

**City of Grand Rapids
Committee of the Whole
Regular Meeting Agenda**

Tuesday, April 9, 2019, 9:30 AM

City Hall, 300 Monroe Ave NW, 9th Floor, City Commission Chambers

COMMITTEE OF THE WHOLE ITEMS

1. Resolution adopting the City of Grand Rapids Preliminary Strategic Plan FY2020 – FY2024
2. Resolution approving a Memorandum of Understanding for River Restoration Between Grand River White Water and the City of Grand Rapids
3. Presentation of study completed by Hillard-Heintze, LLC titled "Grand Rapids Police Department - A Strategic Review of the Department's Staffing"
4. Update on Opportunity Zones
5. Resolution accepting the Heartside Quality of Life Study Final Report
6. Resolution considering Zoning Ordinance text amendments regarding food trucks and setting the date for adoption of those text amendments
7. Conference Travel Request- Sara Vander Werff
8. Resolution approving an Amendment to City Commission Policy Number 100-02 Use of Public Funds By Elected Officials For Travel and Other Expenses
9. Resolution establishing an Obsolete Property Rehabilitation District, pursuant to PA 146 of 2000, for 739 4th Street, LLC at 739 4th Street NW
10. Resolution approving a ten-year Obsolete Property Rehabilitation Exemption Certificate, pursuant to PA 146 of 2000, for 739 4th Street, LLC at 739 4th Street NW
11. Resolution approving a Brownfield Plan Amendment for 739 4th Street, LLC for a project located at 739 4th Street NW
12. Resolution approving an Amendment to the North Quarter Corridor Improvement Authority Development Plan and Tax Increment Financing Plan
13. Resolution setting a public hearing on April 23, 2019, to consider the adoption of Title IX, Chapter 175 entitled "Human Rights" to the Code of the City of Grand Rapids and providing for the publication of same.

MW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole

LIAISON: Mark Washington, City Manager

FROM: Alison Sutter, Sustainability Manager
Executive Office

SUBJECT: **Resolution adopting the City of Grand Rapids Preliminary Strategic Plan FY2020 – FY2024**

In November 2018, the City Manager initiated a strategic planning process that has resulted in the completion of the City of Grand Rapids Strategic Plan FY2020 – FY2024 (Plan).

Over the course of five months, City Manager Washington:

- Created an eight-person Executive Strategy Team
- Appointed a Strategic Plan Project Manager, who managed a ten-person Project Team and an additional 27 Outcome Team members
- Engaged over 1,000 City employees in person on a discussion about the City's values and his desire to focus City work through a strategic plan
- Hosted four strategic planning workshops with City Commission totaling 11 hours, and
- Partnered with Mayor Rosalynn Bliss on the City's first Digital Town Hall, which focused on the strategic planning process.

The Plan includes the City's Values, Vision and Mission and organizes outcomes, objectives, strategies and metrics into six strategic priorities:

- Governmental Excellence
- Economic Prosperity and Affordability
- Engaged and Connected Community
- Health and Environment
- Mobility, and
- Safe Community.

This Plan is the operational plan for the City. It will align with the long-term master plan and will drive budget and fiscal planning. It will be used to guide the City's operations

and financial investments. Annual budgetary requests and decisions will be organized around the strategic priorities and aligned with this Plan.

This Plan is intended to be a living breathing document and the performance metrics included are draft metrics that may need to be adjusted. In some instances, baseline data is not available as the Plan recommends the creation of a new program, collection of data in a different manner or the completion of a community survey. As this is the City's first strategic plan, the City will be learning throughout the implementation phase. We recognize and acknowledge that updates will need to be made and the City commits to being transparent about learnings, performance and forthcoming updates. All information about this Plan and the City's performance can be found at www.grandrapidsmi.gov/strategicplan.

Staff commit to providing the City Commission and the public with annual performance reports on progress made through the Plan.

The attached resolution provides for adoption of the City of Grand Rapids Strategic Plan FY2020 – FY2024.

YOUR Committee of the Whole recommends adopting the City of Grand Rapids Strategic Plan FY2020 – FY2024.

WHEREAS:

1. The City Manager determined it necessary to create a strategic plan that will guide the City's operations and budget process; and
2. The City Manager created a robust strategic planning team; and
3. The City Manager hosted four strategic planning workshops with City Commission on December 4, 2018, January 22, 2019, February 26th, 2019 and March 15th, 2019 totaling eleven hours; and
4. The Strategic Plan Project Lead, in collaboration with an outside consultant and more than 44 staff, created the City of Grand Rapids Strategic Plan FY2020 – FY2024; therefore

RESOLVED:

1. That the City of Grand Rapids Strategic Plan FY2020 – FY2024 is hereby adopted by the City Commission as the City's operational plan.
2. That the City Commission acknowledges the fluid nature of the Plan, and authorizes the City Manager to make necessary adjustments to the operational elements of the Plan as required to align with the Commission's approved Strategic Priorities.

Prepared by Gricelda Estrada

CORRECT IN FORM

DEPARTMENT OF LAW

City of Grand Rapids Strategic Plan FY2020–FY2023

(July 1, 2019 – June 30, 2023)

April 9, 2019



City of Grand Rapids



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Manager's Letter

Hello Grand Rapids!

I am honored to serve as your City Manager and I take seriously the awesome responsibility I have to bring the hopes and dreams of our community to fruition. Grand Rapids is one of America's premiere cities due to the people that live and work here as well as the City's elected officials and staff that dedicate themselves to public service.

We have accomplished a lot and our future is bright, but we do have our challenges. Upon arriving in Grand Rapids it became clear to me that a strategic plan was needed to organize and focus the work of the City. In collaboration with City Commission and staff, I am excited to share with you the City of Grand Rapids' first strategic plan, which will serve as the operating plan for the City.

We started the planning process by establishing the City's core values. I lead with these values and will hold myself and my staff accountable for upholding these values. Next, we created new Vision and Mission statements. As the City Manager, I am responsible for setting the Mission – To elevate quality of life through excellent City services. Implementing this plan is how we will accomplish this. This plan is the community playbook for aligning initiatives, resources, goals, department operations, projects, and investments with a transparent and trackable timeline. I will shape our budget, guide our near term progress and help us achieve our long term vision.

Through our planning process, we worked to determine who we are, where we want to go, how we reach our goal and, most importantly, how we measure our success over time. While it's critical that we hold one another accountable for results, it's also important that we continue our collaboration with the community and that you hold us accountable as well. With your help, we can achieve the outcomes laid out in this plan.

This is particularly important as we embrace equity in every aspect of this plan. We must ensure that all people are respected and valued and we need to work together to eliminate the disparate impacts on communities of color due to systemic and institutional injustices. Not one of these outcomes will be successful if it fails to advance a more equitable future.

Finally, I am extremely grateful for the tremendous effort provided by our City Commissioners, Strategic Plan Project Manager, Alison Waske Sutter, and the nearly 50 staff that were instrumental in the creation of this plan (our awesome team is listed on page 33). Our City staff are truly the champions behind this plan and I am looking forward to working with each and every one of them to successfully implement this plan and positively impact our community.

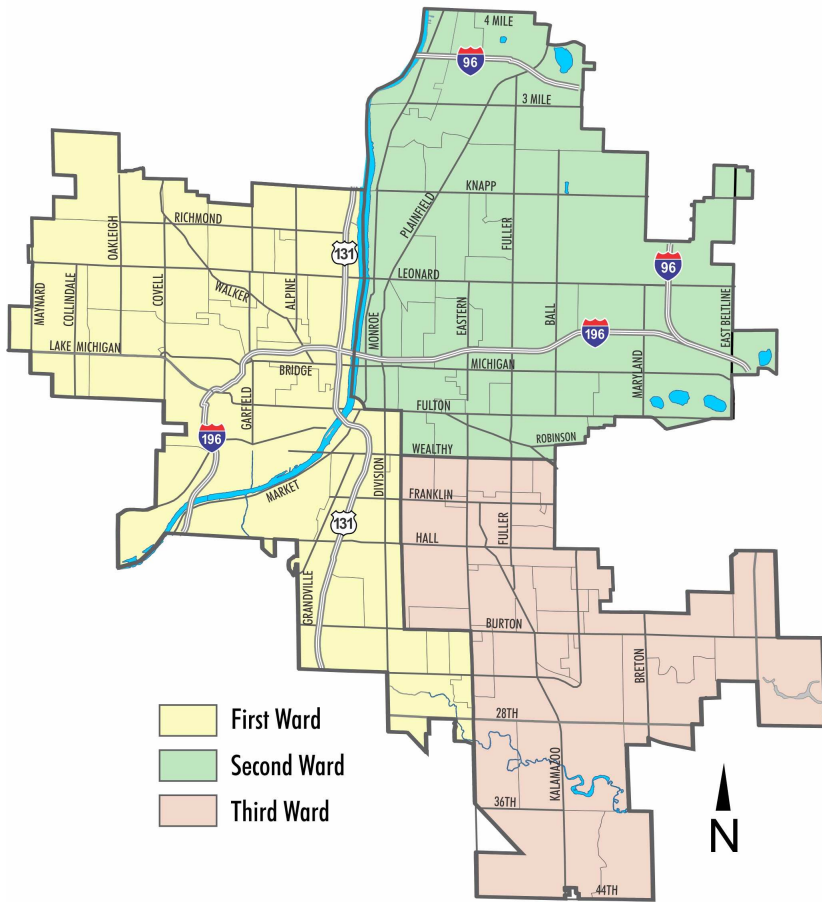
Together, our collective planning and implementation efforts will advance our community journey in becoming one of the best cities in the country.



City Manager Mark A. Washington



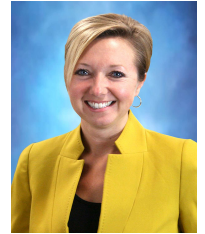
Current State



- Grand Rapids is the 124th largest city in the U.S.
- We're the 2nd largest city in Michigan
- Grand Rapids has **3** Wards
- Our Mayor serves at-large and each ward has **4** City Commissioners
- Each Commissioner has **1** vote for policy decisions
- Grand Rapids is a Commission/Manager form of government
- The City Manager is responsible for directing City operations and carrying out Commission policy



City Manager
Mark Washington

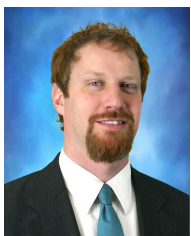


Mayor Rosalynn Bliss
2nd Term
Term expires 12/31/19

1st Ward Commissioners



Jon O'Connor
1st Term
Term expires 12/31/19



Kurt Reppart
1st Term
Term expires 12/31/21

2nd Ward Commissioners



Joseph Jones
2nd term
Term expires 12/31/21



Ruth Kelly
2nd Term
Term expires 12/31/19

3rd Ward Commissioners



Senita Lenear
2nd Term
Term expires 12/31/21



Nathaniel Mood
2nd Term
Term expires 12/31/21

Current State

1.a

Population

198,829

59.7%	Caucasian
19.9%	Black or African American
15.3%	Hispanic
4.8%	Two or more races
2.1%	Asian
0.4%	American Indian and Alaska Native
0%	Native Hawaiian and Other Pacific Islander

Source: American Community Survey, 2017

Housing

\$113,600

Median home price



54%

Home ownership

\$806/mo

Median rent



Source: American Community Survey, 2013-2017 estimates

Employment

93,719*

Employees in Grand Rapids economy



3.9%

Unemployment rate**

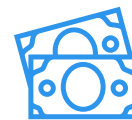
*Source: Data USA, 2016

**Source: Dec. 2018, MI Department of Technology, Management and Budget

Wages

\$42,019

Median household income



25.1%

Population below poverty level

Source: Data USA, 2016

Carbon Footprint

59,088

Metric tons of carbon dioxide equivalents



34%

Renewable energy

Source: City of Grand Rapids

City-owned Parks

77%

Residents who live within a 10-minute walk to a park



1,643

Acres of accessible park

Source: Parks and Recreation Master Plan, 2017

Transportation

20.9%

Trips to work where people walk, bike, or use transit or ride sharing



Source: American Community Survey, 2017

Safety

726.2

Violent crime offenses per 100,000 population



Source: Federal Bureau of Investigation Uniform Crime Reporting

Recognition

#1 Place for Millennials

Business Insider, 2017

#1 Hottest Real Estate Market to Watch

Trulia.com, 2018

#6 Smaller City Poised to Skyrocket

Realtor.com

#6 Best Place to Retire

U.S. News & World Report, 2018

#9 Most Affordable City for Business Professionals to Live and Work

CNBC, 2018

#12 Best Place to Live in the U.S.

U.S. News & World Report, 2018

#13 Best Large U.S. City to Start a Business

WalletHub, 2018

#28 Most Hipster City in the World

MoveHub, 2018

Beer City USA

Examiner.com, 2013

Best River Town

Outdoor Magazine, 2017

Fastest Growing Economy in the U.S.

Forbes, 2017

Great Places in America – Public Spaces

American Planning Association, 2017

High-Performing, Race-Informed City

Equipt to Innovate, 2018

Top Up and Coming City in the U.S.

Thrillist, 2019

Project and Certification Highlights

Here are a few examples of national initiatives in which we are participating.

