking injunctive relief or abatement after a notice and hearing before the Board of Zoning Appeals.”

Section 5. That Title V, Chapter 61, Subsection B. of Section 5.6.08. of the Code of the City of Grand Rapids be amended in its entirety to read as follows:

Sec. 5.6.08. Building Element Requirements.

B. “Building Height.

1. Height Limitations.

- a. Height requirements, including bonus height provisions, are subject to the provisions of Section 5.8.02. OD-DH Downtown Height Overlay District and Section 5.8.03. OD-GR Grand River Overlay District, where applicable.
- b. Building heights in all other Mixed-Use Commercial Districts shall not exceed the maximum number of stories as listed in Table 5.6.08.A Building Elements.

2. **Bonus Allowances.** Buildings may qualify for a bonus height allowance based upon the Gross Floor Area (GFA) of the development devoted to the features established in Table 5.6.08.B.2 Bonus Table. Bonus height allowances may be used in combination provided that building heights shall not exceed the maximum number of stories in Table 5.6.08.A. Building Elements.

Table 5.6.08.B.2. Bonus Table				
Feature Type	District	Provision		Bonus
Urban Open Space (5.6.08.B.2.a.)	TOD, C	Minimum site area	25%	1 story
			50%	2 stories
Mixed-Income Housing (5.6.08.B.2.b.)	TOD, C	Mix of affordable and market rate dwelling units		1 story
Transit Station (5.6.08.B.2.c.)	TOD, PRD	Transit station along the assigned Bus Rapid Transit (BRT) route as approved by The Rapid		3 stories
Affordable Housing (5.6.08.B.2.d.)	TOD, C	At least 20% of the total dwelling units are priced at or below 30% of AMI		1 story
Bonus heights for the TN-CC and TN-TCC Zone Districts are described in Sections 5.8.02. and 5.8.03.				

- a. **Urban Open Space Bonus.** To qualify for this bonus provision, at least the minimum noted urban open space shall be provided on the site, with public access directly from the sidewalk at ground level. The façade along the RBL requirement of Section 5.6.08.D. may be reduced by twenty (20) percent (e.g. a 90% requirement may be reduced to 70%) by the Director if deemed necessary to accommodate the installation of qualifying urban open space. The Director shall grant only that reduction necessary to accommodate the urban open space.
- b. **Mixed-Income Housing Bonus.** May be used in conjunction with 5.6.07.B.2.a. for additional density One (1) additional story may be permitted above the maximum permitted by the Zone District for development projects that satisfy all the criteria below:
 - i. The development is located within a half mile of a Bus Rapid Transit (BRT) station or one quarter of a mile of a transit stop, as measured from the nearest lot line to the right-of-way of the street along which the transit line runs;
 - ii. The development includes at least twenty (20) dwelling units;
 - iii. Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of rental units are priced for

- households at or below sixty (60) percent of Area Median Income, as adjusted for family size, with rental charges priced by the same method for at least fifteen (15) years;
- iv. Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of ownership units are priced for households at or below eighty (80) percent of Area Median Income, as adjusted for family size;
 - v. The remaining units are priced at market rate;
 - vi. The affordable units shall be comparable in unit sizes and amenities to the market rate units and shall be evenly distributed throughout the development;
 - vii. Provisions shall be made for the annual certification of eligible tenants and purchasers, certification of rental property and monitoring of affordable housing requirements. A density agreement shall be approved by the City Commission.
- c. *Transit Station Bonus.* The transit station bonus shall only be approved as part of a submittal for a large development project at a location recognized by The Rapid as a desirable transit station for bus rapid transit (BRT) or trolley. A notarized statement from the Rapid verifying that the proposed transit station location and design is acceptable is required. The minimum dollar amount dedicated for this purpose shall be commensurate with the median cost of land per buildable square foot in the general vicinity. Transit station development shall reflect the intent of urban open space requirements in Section 5.11.14. Development of the station shall be accomplished using one (1) of the following methods.
- i. Construction by the developer shall require the submittal of appropriate drawings, detailed construction commitments, a construction schedule, and a performance guarantee meeting the requirements of Section 5.14.04 for completion of the improvements, to be approved by the City Engineer and the transit authority.
 - ii. Cash contribution for transit station improvements that are to be undertaken by agencies such as The Rapid, shall enter into an agreement with the City of Grand Rapids and the agency undertaking the improvement. All agreements shall be in a form approved by the City Attorney.
- d. *Affordable Housing Bonus.* May be used in conjunction with 5.6.07.B.2.c.ii. for additional density. Within the TOD and C Zone Districts, one (1) additional story above the maximum permitted by