What Works Cities

Bloomberg Philanthropies, 2018

Grand Rapids was 1 of 100 cities selected

Zero Cities Project

Urban Sustainability Directors Network, 2017

Grand Rapids was 1 of 11 cities selected

ISO Class 1 Certification

Insurance Services Office, 2018

Grand Rapids Fire Department earned this national certification as 1 of 330 awarded

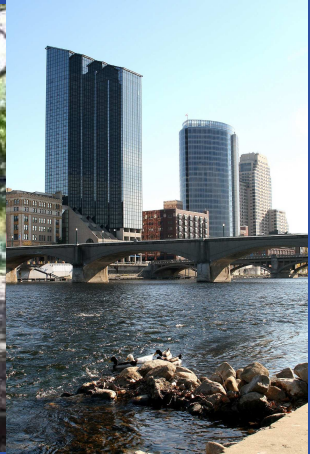
Cities Connecting Children to Nature

National League of Cities and Nature Network, 201

The City partnered with Grand Rapids Public Schools. Together we were 1 of 12 cities selected



1.a



Attachment: City of Grand Rapids Strategic Plan FY2020 - FY2023 Final (002) (Resolution adoption Preliminary Strategic Plan FY2020-FY2024)

Planning Process

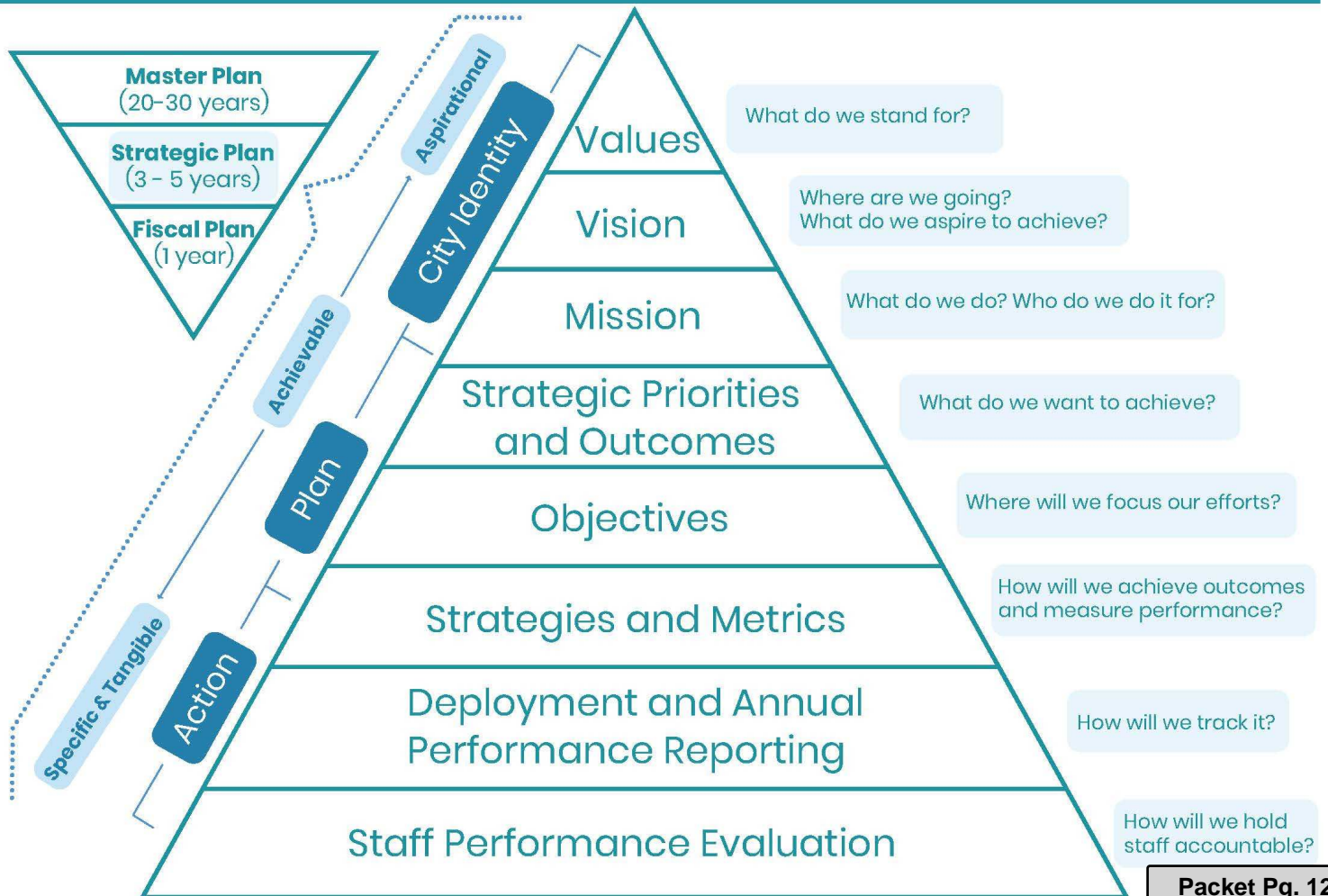
We began our strategic planning journey in November of 2018. Within five months, City Manager Washington:

- Created an eight-person Executive Strategy Team
- Appointed a Strategic Plan Project Manager, who managed a ten-person Project Team and an additional 27 Outcome Team members
- Engaged over 1,000 City employees in-person in a discussion about values and his desire to use a strategic plan to focus City work
- Hosted four strategic planning workshops with City Commission, totaling 11 hours
- Partnered with Mayor Rosalynn Bliss on the City's first Digital Town Hall, which focused on our strategic planning process

In the beginning, we created a strategic plan framework to guide the creation of our plan. This framework demonstrates:

- How the strategic plan aligns with the long-term master plan and short-term fiscal plan
- How our values, Vision and Mission shape our City's identity and create the roadmap for the strategic plan
- How the plan's priorities, outcomes, objectives, strategies and metrics work together to define what we hope to achieve, how we plan to achieve it and how we will measure our progress
- How the City will hold itself accountable to the plan through annual performance reports and staff performance evaluations

Strategic Plan Framework



Plan Elements

Strategic Priorities

Strategic priorities are the high-level “buckets” through which we organize our work.

Outcomes

Plan outcomes are what we hope to accomplish within each of the strategic priorities.

Objectives

Objectives identify where we will focus our efforts. There are multiple objectives within each strategic priority.

Strategies

Strategies identify how we will achieve our objectives and desired outcomes.

Metrics

We will measure how well we are achieving our objectives and desired outcomes through our metrics. Unless otherwise noted, the intention is to meet the goal within the plan's timeframe.

Using the plan

We will use this plan to guide our operations and financial investments. As we continue to work more collaboratively internally and externally, we will uncover more opportunities for innovation, sustainability and enhanced customer service.

This plan is intended to be a living breathing document. As this is the City's first strategic plan, we will be learning throughout the implementation phase. We recognize and acknowledge that updates will need to be made and we commit to being transparent about our learnings and forthcoming updates.

Find information about this plan and monitor our performance at:

www.grandrapidsmi.gov/strategicplan

Values

Our values are what we stand for. They are embedded throughout the entire plan and guide all City work.

Accountability

Always acting with integrity and transparency and being responsible for what we do and say.

Collaboration

Working together in partnership with others; teamwork.

Customer Service

Professionally serving those that live in, work in or visit the City. Providing respectful, excellent, high quality service and assistance before, during and after the person's interactions with the City.

Equity

Leveraging City influence to intentionally remove and prevent barriers created by systemic and institutional injustice.

Innovation

Challenging how things have been done before. Fulfilling community needs by offering new ways to serve our customers and enhance operations. Being nimble, self-aware and open to feedback.

Sustainability

The ability to be maintained; making decisions with an understanding of how those decisions will impact the environment, people and communities, and finances, both today and in the future

Vision

Grand Rapids will be nationally recognized as an equitable, welcoming, innovative and collaborative city with a robust economy, safe and healthy community, and the opportunity for a high quality of life for all.

Mission

To elevate quality of life through excellent City services.

Priorities



Governmental Excellence

A fiscally resilient government powered by high performing and knowledgeable staff equipped with the appropriate tools and resources to offer excellent, equitable and innovative public service.



Economic Prosperity and Affordability

Residents, employees and businesses have pathways to financial growth and security.



Engaged and Connected Community

Residents and stakeholders have awareness of and voice in decisions that affect them, and receive culturally-responsive and proactive communication.



Health and Environment

The health of all people and the environment are advocated for, protected and enhanced.



Mobility

Innovative, efficient and equitable mobility solutions are safe, affordable and convenient to the community.



Safe Community

All people feel safe and are safe at all times throughout our community.

Equity

“...Racial inequities have been baked into government, and ... racial inequities across all indicators for success are deep and pervasive. We also know that other groups of people are still marginalized, including based on gender, sexual orientation, ability and age, to name but a few. Focusing on racial equity provides the opportunity to introduce a framework, tools and resources that can also be applied to other areas of marginalization.” (2019, Government Alliance on Race and Equity)

The City of Grand Rapids is dedicated to advancing equitable outcomes and opportunities by leading with racial equity to address root causes of disparities. The City defines equity as the condition achieved when people have the tools, resources and connections necessary to be fully engaged and prepared to benefit from the opportunities they seek. Racial equity is achieved when one's race or ethnicity does not determine, in a statistical sense, how one experiences opportunity, power and life outcomes.

This targeted approach on racial equity will advance our universal goal of elevating quality of life in Grand Rapids. Equity is one of the City's six values and must be embedded into all of our decisions, policies and practices. In an effort to dismantle the systemic and institutional injustice that has been prevalent throughout our history, the City has made the conscious choice to highlight equity in each priority area of our strategic plan.

The first objective in this plan outlines the City's commitment to creating a structure within City operations to lift up racial equity throughout the organization so that each department has the knowledge, skills and support to intentionally remove and prevent barriers created by systemic and institutional injustice.

Additionally, to the extent possible, all plan metrics will be disaggregated by race and ethnicity, and when needed as a proxy, by geography (Census tracts, Wards, etc). This statement is an urgent call to action to transform government to achieve positive and sustainable community level impact.

The City of Grand Rapids centers racial equity so that the recognition listed on page four of this document will be the lived reality of all Grand Rapids residents, regardless of race or ethnicity. When we read those rankings and recognitions, we must always ensure Grand Rapids is the “Best Place to Retire” and “Most Affordable City for Business Professionals to Live and Work” for everyone who calls Grand Rapids home. We must be mindful of the areas that require improvement such as being ranked 122nd in U.S. for Hispanic Entrepreneurs (2018, WalletHub), 2nd Worst for African Americans Economically (2015, Forbes) and 39th for Residential Segregation (2018, Apartment List).

We are fully aware of the challenges and opportunities before us as we lead with equity. We also know that as a municipality, we are uniquely positioned to reduce disparities through policy, intentional practices, transparency and accountability. The City, in partnership with organizational allies and community, can help make Grand Rapids truly the “Best Place to Live in the U.S.” for everyone.



Governmental Excellence

A fiscally resilient government powered by high performing and knowledgeable staff equipped with the appropriate tools and resources to offer excellent, equitable and innovative public service.

Objective 1: Embed equity throughout government operations.

Strategies

1. Create infrastructure to elevate and organize equity work within the City and investments in Neighborhood of Focus
2. Disaggregate all data, to the extent possible, by race, ethnicity, gender identity and geography
3. Evaluate the racial equity impacts of major policy proposals and initiatives and of existing projects and services
4. Require all departments to apply a racial equity lens to budgetary requests
5. Identify systemic issues that cause disparate outcomes in the justice system and implement strategies to address those issues within the City's span of influence

Draft Metrics

- \$ allocated to and % of Third Ward Equitable Development Fund spent
FY2019: \$750,000, 0% Goal FY2020: To be created, 100%
- \$ of capital investment by Ward and Neighborhood of Focus
2018: Not previously calculated Goal: To be created
- % of total budget dollars that support equity specific projects and initiatives
2018: Not previously calculated Goal: To be created
- % of total expenditures for projects/services evaluated using the Government Alliance on Race and Equity (GARE) Racial Equity toolkit
2018: Not previously calculated Goal: 100%
- % of elected City officials, City employees and people serving on a City board or commission trained in equity
2018: 10%* Goal: 50%
*City staff only
- # of felony and misdemeanor charge records for like offenses from District 61 Court
2018: See below Goal: To be created

Charges	Race		Gender	
	Caucasian	People of Color	Male	Female
Felony	1,146 (30%)	2,718 (70%)	3,323 (86%)	548 (14%)
Misdemeanor	2,718 (27%)	7,293 (73%)	8,282 (74%)	2,979 (26%)

- # of problem-solving specialty court program graduates by court type
2018: See below Goal: to be created

Court type	Race		Gender	
	Caucasian	People of Color	Male	Female
Drug & Sobriety Court	75 (75%)	25 (25%)	67 (67%)	33 (33%)
Comm. Outreach	12 (32%)	25 (68%)	20 (54%)	17 (46%)

- % reduction in recidivism rate for problem-solving specialty court graduates by court type
2018: 15% greater reduction (Drug & Sobriety Court) compared to non-participants
Goal: To be created



Objective 2: Foster and maintain fiscal sustainability.

Strategies

1. Establish and adhere to fiscal policies
2. Continue funding annual actuarially determined employer contributions to the defined benefit retirement system, including Other Post-Employment Benefits (OPEB) and pension retirement systems
3. Improve cost effectiveness through asset management, continuous improvement and innovation
4. Strategically leverage outside funding (i.e. grants, philanthropic support, government funding)
5. Evaluate costs and efficiencies in enterprise utility services (water, sewer, waste collection and parking)
6. Create and implement equity and environmental sustainability scorecards for capital requests

Draft Metrics

- General Operating Fund (GOF) reserve level
2018: 22.5% Goal: 15%
- Stabilization Fund Level
2018: 10.7% Goal: 10%
- Bond rating
2018: AA Goal: AA+
- % of defined benefit retirement systems funded
2018: 82.1% Goal: 100%
- % of asset classes managed by asset management plans
2018: Being calculated Goal: To be created
- \$ of external funding (grants, sponsorships, etc.) received annually by department
2018: Not previously calculated Goal: To be created
- # of online payments made, disaggregated by service
2018: Being calculated Goal: To be created

Objective 3: Attract, hire, train and retain high performing employees.

Strategies

1. Develop a workplace culture based on City values that improves employee communications, engagement and satisfaction
2. Evaluate and implement employee-friendly policies to meet the diverse needs of our evolving workforce
3. Offer a competitive benefits package that enhances employee recruitment and retention and incentivize wellness
4. Use evidence-based, data-driven methodology to reduce barriers to employment and improve quality of hires, reduce turnover and increase workforce diversity to reflect the demographics of the community
5. Align skills, staffing levels and employee evaluation system with priorities, strategies and metrics
6. Develop mandatory employee training programs, including trainings on City values and programs, cultural competency and core competencies (e.g. skills assessment, budgeting)
7. Use internship and apprenticeship programs to increase the pipeline of candidates for hard-to-fill positions and to increase workforce diversity

Draft Metrics

- New hire demographics

Category	Race					Gender		
	C	AA	H	A	NA	M-R	M	F
2018 Permanent Hires Qty.	100	15	8	1	0	4	80	48
2018 Permanent Hires %	78.1%	11.7%	6.3%	0.8%	0.0%	3.1%	62.5%	37.5%
Citywide Labor Force*	64.9%	17.2%	13.9%	2.0%	0.1%	1.7%	50.7%	49.3%
Metro Area Labor Force*	83.7%	6.3%	6.9%	1.9%	0.2%	1.0%	49.4%	50.6%

Source: US Census Bureau 2010 Labor Force statistics

C: Caucasian AA: African American H: Hispanic A: Asian NA: Native American M-R: Multi-racial

- Employee turnover rate
2018: 9.1% Goal: Less than 10%
- Position vacancy rate
2018: 4.8% Goal: Less than 5%
- Time from requisition request to offer acceptance for non-sworn employees
2018: 75 days Goal: 60 days
- Time from requisition request to offer acceptance for sworn employees (police and fire)
2018: 120 days Goal: 90 days

Objective 4: Ensure we have the appropriate number, location and type of facilities/workspace to meet the demands of government operations, the community and our growing/changing population.

Strategies

- Conduct a facility/workspace analysis that includes evaluation of collaboration spaces, remote work options, self-service options (digital City Hall) and alternative workspaces to increase customer service and equity
- Maximize City facility occupancy
- Ensure safe, healthy and well-maintained City facilities
- Make all facilities welcoming and accessible for all customers with an emphasis on people with disabilities, people that speak a language other than English and people that are transgender and/or non-binary
- Track who is coming to City facilities, when and for what reason

Draft Metrics

- % of facilities with a Facilities Condition Index (FCI) score of 10 or below
2018: 98%* Goal: 90%
*Water, wastewater, parking and parks facilities currently not included
- Occupancy rate of all facilities
2018: Being calculated Goal: > 90%



Objective 5: Leverage technology systems to support secure data collection and storage, performance management, decision making, internal communications and data sharing with the community.

Strategies

1. Conduct a City-wide technology needs assessment and expand the City's technology strategy
2. Develop and implement a performance management program that ensures accountability, collaboration and innovation by embedding data analytics into operational decision making
3. Create an information technology (IT) master plan with all departments included
4. Increase the amount of open data accessible to the public
5. Develop a Smart Cities strategy that embeds equity and includes infrastructure, technology, security, data management, engagement and communication
6. Identify procurement barriers to ensure technology solutions can be implemented quickly and efficiently and increase the use of pilot-to-procurement to test solutions

Draft Metrics

- % of cloud based solutions
2018: 60% Goal: To be created
- % of solutions compliant with security standards for payment, privacy, etc.
2018: 100% Goal: 100%
- # of services digitized
2018: 40% Goal: 70% by June 2020
- # of open data sets published online
2018: 47 Goal: 20 additional per year
- % internal satisfaction with information technology services and solutions provided
2018: Survey to be conducted Goal: To be created

Objective 6: Update the Master Plan to enable smart equitable growth.

Strategies

1. Complete scoping of Master Plan update that considers available City and community capacity to participate, and leverages existing plans (GR Forward, Age Friendly Communities, etc.)
2. Begin comprehensive Master Plan public process phase taking into account the results of the 2020 Census and after scoping is complete
3. Apply appropriate land use strategies that create a sustainable mix of uses, housing types, and densities including policies to encourage affordable and mixed-income housing

Draft Metrics

- % of residents/businesses satisfied with quality of life in their neighborhood
2018: Survey not yet conducted Goal: To be created
- % of Master Plan process participants that are residents of color
2018: Not started Goal: To be created

Residents, employees and businesses have pathways to financial growth and security.

Strategies

- ## Draft Metrics

- % of new buildings and commercial renovations approved administratively
2018: 91% Goal: 90%
- # of days to administratively approve projects from permit application to approval for projects where board/commission approval is not required
2018: 33 days Goal: 28 days
- # of days for board/commission approval from board/commission application to permit approval
2018: 75 days Goal: 70 days
- % of customers satisfied with services related to development or business regulation
2018: Survey not yet conducted Goal: To be created
- # of businesses and/or individuals attending trainings that enhance their understanding of City rules and processes related to property development or business permitting and regulation
2018: 138 Goal: To be created

Objective 2: Support the creation, retention and growth of businesses.

Strategies

1. Target City incentives to achieve maximum impact on business retention and growth efforts
2. Support entrepreneurship and innovation with a special focus on creating access to opportunities for historically marginalized communities and the Neighborhoods of Focus
3. Optimize the Equal Business Opportunity (EBO)/Micro-Local Business Enterprises (MLBE) program and increase MLBEs registered and used in all City spending, as well as in City supported private development projects
4. Increase awareness of opportunities to do business with the City
5. Target incentives and City programming to catalyze small business startup and growth

Draft Metrics

- \$ of private investment supported by City incentives, disaggregated by industry segments
2018: \$187.5M* Goal: \$150M annually
*\$112M: Real Estate (mixed-use) development, \$60M Medical/Advanced Manufacturing, \$9.2M Food/Ag processing, \$6.2M Manufacturing
- \$ spent on micro-local businesses (MLBE), minority-owned businesses (MBE), and women-owned businesses (WBE) by businesses receiving City incentives
2018: Data not previously collected Goal: To be created
- \$ and % of total City contract expenses paid to each: micro-local businesses (MLBE), minority-owned businesses (MBE), women-owned businesses (WBE) and companies providing apprenticeship opportunities
2018: See table below* Goal: To be created
*Data on apprenticeships being calculated

Construction Contracts for Primes and Subs (\$54,741,472)

Micro-LBE	MBE	WBE
\$13,666,429	\$4,754,450	\$494,148
24.90%	8.60%	0.08%

Goods and Services and Professional Services Contracts (\$71,102,108)

Micro-LBE	MBE	WBE
\$335,435	\$322,901	\$899,851
0.50%	0.50%	1.20%

- # of new companies filing W-2s for withholding
2018: Being calculated Goal: To be created
- # of new MLBE vendors registered to do business with the City
2018: 4 new (26 total) Goal: 15

Objective 3: Increase residents' educational attainment, employment and wage growth.

Strategies

1. Support post-secondary degree attainment and skilled-trades certification, particularly for people of color and first-generation students
2. Support attainment of livable wage employment (more than \$15/hour) through influence on contractors and vendors
3. Support employment and workforce development efforts in historically marginalized communities and Neighborhoods of Focus
4. Increase the number of jobs supported by City incentives that pay at least \$15/hour
5. Leverage the river restoration project for diverse economic growth opportunities

Draft Metrics

- % of residents earning above the Asset Limited, Income Constrained, Employed (ALICE) threshold*
2018: 48% Goal: To be created
*\$21,624 for a single-adult household and \$64,788 for a four-person family in Kent County
- Unemployment rate
2018: 3.7% (December) Goal: To be created
- % of Grand Rapids Public Schools graduates that receive a post-secondary degree within six years of graduating
2017: 18% Goal: 40%
- % of real earned income growth for full-time wage and salary earners aged 25-64
2018: Being calculated Goal: To be created
- % difference between the percentage of white (non-Hispanic) population who are employed and the percentage of people of color (including Latino and Hispanic) who are employed (i.e. Employment Gap)
2018: 11.1%* Goal: 9%
*Kent County, 5 year American Community Survey (ACS) Estimate
- # and % growth in number of employees based on the number of W-2s
2018: Being calculated Goal: To be created

Objective 4: Support housing development and services that help keep people in their homes.

Strategies

1. Facilitate increased housing supply through the development of a variety of housing types
2. Facilitate increased affordable housing supply
3. Reduce barriers to housing and home ownership
4. Support services to help people stay in their homes
5. Prioritize geographic areas to target economic development incentives for housing development



Draft Metrics

- % of households that spend more than 30% (cost-burdened) and 50% (severely cost-burdened) of their income on housing
2018: Being calculated Goal: To be created
- # of net new housing units by type and price point (i.e. single-family, multi-family, 60% AMI, 80% AMI, etc.)
2018: 1,358* Goal: To be created
*239 for households with income at or below 80% of the Area Median Income (AMI)
- Rental vacancy rate
2018: Being calculated Goal: To be created
- Months supply of homes for sale
2018: Average 1.5 Goal: To be created
- Homeownership rate
2018: 54%* Goal: To be created
*American Community Survey (ACS) Estimate
- # of 61st District Court Eviction Cases
2018: 3,730; rate per 100 households: 11.1% Goal: To be created
- # of vacant lots returned from Kent County Land Bank Authority that are redeveloped for affordable housing
2018: Not applicable Goal: 10

Objective 5: Support efforts that contribute to making Grand Rapids a destination City.

Strategies

1. Collaborate with community partners to market Grand Rapids as a destination city
2. Promote a range of special events that highlight and celebrate the arts, cultural diversity, outdoor recreation and innovation in the community
3. Maintain and enhance quality, accessible public spaces (not green spaces)
4. Partner with Downtown Grand Rapids Inc. (DGRI), The Right Place and Experience Grand Rapids to promote Grand Rapids for business and tourist attraction opportunities
5. Support efforts of Corridor Improvement Authorities to promote neighborhood business districts

Draft Metrics

- # of art, cultural, outdoor recreation or unique events permitted by the City annually
2018: 254 Goal: 250
- # of hotel nights
2018: Being calculated Goal: To be created
- # of visitors
2018: Being calculated Goal: To be created
- Occupancy rate of commercial real estate in downtown Grand Rapids and in Grand Rapids as a whole
2018: Being calculated Goal: To be created



Engaged and Connected Community

Residents and stakeholders have awareness of and voice in decisions that affect them, and receive culturally-responsive and proactive communication.

Objective 1: Enhance communication with the public.

Strategies

1. Vet major issue and incident communications with the Office of Communications and share with Commissioners prior to public announcement
2. Develop customer friendly communication protocols including, but not limited to, readability, clarity, representation and style
3. Designate and train staff to create and vet public communications through a lens of equity and inclusion
4. Establish target response times to external customer inquiries
5. Leverage technologies to proactively and effectively communicate about City services
6. Intentionally and clearly communicate policies, programs and processes to the immigrant community

Draft Metrics

- # or % of staff trained on communication protocols
2018: Protocols not yet created Goal: To be created
- % of external customer inquiries responded to within target response time disaggregated by department
2018: Tracking system not created Goal: To be created
- # of Freedom of Information Act (FOIA) requests received
2018: 1,703 Goal: To be created
- # of unique website visits per year
2018: 1,273,000 Goal: To be created

Objective 2: Develop a community engagement strategy across all City programs and initiatives.

Strategies

1. Map all existing and planned community engagement efforts across all departments
2. Develop equity-centered protocols, standards, training and staff skills for community engagement
3. Create a community engagement guidebook and training curriculum
4. Identify outreach and engagement gaps, such as with historically marginalized populations, and create a plan to address those gaps
5. Increase participation in Census 2020
6. Identify trusted voices in the community to collaborate with for future engagement efforts
7. Track attendance of community engagement activities to learn patterns and test targeted approaches
8. Create and test a tool that compares community feedback to approved plan/initiative (i.e. Master Plan) at implementation, when appropriate and where feasible, with notation of differences

Draft Metrics

- # of engagement events led by the City or where the City is a key partner disaggregated by department
2018: Data not previously collected Goal: To be created
- # of people participating in events led by the City or where the City is a key partner disaggregated by department
2018: Data not previously collected Goal: To be created
- % of staff with outreach responsibilities trained in community engagement per the community engagement guidebook
2018: Training not yet created Goal: To be created
- % increase in Census completion among hard to count populations
2018: Census not conducted Goal: To be created

Objective 3: Create a process to gauge and enhance community perception.

Strategies

1. Survey community for their perception of City services, events, programs and facilities
2. Assess residents' sense of belonging in the city
3. Create a process for incorporating feedback to refine and improve outcomes
4. Communicate more about successful programs and outcomes achieved by the City

Draft Metrics

- % of customers who report being satisfied or very satisfied with the overall quality of services provided by the City
2018: Survey not yet conducted Goal: To be created
- % of residents who express high levels of satisfaction with the outcomes of their engagement with the City
2018: Survey not yet completed Goal: To be created
- % of stakeholders who report a sense of belonging
2018: Survey not yet completed Goal: To be created
- % of stakeholders who believe the City values authentic dialogue with them
2018: Survey not yet completed Goal: To be created
- # of people and organizations surveyed and % completion
2018: Survey not yet completed Goal: To be created

Objective 4: Elevate resident voice in City operations.

Strategies

1. Develop equitable opportunities for resident service on boards and commissions and offer onboarding process for successful participation
2. Increase resident awareness of opportunities to leverage their voice
3. Leverage partnerships and neighborhood leadership to gather and lift up resident voice
4. Elevate resident voice in the Master Plan

Draft Metrics

- # of total engagement activities focused on resident issues disaggregated by department
2018: Data not previously collected Goal: To be created
- # of total residents participating in engagement activities disaggregated by department
2018: Data not previously collected Goal: To be created
- % variance between the percentage of residents of a particular race/ethnicity represented on City Boards and Commissions compared to the percentage of that race/ethnicity in the overall city
2018: Data not previously collected Goal: To be created
- % voter participation
2018: 56%* (27% - 77% range by precincts) Goal: To be created
*Average across the City for 2018 General state election, based on 136,946 registered voters
- # of residents participating in City in-depth learning opportunities (i.e. Our City Academy, Neighborhood Leadership Academy and Grand Rapids Neighborhood Summit)
2018: 399 Goal: To be created



Health and Environment

The health of all people and the environment are advocated for, protected and enhanced.

Objective 1:

Reduce carbon emissions and increase climate resiliency.

Strategies

1. Create carbon reduction goals and integrate goals into appropriate City plans, including the Comprehensive Master Plan
2. Reduce the carbon footprint of City operations (buildings, utilities and fleet)
3. Assess the feasibility and cost of offsetting 100% of City electricity with renewable sources by FY2025
4. Create and support programs and policies to reduce carbon emissions from the building and transportation sectors throughout the community
5. Create a Climate Action and Adaptation Plan in partnership with the community
6. Work with community partners and businesses to achieve a 40% tree canopy

Draft Metrics

- Carbon footprint of city buildings, utilities and fleet (metric tons of carbon dioxide equivalents)
2018: 59,088* Goal: To be created
*Fleet not included
- % of City electricity supplied by renewable sources
2018: 34% Goal for June 30, 2025: 100%
- % of tree canopy
2018: 34% Goal: 40%

Objective 2:

Ensure equitable access to and use of green spaces and increase recreational activities.