the Zone District may be permitted, where at least twenty (20) percent of the total number of dwelling units are priced at or below thirty (30) percent of Area Median Income, as adjusted for family size, with rates remaining affordable for at least thirty (30) years, when all of the following conditions are met:

- i. The affordable units shall be comparable in unit sizes, amenities and location with the market rate units.
 - ii. The property owner agrees to the submission of annual reports to the City regarding certification of eligible tenants and purchasers, annual certification of rental property and monitoring of affordable rental housing requirements.
 - iii. That the property owner agrees in writing and recorded with the Kent County Register of Deeds and in a form approved by the City Attorney, that continual compliance with all conditions contained herein are necessary to maintain compliance with this Chapter. A violation of any condition is a violation of the Zoning Ordinance and is a nuisance per se for which the City of Grand Rapids may in addition to other remedies, institute any court or enforcement action provided for by law, including but not limited to, seeking injunctive relief or abatement after a notice and hearing before the Board of Zoning Appeals.
3. *Administrative Departures.* An Administrative Departure from building height requirements may be permitted for:
- a. A reduction in the minimum height requirement for auto-oriented uses and for buildings in those Zone Districts where seventy (70) percent or more of existing buildings and structures located on the same block are single story.
 - b. Reconstruction to the former building height (that exceeds the maximum permitted height in Table 5.6.08.A.) where a building is partially destroyed by an Act of God. The determination shall consider factors such as the extent of destruction, character of the building and its surroundings and cost of reconstruction."

Section 6. That Title V, Chapter 61 Subsection F. of Section 5.10.04. of the Code of the City of Grand Rapids be amended in its entirety to read as follows:

Sec. 5.10.04. Off-Street Parking: Space Requirements.

F. *"Traditional Neighborhoods - City Center (TN-CC) Zone District Parking Requirements.*

1. Off-street parking shall not be required.
2. If provided, the number of spaces required for all uses shall not exceed one (1) space for each one thousand (1,000) square feet of gross floor area for all non-residential buildings and hotels, and one (1) space per dwelling unit.
3. Administrative Departure.
 - a. An Administrative Departure may permit General or Professional Office uses to provide up to three (3) spaces for each one thousand (1,000) square feet of gross floor area if all of the following conditions are met:
 - i. The gross floor area of the use is at least 100,000 square feet.
 - ii. The off-street parking provided is located within a structure.
 - iii. That a Traffic Analysis meeting the requirements of the City's Transportation Engineer be submitted for review and approval by the City's Mobile GR Department.
 - iv. A Transportation Demand Management (TDM) plan is submitted that demonstrates compliance with the below requirements.
 - (a) Bicycle parking and commuter amenities.
 - 1) Enclosed, secure bicycle parking facilities, such as bicycle lockers or bicycle rooms are provided on site and given priority location on the ground floor.
 - 2) The required number of bicycle parking spaces provided shall be provided as indicated in Table 5.10.04.F.3.

Table 5.10.04.F.3. Required Bicycle Parking Spaces		
Vehicle Spaces Proposed	Bicycle Spaces Required*	
1/1,000 sq. ft.	1/10,000 sq. ft.	No fewer than 3 spaces shall be provided.
2/1,000 sq. ft.	2/10,000 sq. ft.	
3/1,000 sq. ft.	3/10,000 sq. ft.	
*After the first 20 required bicycle spaces, additional spaces shall be calculated at 50% of the table values.		

- 3) A bicycle maintenance station is provided with three (3) feet of unobstructed space on each side. Tools and supplies should include at a minimum: a bicycle pump, wrenches, a chain tool, tire levers, hex

keys/Allen wrenches, torx keys, screwdrivers, and spoke wrenches.

- 4) Showers and clothing lockers available to all employees are provided on site.

(b) Carpooling.

- 1) A minimum of five (5) percent of total parking spaces on site are reserved for priority carpool parking. Priority spaces must be the closest to building entrances or elevators but not closer than disabled parking.

(c) Micromobility.

- 1) A shared micromobility designated parking zone is provided that has adequate space for several vehicles and is accessible from or within the public right of way, as determined by the Mobile GR Department.

(d) Transit.

- 1) A transit pass agreement with The Rapid is provided and fully funded by the employer that allows all employees to commute via transit on an ongoing basis at no cost to the employees.
- 2) Any existing bus stops that abut the subject property shall be improved bus stop amenities (e.g., a shelter) as required and meeting specifications determined by The Rapid and Mobile GR Department.

(e) Parking cash out.

- 1) A parking cash out program meeting the requirements of Section 5.10.04.F.3.b. below is made available to all employees.

- b. A parking cash out program is a program in which the employer offers employees the option to accept taxable cash income instead of a free or subsidized parking space at work. The reimbursement shall be no lower than the monthly rate of the nearest public parking ramp or a commensurate ratio of the rate depending on days required in-office."

Section 7. That Title V, Chapter 61 of Section 5.10.04. of the Code of the City of Grand Rapids be amended to add a new subsection H. "Micro-Units," to read as follows:

Sec. 5.10.04. Off-Street Parking: Space Requirements.

"H. *Micro-Units.* The number of required off-street parking spaces for developments that contain micro-units as outlined in Article 6 (Sec. 5.6.07.B.2.b.) may be calculated at one-half (0.5) less space per micro-unit than what is required in Table 5.10.04.C., as long as two (2) bike spaces are also provided per micro-unit. Bicycle spaces provided in association with this calculation shall be in an enclosed, secure facility located on the ground floor with an exterior entrance and paved access to the nearest sidewalk, road, or bicycle path."

Section 8. That Title V, Chapter 61, Section 5.10.05. of the Code of the City of Grand Rapids be amended by deleting subsection 5.10.05.G. "Micro-Units."

Result: Approved

Mover: Knight. Supporter: Robbins.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

Motion to take immediate consideration of the following ordinance.

93951 Result: Adopted

Mover: Robbins. Supporter: O'Connor.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

**AN ORDINANCE AMENDING SECTION 3.2
OF SALARY ORDINANCE 2022-40**

ORDINANCE NO. 2024 - 41

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Section 3.2 of Salary Ordinance 2022-40, be amended to read as follows:

"Section 3.2. Executive Level Group

132	Wellness Coordinator	12U
134	Assistant Employee Benefits Manager	15U
135	Employee Benefits Manager	18U
143	Director of Oversight and Public Accountability	22U
206U	Deputy Fire Chief	22U
343	Parking Systems Director	21U
372	Public Services Director	24U
373	Director of Public Works	24U
547	Mobile GR Director	23U

553	Mobile GR Manager	21U
554	Communications Director	22U
570	Customer Service Director	23U
572	Senior Labor Relations Specialist	19U
573	Chief Sustainability Officer	20U
574	Performance and Sustainability Officer	22U
575	Government and Legislative Affairs Officer	21U
576	Chief of Staff	23U
599	Deputy Chief Financial Officer	23U
601U	Management Services Coordinator	16U
610	Income Tax Administrator	20U
613	Budget Director	20U
616	City Assessor	23U
617	Deputy City Manager	29U
618	Director of Information Technology	24U
623	Assistant City Manager	28U
625	City Purchasing Agent	20U
627	Risk Manager	19U
628	Labor Relations Specialist	17U
629	Assistant Human Resources Director	22U
630	Director of Human Resources	24U
634	Labor Relations Manager	21U
643	Chief Services Officer	25U
654	Chief Financial Officer	27U
655	Managing Director	25U
657	Environmental Services Manager	24U
661	Water System Manager	24U
662	Utilities Director	26U
665	Director of Facilities & Fleet Management	23U
667	Traffic Safety Director	23U
670	City Engineer	26U
675	Facilities Management Director	21U
678	Fiscal Services Manager	20U
679	Executive Director – DDA	21U
683	Assistant City Attorney I	15U
684	Assistant City Attorney II	19U
685	Assistant City Attorney III	22U
686	Deputy City Attorney	26U
711	Planning Director	23U
713	Director of Parks and Recreation	23U
720	Neighborhood Improvement Director	22U
724	Community Development Director	23U
727	Director of Legal Affairs	24U
730	Economic Development Director	23U