Strategies

1. Expand parks and active open spaces to reduce disparities in park deficient neighborhoods
2. Increase grade level of park maintenance as prescribed in Parks and Recreation Master Plan
3. Increase accessible, diverse and inclusive recreational programs and facilities to encourage utilization by all races, ages and abilities
4. Close gaps in the City's segments of the regional multi-use trail system
5. Increase the number of children connected to nature through expanded recreational and youth employment opportunities and through increased access to natural areas

Draft Metrics

- % of households within a 10 minute walk of a park or active green space
2018: 77% Goal: 81% (5% increase)
- Acres of accessible City-owned parks per 1,000 residents
2018: 5.5 (total City), 3.71 (Neighborhoods of Focus)
Goal: > 9.5 acres within Neighborhoods of Focus
- % of parks rated maintenance level B or greater
2018: 15.4% Goal: To be created
- # of participants in recreation programs per year
2018: Data not previously collected Goal: To be created
- # of centerline miles of 8-foot or wider multi-use trail within the City
2018: Being calculated Goal: To be created
- # of natural areas and green playground sites added in underserved neighborhoods
2018: 0 Goal : 5

Objective 3: Protect and preserve our water resources.

Strategies

1. Create and implement a PFAS reduction plan for the Water Resource Recovery Facility (WRRF) and monitoring plans for both the Lake Michigan Filtration Plant and the WRRF
2. Implement the Lead Service Line Replacement Plan
3. Increase and maintain green infrastructure to strategically reduce stormwater system burdens
4. Achieve the Water and Environment Federation's Green Infrastructure Certification
5. Research and understand why residential water/sewer services are shut off and create innovative solutions to avoid the shut off of services
6. Identify and implement water conservation strategies within City operations and for customers
7. Collaborate with partners, within the City and in upstream communities, to increase the overall water quality of the river

Draft Metrics

- PFAS effluent result from the Water Resource Recovery Facility
2018: PFOS average was 42 ng/l with a high of 200 ng/l (Water Quality Limit = 12 ng/l) and PFOA average was 12 ng/l with a high of 19 ng/l (Water Quality Limit = 12,000 ng/l)
Goal: To be created
- % of water connections with lead service line replacements completed per year
2018: 1.63% Goal: 5%
- Gallons of stormwater infiltrated
2018: Being calculated Goal: 1% increase
- # of residential accounts experiencing water/sewer shut offs
2018: 2,401 Goal: To be created
- # of residents using the water/sewer bill assistance fund (85% of users must be below 200% poverty level)
2018: 1,635 Goal: To be created
- Gallons of water pumped from treatment plant per person per day normalized for weather impacts
2016 - 2018 annual average: 119 Goal: To be created
- % water loss from water distribution
2018: 10.7% Goal: < 10%
- Water Quality Index for the Grand River (average measure from multiple points upstream, downstream and within the City)
2018: 70 Goal: 70





Mobility

Innovative, efficient and equitable mobility solutions are safe, affordable and convenient to the community.

Objective 1:

Create an accessible multi-modal transportation experience and reduce single-occupant vehicle travel.

Strategies

1. Improve ridership on and explore expansion of the Fare Free transit network (i.e. DASH, Route 19) and The Rapid
2. Increase biking by improving bicycle network and ensuring facilities are maintained
3. Increase walkability by increasing sidewalk network and ensuring facilities are maintained
4. Create employment related transportation solutions within Neighborhoods of Focus
5. Reduce household transportation costs and eliminate cost barriers to accessing mobility solutions

Draft Metrics

- % of annual trips to work where people use transit, walking, biking and ride sharing
2017: 20.9% total (Transit: 4.2%; Walking: 3.8%; Biking: 2.2%; (combined with taxi and motorcycle in Census data); Ridesharing: 10.7%)
Goal: 55% total (transit: 20%; Walking: 10%; Biking: 5%; Ridesharing: 20% by 2035)
- % of population within a ¼ mile of 15 minute or less public transit service all day
2018: 19.5% (72.8% for peak service times) Goal: 50%
- % of sidewalk network plowed
2018: Service not previously offered Goal: 25%
- # of sidewalk miles completed
2018: 921.93 Goal: 1,107.33
- # of feasible locations needing American with Disabilities Act (ADA) compliant ramps installed
2018: 7,153 Goal by FY2024: 5,653 (improve 1,500)
- # of jobs accessible in a 30 minute transit ride
2018: 108,924 (cnt.org) Goal: 150,000
- % of 18+ year olds aware of travel options
2018: Survey not previously completed Goal: To be created



Objective 2

Pursue innovative, 21st century mobility options.

Strategies

1. Pilot new mobility programs (carshare, bikeshare, e-scooter and Universal Dispatch Application) and ensure that they are available and accessible in each Ward and the Neighborhoods of Focus
2. Develop a regional mobility and transportation demand management program with public and private partners
3. Pilot autonomous and connected vehicle services
4. Complete a shared micro-mobility plan that includes bikeshare and e-scooters
5. Create innovative and active City fleet programs and travel options for City employees

Draft Metrics

- # of 18+ year olds using carshare, bikeshare, e-scooter and Universal Dispatch Application
2018: Programs not previously offered Goal: To be created
 - # of 18+ year olds using autonomous and connected vehicle services
2018: Programs not previously offered Goal: To be created
 - # and % usage of City-owned electric vehicle charging stations
2018: 8 public charging stations with 16 ports and 3 fleet chargers with 6 ports
Goal: 20 public charging stations with 40 ports and 6 fleet chargers with 12 ports
 - % of 18+ year olds aware of new mobility travel options
2018: Survey not previously completed Goal: To be created
-

Objective 3

Develop an effective, customer responsive parking system.

Strategies

1. Develop future proofed parking developments (e.g. parking facilities that can convert to other uses)
2. Educate and inform the public on parking options and new technology
3. Develop a Parking Master Plan to guide future investments
4. Modernize parking equipment to allow for multiple forms of payment

Draft Metrics

- % occupied on and off-street parking in Downtown and neighborhood business districts
2018: ~95% for off-street monthly permits (baseline to be developed for on-street)
Goal: 85% occupancy for on and off-street parking
- % of 16+ year olds aware of parking options
2018: Survey not previously conducted Goal: To be created

All people feel safe and are safe at all times throughout our community.

Develop knowledge and skills across City departments to better prepare for emergencies with a particular focus on our ability to deliver safety services to vulnerable and historically marginalized populations.

1. Create plans and communication strategies for all major risks within the city
2. Ensure all City employees assigned an emergency operations center role or cross functional field work during major emergencies are trained to the appropriate level
3. Pursue data driven and evidenced-based strategies to address root causes of police and fire related emergencies (i.e. Cure Violence Assessment)
4. Cross-reference code compliance data with fire and police department information systems
5. Employ multi-disciplinary approaches, data-driven improvements, and broad policy changes to determine effective strategies for protecting vulnerable road users and for the creation of safer roadways

- % of designated employees trained to the appropriate National Emergency Management Certification level
2018: 70% Goal: 90%
- % of community members who say they feel response to weather related emergencies is delivered effectively
2018: Survey not previously conducted Goal: 90%
- % of Grand Rapids Police Department Community Policing Specialists trained in Crime Prevention Through Environmental Design
2018: Being calculated Goal: To be created

Objective 2:

Create a shared understanding with the community regarding timely, equitable and effective safety outcomes and align performance expectations and resource investments accordingly.

Strategies

1. Increase critical metric compliance for fire, hazardous materials, technical rescue, water rescue and EMS response to 90%
2. Increase police critical performance metrics when responding to emergency incidents
3. Develop the ability to effectively communicate, staff, manage and respond to major weather events, including activation of the City's Emergency Operations Center (EOC)
4. Develop the ability to effectively communicate, staff, manage and respond to social and environmental risks resulting from opioids, mental health challenges, active violence, micro-mobility, autonomous vehicles and the reactivation of the Grand River
5. Identify transportation safety issues through data analysis, staff expertise and community inputs and equitably deliver appropriate and effective solutions throughout the community
6. Develop and implement a data-driven, actionable and comprehensive Vision Zero transportation safety plan with meaningful input from the community
7. Ensure civil and criminal court cases are processed in an efficient and timely manner

Draft Metrics

- % critical performance compliance for fire response including both distribution and concentration measures
2018: Distribution 86.7%, Concentration 93.14% Goal: > 90%
- % of police responses to in-progress (priority 0– 3) calls for service within 8 minutes and 30 Seconds
2018: Being calculated Goal: 85%
- # of crashes and crash rates in relation to traffic counts and vehicle speeds by mode
2018: Being calculated Goal: To be created
- # of serious injuries and fatalities by mode
2018: 155 serious injuries (5 bicyclists, 115 cars/light trucks, 6 motorcycles, 25 pedestrians, 4 other) and fatalities (0 bicyclists, 8 vehicles, 4 pedestrians, 2 motorcycle) from 87 crashes
Goal: 0 (long-term Vision Zero goal)
- \$ invested in addressing transportation safety issues broken down into all the E's of safety (Evaluation, Enforcement, Engineering and Education)
2018: Being calculated Goal: To be created
- % of criminal cases completed (initiation to close) within 126 days
2018: 94% Goal: 90%
- % of civil cases completed (initiation to close) within 84 days
2018: 95% Goal: 90%



Objective 3:

Enhance partnerships within the community to recover from significant incidents that occur in the City.

1.a

Strategies

1. Create a fully functional neighborhood recovery center within a reasonable distance of the impacted area within 24 hours of an extended major emergency for geographically specific incidents
2. Standardize use of building referral forms to properly document and inform code compliance and the fire department of potential hazards
3. Properly document large scale incidents using National Incident Management Forms to preserve the lessons learned, update current operating guidelines and apply for reimbursement from State or National funds if applicable

Draft Metrics

- % of time staff critically review the City's response to an emergency requiring primary personnel operate the Emergency Operations Center (EOC) 60 days after the incident occurred
2018: 100% Goal: 100%

Objective 4:

Provide professional community oriented policing services to enhance trust, and ensure the legitimacy of the police department and the safety of every resident, business and visitor.

Strategies

1. Complete the police staffing and deployment study to develop an adequate and consistent staffing model throughout the entire community
2. Ensure the Commission on Accreditation for Law Enforcement Agencies (CALEA) mandated evaluations are completed and policies and procedures are adhered to in a way that fairly and equitably addresses disparities
3. Use findings from the annual review process to identify gaps in current administrative or operational subjects in order to develop training curriculum that increases performance and improves the safety of the community and sworn police personnel. This training may include, but is not limited to, Ethics every two years, Unbiased Policing every two years, and Mental Health Awareness every 3 years
4. Equip police officers with tools and support to help during mental health crises
5. Participate in the National Police Foundation Open Data Initiative and share information and data publicly
6. Annually document and share publicly the statistical findings of Internal Affairs findings (i.e. unreasonable use of force complaints and violations of the Unbiased Policing Policy)
7. Increase Grand Rapids Police Department community engagement
8. Employ interdepartmental data sharing and problem solving with resident voices in order to gain a holistic understanding of situations taking place within our community
9. Evaluate and design innovative policing models that equitably protect and serve residents while creating a path to healthy relationships between police and community

Draft Metrics

- % of beats covered 24/7/365
2018: Being calculated Goal: 100%
- % of Part I and II index crime rates by service area
2018: 18,705 (Central 12%, East 25% North 20% South 24% and West 19%)
Goal: To be created
- # of uniformed personnel trained in Crisis Intervention Training
2018: 19 Goal: To be created
- # of community events participating in and # of officers participating in community events
2018: Being calculated Goal: To be created
- % of Freedom of Information Act (FOIA) requests denied by the City that were overturned by the court
2018: 0% Goal: 0%
- % of Civilian Appeal Board findings that differ from Internal Affairs Unit findings
2018: 0% Goal: To be created
- # of complaints filed against sworn and civilian Grand Rapids Police Department employees submit to Internal Affairs broken down by outcome
2018 Unreasonable use of force: 16 exonerated, 1 unfounded, 0 sustained
2018 Biased policing: 5 exonerated, 3 not sustained, 0 sustained
Goal: To be created
- % of annual average Elucd scores measuring residents' level of trust, satisfaction and how safe they feel
2018: Survey finalized late in 2018 Goal: To be created

Objective 5:

Support efforts to ensure all residents have safe, stable and permanent housing

Strategies

1. Actively partner in community efforts to end homelessness
2. Support programs that provide permanent housing solutions through the use of evidence-based practices
3. Support, leverage and promote home repair and home safety services to improve safety and maintenance of existing housing supply
4. Identify all touch points with residents regarding housing and cross-promote services to improve the health, safety, efficiency and affordability of homes
5. Increase the number of occupied rental dwellings certified

Draft Metrics

- # of persons experiencing homelessness
2018: 8,458 Goal: To be created
- # of persons experiencing homelessness or at risk of homelessness that became stably housed
2018: Being calculated Goal: To be created
- # of homes receiving subsidized home repair services annually from the City
2018: 456 Goal: 455
- % of Code Compliance cases with correction orders over six months old
2018: 17% Goal: < 15%
- % of occupied rental dwellings certified
2018: 90.9% Goal: Greater than 95%

Implementation

We must successfully implement this plan to focus the City's finite resources to achieve our desired outcomes. The creation of a strategic plan is the first step in an important journey to achieving more equitable, effective and sustainable operations.

With the completion of this written plan, we now turn our focus to creating a robust implementation process that will include:

- Establishing a performance management team responsible for managing the successful implementation of the plan
- Assigning accountability to staff for measuring, tracking, accomplishing and reporting on the progress of strategies and metrics
- Creating a robust information and data tracking system that supports detailed analysis of performance
- Training staff on the plan, implementation process and performance management expectations
- Establishing a cadence of report-outs on progress, which will include internal staff reporting as well as an annual report to the Commission and public
- Publishing performance information and data publicly on the website and through other communication methods
- Updating the plan as needed
- Reorganizing the budget and budget process to align with the plan
- Integrating strategic plan performance measures into employee evaluations

Each year, the City Manager proposes the City's budget around April. As a part of the budget proposal, the City Manager will highlight the key strategies from this plan that we are investing in for the upcoming fiscal year, which runs from July 1 through June 30. This plan is a four year plan and we are working to understand how we can invest to achieve our desired outcomes within this timeframe. We will be learning as we go for these first few years, but we are excited to be on this journey and we hope that this plan helps you better understand our priorities and direction.

Find information about this plan and monitor our performance at:
www.grandrapidsmi.gov/strategicplan

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Thank you to our plan contributors!

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CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Eric DeLong, Deputy City Manager
Executive Office

SUBJECT: **Resolution approving a Memorandum of Understanding for River Restoration Between Grand River White Water and the City of Grand Rapids**

Green Grand Rapids first laid out the concept of restoring the rapids to the Grand River. Two community advocates took up the challenge and got to work. Eventually, they formed Grand Rapids White Water Inc. (GRWW). This was followed by project development and the start of a vision created by GRWW and a large cast of partners. The river became the centerpiece of the GR Forward Plan, which was developed following community engagement that included thousands of stakeholders providing their vision for the Grand River. The joint River for All engagement and planning process helped to further reimagine the river by offering design guidelines for six opportunity sites. In the model of successful public-private partnerships in Grand Rapids, GRWW and the City developed a strong working relationship focused on collaborating with other community stakeholders to accomplish the vision of restoring the rapids to the Grand River.

The attached Memorandum of Understanding will formalize the innovative working partnership between GRWW and the City that is focused on delivering the river restoration project envisioned by GRWW in collaboration with a host of public and private partners.

This intentional collaboration has evolved over the past several years, with the project taking shape and progress being made on design, permitting, project fundraising, community engagement and interagency partnerships. The parties to this MOU have identified joint interests, individual strengths and complementary competencies that are critical to completing this complex project.

This MOU affirms the responsibilities of GRWW and the City to each other and the community. It also is the next critical step in continuing the momentum of this project.

The MOU outlines roles and responsibilities of the partners, including:

- The purpose and goals of the project
- Design responsibility
- Permitting responsibilities
- Construction responsibility
- Diversity and inclusion statement
- Financial responsibility
- Project management and project management teams
- Initial ownership
- Responsibilities to each other and treatment of liability

The MOU has been approved by the GRWW Board of Directors, the City Attorney's Office and City staff. The attached resolution would authorize the Mayor and City Clerk to execute the MOU on behalf of the City.

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution adopting a Memorandum of Understanding with Grand Rapids White Water, Inc.

WHEREAS:

1. Grand Rapids White Water, Inc. and the City of Grand Rapids share a joint vision for restoring the rapids to the Grand River according to community-based plans; and,
2. The parties have developed a joint plan for moving the river restoration project forward ; therefore

RESOLVED:

1. That the proposed Memorandum of Understanding between Grand Rapids White Water, Inc. and the City of Grand Rapids is hereby approved; and
2. That the Mayor and City Clerk are authorized to execute the Memorandum of Understanding in a form approved by the City Attorney.

Prepared by Eric DeLong and Jay Steffen

CORRECT IN FORM

DEPARTMENT OF LAW

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF GRAND RAPIDS
AND
GRAND RAPIDS WHITEWATER, INC.

This Memorandum of Understanding (“**Whitewater MOU**”) is by and between **THE CITY OF GRAND RAPIDS**, a Michigan municipal corporation of 300 Monroe Ave. N.W., Grand Rapids, MI 49503 (the “**City**”) and **GRAND RAPIDS WHITEWATER, INC.**, a Michigan nonprofit corporation of 120 Lyon St. N.W., Grand Rapids, MI 49503 (“**GRWW**”) (each a “**Party**,” together “the **Parties**”).

RECOGNIZING that the City and GRWW have collaborated for several years on a vision that includes removal of dams and restoration of the natural flow of an approximately 2.5 mile stretch of the Grand River through the City’s downtown (the “**River**”) which will require efforts to preserve and restore habitats, construct a barrier to and with a goal of preventing upstream migration of sea lampreys and other invasive species, creating faster and slower moving water segments to enhance recreational opportunities, improving access at points along the River, enhancing pathways along the River, and undertaking other improvements to restore the rapids from which the City derived its name to again be an icon of the City’s natural and cultural heritage (the “**Vision**”); and

ANTICIPATING that the Vision will result in a project involving in-River work from the point that is approximately 500 feet downstream of the 6th Street dam to Fulton Street, including the removal of four low-head beautification dams; restructuring the channel through excavation, grading, and importing boulders, cobble and gravel substrate; installing additional scour protection on existing bridge structures; installing recreational features; and work in the River to improve access (“**First Project**”); and

FURTHER ANTICIPATING that the Vision will result in a project upstream from the First Project involving in-River excavation, grading, and other work similar to that of the First Project and also work related to the design, acquisition, construction, and installation of an adjustable hydraulic structure (“**AHS**”) constructed for purposes including public safety, flood control, as a barrier to and with a goal of preventing upstream migration of sea lampreys and other invasive species, fish passage and other ecological improvements, and enhanced River recreational opportunities (“**Second Project**”), which AHS is the subject of a second memorandum of understanding between the City and GRWW that also includes as parties the Great Lakes Fishery Commission, Michigan Department of Natural Resources, and United States Fish and Wildlife Service (the “**AHS MOU**”); and

BELIEVING that the Vision will further the transformation of the Grand River in the City’s downtown into a multi-use recreational asset and community focal point that is expected to provide, enhance, or catalyze environmental, economic and social advancements benefiting individuals, businesses, and public and private organizations throughout the community and region; and

ACKNOWLEDGING the longstanding cooperative relationship between the Parties, state and federal regulatory bodies, and other community partners to further the above-described Vision and accomplish the First Project and Second Project (each individually a “**Project**,” and together, the “**Projects**”); and

FURTHER ACKNOWLEDGING the support of donors who have contributed funds to carry out the Projects; and

DESIRING to see the Projects come to fruition; the Parties

HAVE AGREED as follows:

ARTICLE I

PURPOSE

This MOU sets out the framework for the Parties’ collaborative relationship in seeking to accomplish the Projects. The design, permitting, construction, and operation of the Projects is intended to meet all the following goals:

- Public safety and protection of property. This includes, for example and emphasis but not for exclusivity, flood protection.
- Protection from and, when appropriate, control of invasive species of flora and fauna.
- Fish passage and habitat restoration.
- Public recreation.

ARTICLE II

THE PARTIES AND DESIGNATED AUTHORITY

1. *The City.* The City is a public body authorized by Michigan law to acquire and hold property interests, to submit permit applications, to apply for and otherwise obtain certain types of funds, to provide public services and amenities, and to take other actions needed for undertaking, completing, owning, and operating the Projects.

2. *GRWW.* GRWW is a Michigan nonprofit corporation dedicated to revitalizing the Grand River and putting the namesake rapids back in the River for everyone’s enjoyment. GRWW is supported by many individuals, businesses, and organizations that have donated funds to accomplish the Projects.

3. *Designated Authority.* The City vests the City Manager with the authority to make decisions for and bind the City with respect to the implementation of this MOU. GRWW vests its President/CEO with the authority to make decisions for and bind GRWW with respect to the implementation of this MOU. It is foreseeable that the City may join with others to form

an entity or may assign or delegate to another entity one or more of the City's responsibilities for part or all of the Projects. Accordingly, as reasonably feasible and allowable under law, including any permit issued to the City, additional documents may be executed to further the purposes of this MOU and the rights and obligations under this document will be assignable for those purposes. Such assignments shall be made after consultation with GRWW. Further, there may be some circumstances in which the City may enter into a contract for site preparation, construction, or installation of a Project ("**Construction Contract**") or a financing agreement with another entity for a portion of a Project after consultation with GRWW.

ARTICLE III

GOVERNANCE

A joint GRWW/City River Project Team ("**RPT**") is established to implement this MOU. The RPT will consist of members jointly designated by GRWW's President/CEO and the City Manager, and will meet as needed to oversee and coordinate Project implementation activities set forth in Articles IV and V. The RPT will coordinate and advise Parties on: (i) Project design, (ii) Project funding, (iii) Project permitting, (iv) the work of the Construction Manager, (v) bidding of portions of a Project, (vi) construction of each part of the Projects, (vii) payments related to the Projects, and (viii) initial implementation, operation, and use of the Projects.

ARTICLE IV

PROJECT DESIGN

1. *Design Professional.* The design, plans, specifications, and construction drawings for the Projects ("**Design Documents**"), which are needed for obtaining permits to undertake and complete the Projects, are being prepared by a third party professional engaged by GRWW, RiverRestoration.org, LLC ("**RRO**"). GRWW will ensure that the final Design Documents will be signed and sealed and in a form and substance acceptable to the City. The Parties will assure that the professional obligations of RRO with respect to the final Design Documents will run to both GRWW and the City, which arrangement shall be the subject of a written agreement between GRWW and RRO. GRWW and the City shall co-own final Design Documents, unless for good reason co-ownership is not possible. However:

A. The City, Downtown Grand Rapids Inc. ("**DGRI**") or other parties will be responsible for plans, specifications and construction of other improvements on dry land, such as pathways, that are not Projects under this MOU.

B. The City will be responsible for the design and construction of flood protection improvements.

The final Design Documents for a Project will not be modified unless (i) required by state or federal agencies or officials of competent jurisdiction, (ii) GRWW no longer exists or no longer is involved in that Project, or (iii) the City, after consultation with the RPT and GRWW, reasonably determines such modification is needed to accomplish one of the first three goals identified in Article I.

It is anticipated that portions of a Project may be constructed by a third party partner of GRWW and the City. In such cases, the Parties will assure that the professional obligations of RRO in signing or sealing final Design Documents for that portion of the Project will run to GRWW, the City and the third party partner, which arrangement shall be the subject of written agreement between GRWW and RRO.

2. *City approval.* The City will review and approve the final Design Documents before they are officially submitted to a regulatory agency, used in support of a permit application, used for bidding for the Projects, or used to complete construction of the Projects. The City's review and approval will be to ensure compliance with this MOU, City requirements, applicable law, and City risk management practices, and shall constitute confirmation of GRWW's compliance with its obligations under Paragraph 1 of this Article.

3. *No representations or warranties.* The Parties recognize and agree that GRWW is not providing a representation or warranty of any kind regarding the Design Documents.

ARTICLE V

PROJECT IMPLEMENTATION

1. *Fundraising.* GRWW shall continue to be actively engaged in and leading fundraising for the Projects. GRWW and the City, together and with others, are working to coordinate grant applications to governmental and non-governmental sources. GRWW is working to obtain contributions from foundations and individuals. GRWW, using information it has or that is provided to GRWW by the City and others, will regularly update the RPT with documentation showing available funds for Projects, including expected dates when funds are expected, must be used, and other funding requirements and restrictions. No bidding of a Construction Contract will occur unless there is adequate funding to pay for that work.

2. *Public outreach and engagement.* The Parties recognize that community engagement will facilitate and improve the Projects' access, use, and benefits. GRWW and the City intend to develop a written community engagement and benefit plan.

3. *Property acquisition.* The City will acquire property rights needed for the Projects. GRWW is working with the City to identify the locations and provide legal descriptions of property rights. The City intends to allow use of the City-owned property identified on **Exhibit A** attached hereto for the Projects' staging, construction, and construction access and, if approved by the City Commission, for access to the completed Projects.

4. *Permitting.* The City will be the applicant and permittee for all permits required for the Projects. GRWW, in collaboration with the City, is causing to be prepared applications and supporting documentation for permits required for the Projects.

5. *Contracting construction.* Subject to (i) adequate funding, which the Parties anticipate will be secured through fundraising activities as set forth in Paragraph 1 of this Article, (ii) either an appropriate escrow agreement between GRWW and the City governing use of the

funds or, in the discretion of the City, adequate proof of the reliability of financial pledges, and (iii) Subparagraphs A and B below, the City will undertake bidding for the Projects and oversee construction of the Projects. The Parties anticipate that the City may engage the services of a third-party construction manager to bid and oversee such construction (“**Construction Manager**”). GRWW may participate with the City in the oversight of such construction to the extent necessary to assure that the funds raised by GRWW are expended as intended by the grantors and other funders. Payments from available funds on any Construction Contracts will be reviewed and recommended by the RPT and approved by the City Engineer. Except when otherwise required under a grant agreement or other fund restrictions, available funds will be held in escrow accounts designated by GRWW, accounts designated by the City, or, for some funds, accounts designated by others. In some cases, funds will be provided on a reimbursement basis and, in such circumstances, GRWW or the City may advance the funds to later be reimbursed. The RPT will, consistent with any funding requirements, designate what available funds are to be used to pay particular costs for the Projects.

A. Another party, such as the U.S. Army Corps of Engineers, may be responsible for bidding or constructing all or part of the Second Project.

B. Grand Valley Metropolitan Council (“**GVMC**”) has obtained a grant to fund a portion of the First Project, and may be responsible for bidding or contracting constructing of a portion of the First Project. The parties anticipate entering into a written arrangement with GVMC for use of those grant funds to construct that portion of the First Project.

6. *Project ownership, operation, and maintenance.* The City is the owner of the Projects, and is responsible for operation and maintenance of the Projects. The Parties anticipate that use and operation of Projects may eventually be overseen and coordinated by a party other than the City and that the responsibilities under this agreement may be transferred to that party.

ARTICLE VI

RISK AND INSURANCE

1. The City is not waiving any governmental immunity by entering into this MOU.
2. GRWW shall cause the City to be named an additional indemnitee under the professional services agreement between GRWW and RRO.
3. Each Party shall maintain such liability and casualty insurance coverage as it deems necessary or prudent to cover its possible liability pursuant to this MOU.
4. Each Party shall require any contractor it engages to perform work on a Project or pursuant to this MOU to carry insurance in such amounts and with such terms and provisions as determined by the RPT, which insurance shall provide coverage for both parties. GRWW shall cause the City to be named as an additional named insured under RRO’s commercial general liability insurance policy.

5. The Parties shall insure their own officers and employees.

ARTICLE VII

DIVERSITY AND INCLUSION

GRWW and the City believe in the importance of an equitable development framework and that the Projects are an important opportunity to achieve aspirational outcomes. GRWW and the City also acknowledge the unique nature of the Projects. Therefore, as reasonable and appropriate, the Parties intend to pursue best practices for equity, diversity, and inclusiveness consistent with applicable law, and will endeavor to encourage project partners to do the same, including:

- Incorporating the City's Equal Business Opportunity Program incentive framework in all bid documents and all Construction Contracts let by the City and, where bidding or construction for a Project is being undertaken by another party, encouraging that other party's voluntary inclusion of the City's Equal Business Opportunity Program incentive framework or similar provisions in the contract documents for that Project.
- Working to enhance the outcomes that can be achieved through Equal Business Opportunity Program incentives including but not limited to local hiring, apprenticeship and job training through intentional efforts to increase participation in conjunction with community partners with attention to Neighborhoods of Focus in Grand Rapids.
- Working with the Construction Manager, community partners and contractors to co-develop intentional partnerships.
- Working with partners on portions of the Projects that may be constructed by Federal agencies to implement equity, diversity and inclusion programs that may be available through their policies.
- Monitoring outcomes and reporting results to GRWW, the City Commission, and the Community.