739	Director of Equity and Engagement	22U
801	Fire Chief	27UF
816	Deputy Police Chief	23UF
817	Police Chief	28UF"

Section 2. That all Ordinances in conflict herewith are repealed.

Result: Approved

Mover: Knight. Supporter: Robbins.

Yeas: Bliss, Knight, O'Connor, Perdue, Robbins, Ysasi, Goei

Motion to give immediate effect.

PUBLIC HEARINGS

93952 Result: Closed.

City Commission to hold public hearing to sit as Board of Review to hear appeals on Special Assessment Nuisance Roll 8790.

93953 Result: Closed.

Public hearing to consider past performance and future needs of housing and community development programs.

93954 Result: Referred to Committee of the Whole.

Public hearing to consider a Brownfield Plan Amendment for the Talbot Bridge, LLC redevelopment project located at 648 Bridge Street NW and 345 Lexington Avenue NW.

93955 Result: Referred to Committee of the Whole.

Public hearing to consider the establishment of a Neighborhood Enterprise Zone for the Talbot Bridge, LLC project located at 648 Bridge Street NW.

93956 Result: Referred to Committee of the Whole.

Public hearing to consider a Brownfield Plan Amendment for the 385 Leonard Street NE redevelopment project located at 385 Leonard Street NE.

93957 Result: Referred to Committee of the Whole.

Public hearing to consider the establishment of a Neighborhood Enterprise Zone for the 385 Leonard Street NE redevelopment project located at 385 Leonard Street NE.

93958 Result: Referred to Committee of the Whole.

Public hearing to consider a Brownfield Plan Amendment for the 1516 Cesar E Chavez redevelopment project located at 1516 Cesar E Chavez Avenue SW.

93959 Result: Referred to Committee of the Whole.

Public hearing to consider the establishment of an Obsolete Property Rehabilitation District, pursuant to PA 145 of 2000, for 1516 Cesar E Chavez, LLC at 1516 Cesar E Chavez Avenue SW.

93960 Result: Referred to Committee of the Whole.

Public hearing to consider an application for a twelve-year Obsolete Property Rehabilitation Exemption Certificate, pursuant to PA 146 of 2000, for 1516 Cesar E Chavez, LLC at 1516 Cesar E Chavez Avenue SW.

DOCUMENTS FILED

93961 Result: Received and Filed

Professional Services Agreement between the City of Grand Rapids and Selma Tucker with GSO Solutions, LLC submitted for the public record.

93962 Result: Received and Filed

Partnership agreements between the City of Grand Rapids and Downtown Grand Rapids, Inc. for "David" activation at Pearl Street Bridge submitted for the public record.

93963 Result: Received and Filed

New Horizons Training Proposal and Order Acknowledgment submitted for the public record.

93964 Result: Received and Filed

Authorization form with Hootsuite submitted for the public record.

93965 Result: Received and Filed

Neighborhood Match Fund Agreement between the City of Grand Rapids and Bridge Street House of Prayer submitted for the public record.

93966 Result: Received and Filed

Neighborhood Match Fund Agreement between the City of Grand Rapids and Oakdale Neighbors submitted for the public record.

ADJOURNMENT

Commission Adjourned at 8:38 p.m.

JOEL H. HONDORP
City Clerk