ARTICLE VIII

THIRD PARTIES

1. *No third party beneficiaries.* This MOU is only for the benefit of the Parties. There are no intended third-party beneficiaries and the Parties do not intend any other person to have any rights, duties, or obligations under this MOU.
2. *No duty to third parties.* GRWW is not the owner, operator, or designer of the Projects, and has no duty or obligation to any third party who may participate in completing or use the Projects.
3. *No representations or warranties.* GRWW provides no representations, warranties, or assurances regarding the Projects or their safety for users.

ARTICLE IX

DISPUTE RESOLUTION

As to any difference or dispute between the Parties arising out of the interpretation, implementation, or application of any of the provisions of this MOU, the parties shall negotiate in good faith and use reasonable efforts to amicably settle the difference, dispute, or perceived breach.

ARTICLE X

EFFECTIVE DATE, DURATION, AND TERMINATION

1. *Effective Date.* The effective date of this MOU is upon the latest date of execution by the signatories provided below.

2. *Duration.* The term of this MOU is 10 years and will renew automatically until terminated by a Party.

3. *Termination.* Either Party may terminate this MOU by delivering 60 days written notice of termination to the other Party. Such termination shall not affect any escrow agreements for elements of the Projects and said escrow agreements shall remain in full force and effect until the conditions of that escrow have been satisfied.

CITY OF GRAND RAPIDS

By: _____
Rosalynn Bliss, Mayor

Attest: _____
Joel H. Hondorp, City Clerk

Approved as to form:

Anita Hitchcock, City Attorney

GRAND RAPIDS WHITEWATER, INC.

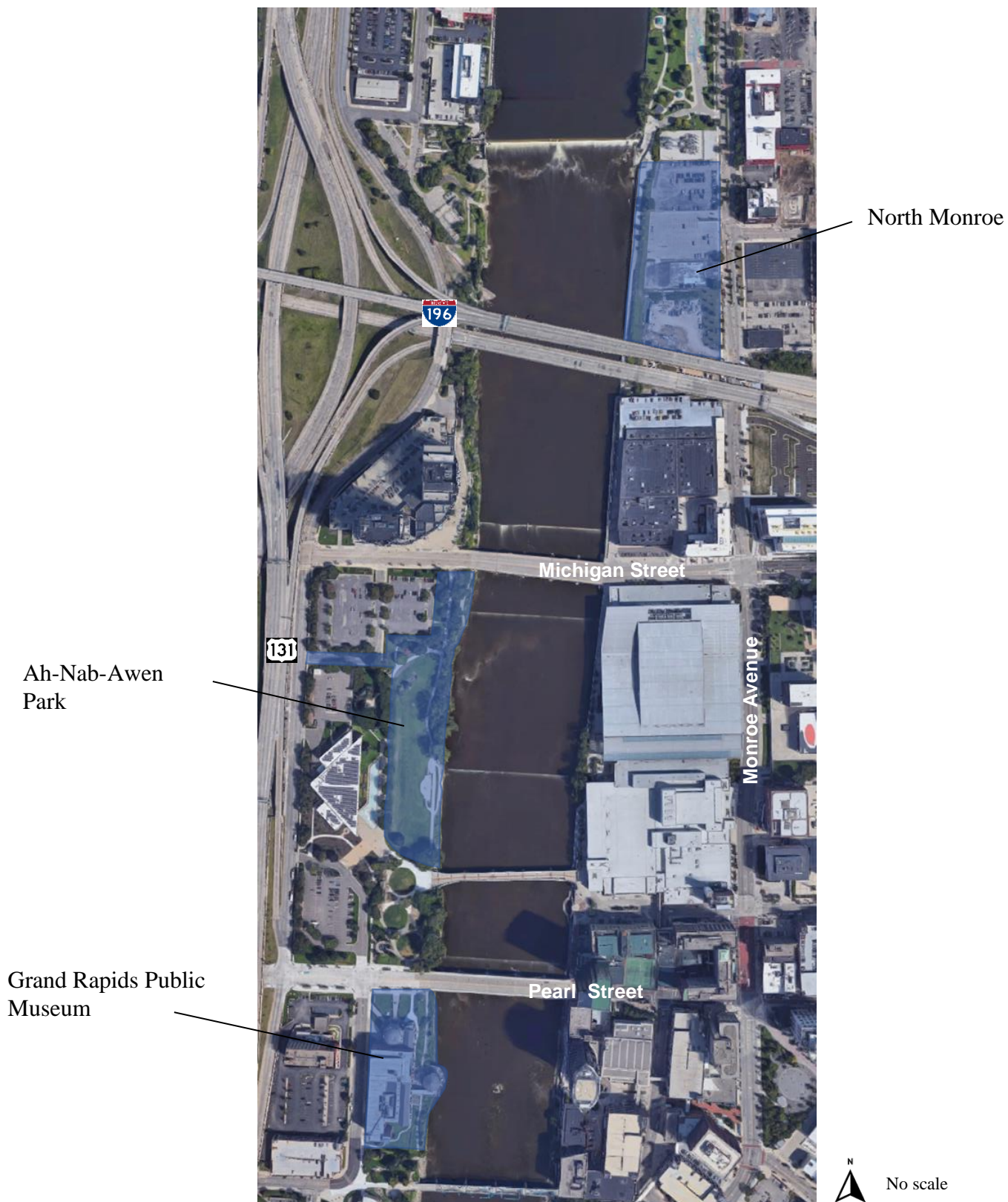
By: _____

President & CEO

By: _____

Chair, Board of Directors

EXHIBIT A

City Owned Property to be used for Project



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: David G. Kiddle, Deputy Police Chief
Police Department

SUBJECT: **Presentation of study completed by Hillard-Heintze, LLC titled "Grand Rapids Police Department - A Strategic Review of the Department's Staffing"**

On November 27, 2018, the City of Grand Rapids City Commission approved a resolution authorizing Hillard-Heintze, LLC to conduct a staffing and deployment study of the Grand Rapids Police Department. Hillard-Heintze, has a track record of helping the cities they serve improve community policing and helping to increase trust between law enforcement and the communities through appropriate organizational and service delivery configurations. Hillard-Heintze, LLC will report the findings of their report titled "Grand Rapids Police Department - A Strategic Review of the Department's Staffing".

Prepared by Ranae Rodgers

CORRECT IN FORM

DEPARTMENT OF LAW

GRAND RAPIDS POLICE DEPARTMENT

A Strategic Review of the Department's Staffing

FINAL REPORT

April 5, 2019

HILLARD  HEINTZE®

Protecting What Matters®



April 5, 2019

Chief David Kiddle
Grand Rapids Police Department
1 Monroe Center
Grand Rapids, Michigan 49503

Dear Chief Kiddle:

We are pleased to submit our assessment on the staffing of the Grand Rapids Police Department (GRPD). The commitment and professionalism of the GRPD personnel was evident during this assessment. We thank you and your team for your engagement during this process and appreciate the insight, time and experience that you shared with us. It is evident that your officers work hard to serve the residents of Grand Rapids.

The GRPD is at an important juncture as your City continues its search for a new Chief. The budget and staffing decisions of the past continue to impact the department's ongoing success, particularly as it seeks to address succession planning and effective allocation of resources. Our analysis has found that while sworn staffing is sufficient to meet current demand, limited administrative support and the absence of usable data to direct resource allocation contributes to the pressures felt by officers and managers within the GRPD. Our observations and analysis identify that providing more support through increased administrative staffing will allow officers to engage in the proactive policing activities.

We believe that our analysis, discussions and recommendations will provide an opportunity for the continued growth and excellence of the Department going forward and establishes a foundation for the new Chief, when selected.

Sincerely,
HILLARD HEINTZE LLC

A handwritten signature in black ink that reads "Arnette Heintze".

Arnette F. Heintze
Chief Executive Officer



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Executive Summary

The Grand Rapids Police Department (GRPD) is comprised of individuals who seek to deliver a professional police service to the residents of Grand Rapids. GRPD management strongly advocates for a full-service police department predicated on community policing principles. The GRPD officers have an overall strong community ethos and seek to serve the residents of Grand Rapids in a full and appropriate manner.

We have seen a national increased pressure on policing, as communities demand an increasing variety of services provided by law enforcement. These pressures, particularly in delivering a full-service police response, have been felt by the officers and management of the GRPD. The level of interaction between GRPD officers and the community has been affected by demand for services, and both community members and officers indicated that the time officers take to engage with the community has grown increasingly limited.

Our review, which includes a staffing assessment based on the data provided by the GRPD, finds that the GRPD should be able to manage the demand for daily patrol services with its existing staffing. That said, we identified several areas for potential improvement. The Detective Unit is sufficiently staffed; however, decreasing administrative burdens with civilian staff would greatly reduce workloads. Our observations identified inefficiencies within the organization, both as a matter of strategy and resource allocation, that contribute to pressure points in the delivery of police services to Grand Rapids residents. Finally, data is not routinely validated and used to inform management decisions, and getting some basic data was a challenge, while other data were not available. A more robust approach to data management will help the GRPD develop efficiencies and knowledge about how to best manage and allocate resources.

Police staffing levels are a blend of science and organizational strategy. The GRPD is response-focused and addresses demand as it comes in, generally through calls for service and police reports. Scientifically validated research can identify the basic staffing levels needed to meet identified demand. At a base level, police departments require sufficient staffing levels to ensure coverage for public safety response and emergency operations. Such planning can be challenging for a city like Grand Rapids, where most calls for service are not emergencies, but rather are service oriented. As such, these non-emergency calls for service drive resource utilization rather than strategic deployment.

Optimal staffing levels are based on organizational strategy – how a department wants to police – with input from government and community. Optimizing unallocated patrol time is inextricably linked to effective staffing strategies that allow the department to effectively meet established operational goals using available resources. Our staffing analysis identified that for patrol, the existing resources are sufficient to address the calls for service and still have time to address other priorities as identified by management. For other units, including the Detective Unit, policy decisions have contributed to the ineffective use of resources, and bringing in more administrative support will free up officers' time for other assignments. Across the GRPD, officers are not tasked in alignment with a strategic vision, which



results in inefficient use as officers are tasked based on demand inflows, rather than a guided strategic vision that outlines how and when resources are allocated.

Further exacerbating the staffing pressures felt by the GRPD is the fact that the organization has minimal administrative support. In any large data-driven organization, the need for administrative support is a given. The operational side of the house is staffed with two, full-time civilian staff, including the administrative aide to the Chief and a community organizer. The Department had 297 sworn personnel and 27 full-time civilian personnel who support the operations of the Department.¹ It also employs 30 part-time interns, who are local college students and may apply to become a GRPD officer. They support the Department either at the walk-in desk or in a few other positions.

Law enforcement agencies average 23 percent civilian staff out of their overall staff positions.² The GRPD is at an average of nine percent, excluding the interns. As a result, in the GRPD, many administrative duties, those which do not require sworn powers, are frequently performed by sworn officers, including the downloading of data, citation review, reporting and record filing in units. Time spent on administrative tasks contributes to the pressures felt by officers and the Department.

The Department and its community were vocal in their belief that more officers are needed in Grand Rapids. Our analysis has demonstrated that staffing is sufficient. By way of support, calls for service have remained fairly consistent for the last 10 years and reported crime has in fact decreased by 25 percent in that same time frame.³ However, we note that the types of service demands have shifted, as well as expectations for service delivery. Internally, the use of technology and the need for data to inform decisions has changed how services are delivered. The GRPD would be well supported in analyzing its determination of what are the skills requirements for each of its positions, specifically whether they require sworn powers, and establishing a staffing plan to meet the skills requirements.

The GRPD has an opportunity to increase civilian support and release officers to perform duties that require sworn powers. In that the City of Grand Rapids is currently searching for a new Chief of Police, this report will help guide the new Chief's decisions on how to best allocate resources and engage in a strategic vision predicated on the optimal use of sworn resources and appropriate administrative staffing. Setting an organizational vision and strategy, coupled with specific roles and tasks for personnel, will help the Department maintain an excellent police service and allow officers to better address the issues that require sworn powers with appropriate support and time.

¹ The GRPD employs 105 civilians overall, but 48 are assigned to the Communications Unit, which was not part of this assessment. These civilians are not consistently counted in staffing numbers for law enforcement operations.

² <https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-pages/tables/table-75>

³ <https://crime-data-explorer.fr.cloud.gov/explorer/agency/MI4143600/crime/2007/2017>



01 Introduction

STRATEGIC CONTEXT: THE GRAND RAPIDS POLICE DEPARTMENT TODAY

The GRPD has pride in its delivery of public service. To this end, it has undergone several reviews and assessments based on a variety of factors. The culmination of these have led to its policing today. Regarding this report, the GRPD sought a staffing study to determine its staffing requirements and how it can continue to deliver excellence in service into the future.

The City of Grand Rapids has seen a slight growth in population within the last decade, but the demand for police services has remained fairly consistent. Notably, most calls are not for emergency police services, such as immediate physical danger, but rather are service oriented. Seventy percent of calls for service in 2018 were categorized as "low priority." For example, the most common calls for service included 4,982 for property damage-only traffic crashes and 4,050 calls for burglar alarms, most of which are false. On average, officers spend almost an hour on scene resolving calls for service, so a significant amount of patrol time is spent addressing non-emergency calls. This evolving demand for a variety of services from law enforcement is a trend that we see nationally, and many communities continue to struggle with identifying what, when and how they want police services delivered. This is of concern for many municipalities as police budgets are often the largest component of municipal expenditures.

The GRPD is in a time of change, as it is currently engaged in a search for a new Chief. One of the key functions of a Chief is to set the goals, vision and strategy that provide the foundation and framework for the services delivered. A definitive link exists between strategy and staffing, as both require knowledge of how and where resources are required to fulfill organizational goals and thoroughly develop an appropriate and responsive staffing plan.

Our analysis examined the service demand that the Department currently faces and whether existing resources are effectively used. However, a staffing plan should be part of an overall deployment strategy in conjunction with a fully developed vision and operational plan to deliver policing services as effective staffing determinations are based not just on calls for service, but other factors as well. We believe that this assessment will help inform the new Chief in establishing the future roadmap for the delivery of policing services in Grand Rapids.

ASSIGNMENT: WHAT YOU ASKED US TO DO

Hillard Heintze was contracted to review and assess the following.

- 1 Current operational, administrative and investigative components to ensure alignment, efficiency and effectiveness.
- 2 Current civilian staffing assignments, including classifications for appropriate personnel allocation, excluding dispatch assignments.



- 3 Current patrol assignments for appropriate staffing levels as based on relevant computer-aided dispatch (CAD) data and other organizational priorities.
- 4 Current policies and practices regarding employee stress, fatigue, overtime and succession planning.

METHODOLOGY AND APPROACH: A HIGHLY INTEGRATED PROCESS

Six Key Principles

Emerging from our experiences as leaders in a variety of law enforcement-related fields, the Hillard Heintze methodology is based on the following six strategic principles.

- 1 Independent and objective analysis
- 2 Solicitation of multiple perspectives and viewpoints
- 3 An acute focus on collaboration and partnership
- 4 An information-driven, decision-making mindset
- 5 A structured and highly disciplined engagement approach
- 6 Clear and open lines of communication

An Intensive Approach

During this engagement, the Hillard Heintze assessment team performed the following tasks.

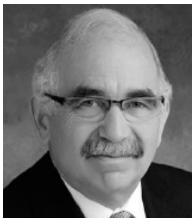
- Conducted two site visits in which an array of sworn officers, civilian staff and community members were interviewed, observed and assessed.
- Interviewed numerous parties, including elected officials, community members and members of the GRPD, which provided insight and detail to round out the staffing study.
- Surveyed GRPD personnel regarding their opinions on their role and the GRPD.
- Requested, reviewed and analyzed numerous documents and data.
- Reviewed standard and best practice in law enforcement in support of the findings and observations provided by the Hillard Heintze team.

THE HILLARD HEINTZE ASSESSMENT TEAM

Hillard Heintze is one of this nation's foremost privately held strategic advisory firms specializing in independent ethics, integrity and oversight services – with a special focus on federal, state and local law enforcement agencies, including police departments, sheriff's departments and internal affairs bureaus. We provide strategic thought leadership, trusted counsel and implementation services that help leading organizations target and achieve strategic and transformational levels of excellence in law enforcement, security and investigations. Many of our team members have been responsible for leading the significant transformation of many major city police departments and law enforcement agencies.

**Debra Kirby, Esq., Chief Legal Officer**

Debra Kirby has been a lifelong champion for change and improved policing practices in the U.S. and in Ireland. She served as Deputy Chief Inspector of the Garda Síochána Inspectorate, an agency tasked with making policy and practice recommendations for An Garda Síochána, the national police force of Ireland. At the time of her retirement, she was the highest-ranking woman in the Chicago Police Department, having developed expertise in labor management; officer-involved shooting investigations and policies; criminal investigations; large-scale demonstrations and emergency preparedness; and internal affairs and accountability. Kirby was a change agent in critical organizational change programs including district reduction; independent civilian police review of officer use of force; and protocols and policies around issues such as prisoner treatment, stop and frisk and officer-involved shootings. She currently serves as the Project Director for Hillard Heintze's collaborative reform efforts in addition to leading other law enforcement consulting engagements. Kirby holds a master's degree in homeland security from the Naval Postgraduate School and a J.D. from the John Marshall Law School.

Dr. Alexander Weiss, Lead Researcher

Dr. Alexander Weiss (Ph.D., Northwestern University) has over 30 years' experience as a public safety practitioner, researcher, trainer, and consultant. For nine years he was director of the Northwestern University Center for Public Safety and Professor of Management and Strategy at the J.L. Kellogg Graduate School of Management at Northwestern. He currently is adjunct professor of criminal justice at Michigan State University.

Prior to his appointment at Northwestern, Alex was a member of the faculty of the department of criminal justice at Indiana University, Bloomington. During that time, he also served as a senior advisor to the Indianapolis Police Department. Dr. Weiss has 12 years of experience with law enforcement agencies in Colorado. During his tenure with the Colorado Springs Police Department, he served as a field supervisor and directed the then newly created operations analysis unit.

Dr. Weiss is the co-author (with Dr. Jeremy Wilson) of **A Performance-Based Approach to Police Staffing and Allocation**, published by the COPS Office, U.S. Department of Justice.

Dr. Weiss has conducted staffing analyses for a number of small, medium and large communities including the following.

- Indianapolis Police
- Peoria, Illinois Police
- Cook County, Illinois Sheriff's Police
- Delaware, Ohio Police
- Rockford, Illinois Police
- Holland, Michigan Police
- Chicago, Illinois Police
- Traverse City, Michigan Police
- Lansing, Michigan Police
- Buffalo Grove, Illinois Police
- Chicago Metra Railroad Police
- New Orleans, Louisiana Police
- Louisville Metro Police
- Seattle Police
- Denver Sheriff
- Albuquerque Police
- Dona Ana County, New Mexico Sheriff
- Joliet, Illinois Police



GRAND RAPIDS POLICE DEPARTMENT
A Strategic Review of the Department's Staffing

- University of Notre Dame Police
- Evanston, Illinois Police
- Schaumburg, Illinois Police
- National Park Service
- U.S. Park Police
- Puerto Rico Police Bureau

Weiss earned a Doctorate in Political Science from Northwestern University in 1992, a Master of Public Administration from the University of Colorado in 1984 and a Bachelor of Arts from Colorado Technical College in 1978.

Wes Stought, Associate Director, Security Risk Management



Law enforcement official and public safety expert Wesley "Wes" Stought brings more than two decades of strategic leadership, security and project management and experience to Hillard Heintze in his role as Associate Director of Security Risk Management.

Before joining Hillard Heintze, Wes served in the Ohio State Highway Patrol for more than 20 years. In this role, he rose in the ranks to sergeant, serving as an assistance post commander at three different post assignments before transferring to the training academy. Wes served as an instructor and a course director in multiple training disciplines, training several hundred officers from agencies across Ohio and neighboring states.

While assigned to the training academy, Wes began his work in the Drug Recognition Program, where he developed relationships with federal, state, county and local law enforcement throughout the State of Ohio and the country. He also instituted technology solutions to increase the effectiveness of the program in reporting and communication. He initiated, planned and designed drug recognition training for hundreds of municipal and county law enforcement departments, one of the leading such programs in the nation.



02 Key Findings

Key Finding #1: Patrol staffing supports current demand.

Our analysis suggests that an adequate number of officers are assigned to the Patrol Division to respond to calls for service and perform a wide range of other activities, including proactive activity and community engagement.

Key Finding #2: The work schedule contributes to staffing challenges and perceptions regarding sufficiency of staffing, particularly in the Detective Unit.

The Patrol Division work schedule is efficient, but the work schedule for some support units, particularly Investigations, is both inefficient and unproductive. For example, because the Detective Unit is off on the weekend, Mondays present a heavy workload as the weekends are normally busy and two days' worth of reports and arrests await the detectives on Monday morning.

Key Finding #3: Policy improvements and improved administrative resourcing would lessen staffing pressures within the Detectives Unit and Patrol.

Officers are tasked without consideration of the overall impact on resources and the prioritization of services. Officers are assigned to most calls for service, regardless of whether sworn powers are required, and they complete a report for every assignment regardless of investigative need. Approximately only one-third of the reports generated are subsequently reviewed in support of any police action.

Detectives perform a supervisory function in reviewing and correcting preliminary reports generated by patrol officers instead of this task being done by a supervisor. Detectives and officers in the Traffic Unit perform clerical functions in the review and processing of citations, which consume a significant amount of time that could be better focused elsewhere.

Key Finding #4: Effective use of the CAD system with records management system (RMS) integration would eliminate redundancies and decrease administrative time spent by officers.

The CAD is not fully used to ensure consistent and accurate data tracking for calls for service and response by the patrol units. Documentation of calls for service like public assistance and low priority calls can be captured through the CAD system more efficiently than by using the RMS. In addition, officer status and daily activity is currently captured with the Duty Log that requires manual entry by officers and often contains duplicate information that could be automatically captured in the CAD.

**Key Finding #5: Improving case management practices would ensure better use of investigative personnel.**

An effective review process – solidified in policy for the Investigations Unit – that identifies and assigns cases for follow-up investigations based on established solvability factors will allow the Department to be more efficient in its mission of solving crime. It would also enable it to promote transparency in crime solving both internally and externally.

Key Finding #6: Hiring additional civilian staff would free up officers' time for assignments that require sworn powers of enforcement and arrest.

The GRPD has limited civilian staff, which results in officers becoming engaged in a variety of tasks that do not require sworn powers. For example, Operations and the Detective Unit only have one civilian full-time staffer. Interns provide some administrative support, but the limited use of civilian staff means that all work is conducted by sworn officers, from filing reports to carrying evidence and paperwork to the court. Providing civilian staff support in the Records Unit, Detective Unit and Crime Analysis would increase the number of officers available for response needs. Conducting a review of officers in positions that do not require sworn powers, such as digital analysis and property services, and staffing those positions with civilians would release more officers to perform police work.

Key Finding #7: We commend the strong officer morale evident within the GRPD.

Both our personal experiences with staff and survey results indicated that GRPD officers are committed to the Department and their community. While some fatigue was mentioned by survey respondents and others commented on a previous lack of support from City and Department officials, we noted a strong morale overall.

Key Finding #8: Alternative response strategies and technological resources would help the GRPD more effectively manage the demand for police services.

The Department spends a great deal of time and resources on calls that could be handled by others including parking enforcement, false alarms and minor traffic crashes. In part, the lack of civilian staff to provide support services and to help analyze the data and provide intelligence contributes to inefficiencies. In addition, the GRPD should explore the use of web-based reporting for minor crimes and other public reporting.

Key Finding #9: The GRPD needs to establish a focused, data-driven policing strategy.

Strategy drives effective resource allocation. The GRPD has a solid foundation of technology and software capturing a large amount of statistical data. However, much of the data collected is not analyzed in a cohesive manner or used to its full potential. Data-led tasking will ensure the optimal use of police resources. Moreover, providing data analysis to all levels of the Department promotes and develops awareness, engagement and responsibility and can assist in identifying operational and administrative issues to allow for a more effective policing plan and strategy.



03 Overview of the Grand Rapids Police Department

MISSION AND STRATEGY

The Grand Rapids Police Department (GRPD) is the second largest municipal police department in the State of Michigan, behind Detroit. It is headed by a Chief and employs 297 officers and 105 civilians⁴ as of December 31, 2018. The GRPD's mission statement is, "To provide professional, progressive, and responsive police services, in collaboration with the community, to ensure a safer Grand Rapids."

A primary focus of the GRPD is community service, and it further identifies that it is "Responsive – We will listen to the community's wants and needs and not restrict our thinking to traditional paradigms. The concerns of our community will help shape the priorities of our agency." In recent years, the department has created a structure intended to better support community policing. The department is broken down into five sectors – North, South, West, East and Central – to which Community Policing Specialists (CPS) are assigned to establish an ongoing and direct link with the community. The GRPD is accredited through the law enforcement accreditation committee, CALEA, which is evident of a desire to continuously improve and maintain standards.

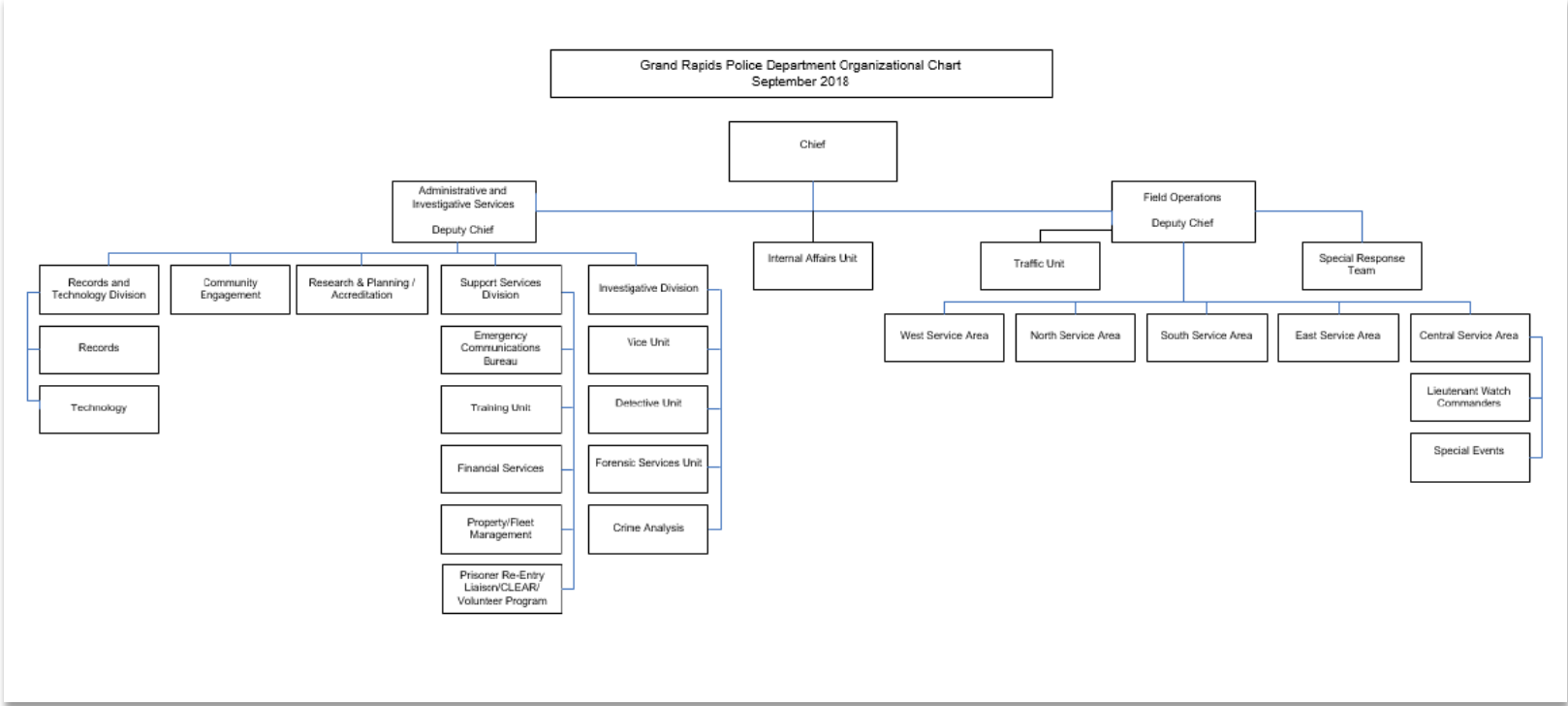
ORGANIZATION AND COMMAND

The GRPD has a fairly traditional law enforcement structure and approach to organization and command. The Chief reports to the City Manager and has an overall command of the organization. The Chief is responsible for the command and strategic vision of the Department. He has three direct reports, the Bureau of Field Operations (Operations), the Bureau of Administrative and Investigative Services (Administrative) and Internal Affairs. Also reporting to the Chief is an administrative assistant, whose tasking is shared with the Deputy Chiefs. The GRPD's two bureaus are headed by a Deputy Chief. Operations accounts for 193 personnel within the organization, and Administrative accounts for 167, inclusive of Communications Unit.⁵ See the following page for the Department's **Organizational Chart**.

⁴ This assessment does not include Communications, which is entirely civilian staffed.

⁵ Throughout our report, we identify and use the number of positions in place at the time of the analysis, unless otherwise identified.

GRAND RAPIDS POLICE DEPARTMENT
A Strategic Review of the Department's Staffing





The GRPD has eight captains, 13 lieutenants and 36 sergeants; these are the current and future leaders of the organization. Overall, the GRPD relies heavily on captains and sergeants, with limited roles for the lieutenants. Under a basic supervision ratio, the supervisory span of control in Operations is as follows.

- 1 captain to 1.6 lieutenants
- 1 captain to 4.6 sergeants⁶
- 1 lieutenant to 2.8 sergeants
- 1 sergeant to 7 officers

Captains supervise sectors and sergeants directly. Six of the lieutenants do not report through a chain of command but rather operate as watch commanders, the lead supervisor for the patrol shift and direct operations from within headquarters. These lieutenants are not embedded in the sector structure, but captains, sergeants and CPS officers are within the service area chain of command in Patrol.

FIELD OPERATIONS

Operations is commanded by a Deputy Chief. The Operations Deputy Chief is responsible for management and oversight of field operations. The direct reports include the five Patrol service areas, Traffic, CPS and the Special Response Team (SRT). Managing direct reports accounts for the majority of the day-to-day tasks of the Operations Deputy Chief. In all, the five captains out of the eight directly report to the Operations Deputy Chief. One sergeant commands the Traffic Unit, who also reports directly to the Operations Deputy Chief. In all, this position has seven direct reports based on the organizational chart. The six watch commanders work primarily through the Central service area captain for administrative matters. The utilization of resources rests with the service area captains, with the Deputy Chief having final authority. The captain for the Central area manages the schedule for the watch commanders, but the captain does not direct their work; that is the role of the Operations Deputy Chief.

Captains in Patrol direct service area activities and are responsible for the overall management of their patrol service area, including CPS officers. As identified above, those lieutenants who do not command units are watch commanders. While their schedule is managed by the captain in Central, they are a direct report to the Operations Deputy Chief, as indicated above. Watch commanders drive the daily tasking of patrol shift operations; however, they are not assigned to the identified service areas, but rather ensure the delivery of patrol services on the watches across the city. Watch commanders are not included in the crime review meetings; they do not directly coordinate with the command over the service areas; and they are not used to drive patrol strategies.

⁶ The span of control for captains to sergeants is not a common practice in law enforcement.



The span of command and control for the Deputy Chief is essentially the whole of operations as all Patrol Division leads report directly to him. Captains identified that they had authority to manage their service areas, but they did not select and move personnel. The assignment of personnel was a group discussion on an annual basis over which the Deputy Chief makes the final determination.

The structure of field operations is different from that of many law enforcement agencies, which often have a command structure that devolves responsibilities through layers of command with increasing spans of control and responsibility over operations and administration. For example, sergeants usually report to a lieutenant who reports to a captain, with each rank having specific operational and administrative tasks. Normally in law enforcement, the higher the rank, the higher the administrative tasks associated with the rank, including management decision and control. Positions equivalent to that of the Deputy Chief are normally tasked with larger strategic and organizational issues rather than day-to-day management.

Patrol

Patrol is the largest resource allocation within the GRPD and is the first point of contact for Grand Rapids residents who call the police. As indicated above, captains command the five service areas and six lieutenants staff the position of watch commander. Eighteen sergeants and 124 officers are assigned to field response. Patrol works two, 12-hour shifts four days per week with one eight-hour day in the two-week reporting period.⁷

Patrol deployment is broken down into five service areas with specific areas of coverage for officers. While as a matter of policy officers are expected to cover their service area, this does not always occur in practice. Moreover, most of the officers with whom we spoke identified their primary concerns and tasks as answering calls for service and providing good service to the community, rather than a specific focus on service or problem-solving within their assigned area. We cover the details of patrol allocation and the challenges faced by the GRPD in allocation resources in our staffing analysis section later in this report.

Most officers surveyed or interviewed indicated that they can manage the demands of patrol but that they are busy at times during their shift, especially in the summer. They feel that they are not able to provide the level of service they would like because they are busy responding to service demands. They identified a need for more officers based on the level of work currently and historical staffing levels. We note that officer activity is measured through a daily report the officers themselves fill out and submit for subsequent entry into a data system. This is not aligned with computer-aided dispatch (CAD) or another records management system (RMS).

Sergeants were equally consistent in their viewpoint that while they felt pressure, they were able to manage their responsibilities. We note that the ratio of one supervisor to seven officers is consistent

⁷ The staffing report, Section 4, details the schedule of Patrol in further detail.



with national averages, but the GRPD's issue is specifically how sergeants are used from a strategic perspective. Sergeants are the only Patrol field supervisors under the GRPD command structure, and their critical value rests with field engagement and supervision. Sergeants in the GRPD do not routinely review submitted case reports or body-worn camera video, which are tasks performed by sergeant in other agencies, nor are sergeants specifically tasked with assignments daily. Sergeants identified their primary role as supporting their officers and ensuring that calls for service get answered. Administrative work, particularly that involving technology and oversight, is a standard task for sergeants and should be calculated into the deployment of supervisory resources.

Community Policing Specialists

The field response in Patrol is supplement by the CPS Unit. This unit is tasked with direct community engagement and two light-duty sergeants command it. The unit is budgeted for 19 officers, but it is currently staffed with 17 officers. These officers work a day shift and are off weekends, with half off Saturday through Monday, and the other half off Friday through Sunday. At full strength, the CPS officer staffing is equivalent to roughly 15 percent of the overall officers in patrol. CPS officers are tasked directly by the service area captains, not the watch commanders. However, watch commanders staff the roll calls for the CPS officers.

The overall mission for the CPS Unit is to support community policing within the service areas of the GRPD. The CPS officers are direct points of contact for the community and are in place to solve problems as identified by commanders. The CPS Unit does not use any formal strategies, and the focus and level of engagement with community groups, community members and types of contacts vary by service area. Officers are often left to their own determination of how to approach their role, with minimal oversight. While each service area has a variety of unique tasks, we noted a lot of engagement regarding quality of life, particularly landlord-tenant issues. Within some service areas, CPS officers interact with organized community groups, while other areas are not as active.

A formal review, discussion and evaluation of the CPS Unit's work by management was not evident during our assessment. Community members like the CPS officers, and the service area commanders identified that they provided a good service to the community. But overall, no indication of strategic use or deployment to help resolve chronic issues was apparent, other than a generalized approach to community engagement.

The CPS officers do not engage directly with the patrol officers assigned to the service areas. No formal communications exist between the CPS and patrol officers, including around issues identified and being addressed by the CPS unit. CPS officers do not routinely take assignments from dispatch, although they can volunteer to take an assignment if in the field. They do not routinely engage with the patrol watch and hold a separate roll call.

Specialized Units

The GRPD follows the model of many other law enforcement agencies and uses specialized support services for patrol operations. Such units are used in law enforcement to allow for specific focus on skilled areas or to ensure consistency in service demands that transfer across watches. Ideally, these



units exist to decrease some of the demand on patrol officers through delivery of specialist services, such as targeted enforcement of criminal hotspots or traffic problems.

Within the GRPD, specialized units include the SRT and the Traffic Unit. These units are under Operations and report directly to the Deputy Chief. The GRPD's specialized units support patrol functions but do not routinely take dispatch assignments. They also provide expert support for events, such as the SRT responding to critical incidents requiring specialist tactical response. While officers from specialized units are not dispatched assignments, we observed officers volunteering for some dispatch assignments, which alleviates some of the patrol workload.

Traffic Unit

The Traffic Unit consists of a sergeant and five officers. This unit does not engage in traffic enforcement, rather that is the responsibility of the patrol officers. Officers in this unit manage citations and court interaction for traffic citations. A significant portion of their time on a daily basis is spent reviewing and checking all issued citations for accuracy. They liaise with the court and are responsible for forwarding traffic citations.

Additional tasks performed by the unit include accident reconstruction for crashes and support services for protective details, including officers driving vehicles and motorcycles for such details. In 2017, the Traffic Unit conducted 19 traffic reconstructions. This unit also manages a grant-funded program aimed at impaired driving, which is generally an overtime program rather than one that is involved in daily tasking.

When a call for service regarding a traffic issue is received, a patrol officer is dispatched. Calls for service regarding traffic issues and traffic crashes are assigned to patrol officers, not the officer in the Traffic Unit. All traffic crashes receive a dispatched officer. Crashes accounted for a total of 7,115 of all calls assigned to Patrol, and none of these are handled directly by the Traffic Unit. Unlike many other police departments, the Traffic Unit does not engage in daily patrols related to traffic safety and enforcement. The unit does not routinely interact with Patrol.

Special Response Team

The SRT is used for those incidents where a heavy weapons tactical response is required, such as search warrant support or an active shooter response. This unit is commanded by a lieutenant who oversees two sergeants and 14 officers, which accounts for 15 percent of patrol staffing. They work Monday through Friday, with alternating weekends – some team members are off on Friday while others are off on Monday – and are grouped into two teams. They are requested to work some weekend duties as overtime.

Given the nature and risk associated with their mission, the SRT spends a significant amount of time training. The SRT does conduct patrol activities but is not tasked through the service area commanders or the watch commanders, nor are they dispatched assignments. However, SRT officers can and do volunteer for assignments, notably at shift change time or when officers are off training. These officers, when patrolling, are tasked to chronic criminal issues within their command. Little formal communication or interaction with Patrol occurs.



ADMINISTRATIVE AND INVESTIGATIVE SERVICES

Administrative and Investigative Services (Administrative) is also commanded by a deputy chief. As of now, this position is staffed with an acting Deputy Chief, as the appointed Deputy Chief is currently acting as Chief. The Deputy Chief of Administrative has a direct report from the Records and Technology Division, Community Engagement, Research & Planning and Accreditation, Support Services Division and Investigative Division. Unlike Operations, Administrative is staffed with 28 civilian positions, 15 intern positions and 88 sworn positions. Administrative operates as the Department's support function.

Investigations Unit

The Investigations Unit is commanded by a captain and comprised of the Vice Unit, Detective Unit, Forensic Services Unit and Crime Analysis. The Vice and Detective Units are commanded by lieutenants. In the GRPD, as with most other law enforcement agencies, these types of resources are used to address investigative activities that consume time and resources to conduct, as well as specialized policing services for narcotics and domestic violence investigations and other such crimes. These units are not tied to public demands for service through dispatch and are assumed to have sufficient time to provide investigations. The primary role of the Investigations Unit is to perform follow-on investigations and solve reported crime.

Detective Unit

The Detective Unit (DU) is led by a lieutenant who supervises five sergeants and 42 detectives, a supervisory span of control of one sergeant to eight detectives. The unit has five teams, including two Major Case Teams, each with one sergeant and six detectives. The Family Services Team (FST) has one sergeant and seven detectives. One FST detective is assigned to Internet Crimes Against Children (ICAC) and three FST detectives are assigned to Child Advocacy Center. The General Case Team has one sergeant and eight detectives who are aligned with the patrol service areas, with two to each service area except Central.

One sergeant supervises the two detectives who serve on the Auto Theft Task Force and Financial Crimes. One detective is assigned to the City Attorney's Office and one to Subpoenas. This DU also uses two interns to conduct certain activities, including follow up for missing persons, as assigned on a part-time basis. Our interviews with detectives and supervisors demonstrated a committed, knowledgeable unit dedicated to providing service to the residents of Grand Rapids.

Schedule

The DU personnel work a four-day, 10-hour work schedule over a two-week duty cycle. Most officers in the unit work from 7:30 a.m. to 5:30 p.m. The schedule is illustrated below.



	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Week One	Off	On	On	Off	On	On	Off
Week Two	Off	On	On	On	On	Off	Off
Percent on Duty		100	100	50	100	50	

While this schedule does not align with peak times for investigative need as based on patrol activity, it aligns with a core responsibility of the DU, which is court engagement and attendance. A call-out schedule for off-hours events exists, an approach that is consistent with other jurisdictions who seek to use detectives most effectively for court demands.

One issue identified by the detectives was the influx of assignments on Monday mornings. This is an outcome of the DU schedule and how work is assigned in the GRPD. The DU processes all in-custody arrests. Felonies and domestic violence arrests are addressed by detectives on a weekend arraignment team who volunteer to work an overtime schedule to address these arrests. The remainder of the in-custody arrests, misdemeanors, are processed by detectives on Monday. Additionally, weekends are often the busiest time for patrol, which means two days of reports are in queue for the DU to review on Monday. Use of overtime alleviates some of the pressure points; however, without weekend staffing to address weekend activity, Mondays will continue to be a pressure point for the DU and some incidents wait for days for a response if it occurs on a Friday evening.

Workload Analysis

Defining the actual workload within the DU was complicated. Obtaining data for analysis was challenging, in part because of the way data is retained within the GRPD. The Department has an automated system with minimal oversight as to the quality of the data and overall management practices, as no personnel are specifically tasked with ensuring the integrity of the data collected. Most municipalities define cases by classification, crime or otherwise, including the specific category break-down. Within GRPD, the term "case" includes additional assignments that are not Part I or Part II crime investigations and include a range of investigative activity.

A review of crimes reported in 2017 and the DU records of "cases assigned" do not match, with cases assigned numbering far more than crimes reported. However, this additional data does not have the consistency and clarity in reporting as crime data. Overall, the data used by the department and the DU is not developed in a manner that is consistent or structured to inform management decision; rather, data is compartmentalized with little cross-over with intake, investigation and outcome. Given this, our analysis focused on published 2017 crime data and other published sources from the Federal Bureau of Investigation (FBI) and the State of Michigan to analyze the DU workload.

Investigating Part I- and Part II-reported crimes is not the total workload of the DU and other assignments fall to detectives, but crime solving is the primary role and responsibility for the unit. In 2017, the GRPD reported 7,133 Part I offenses and 9,641 Part II offenses for a total of 16,744



reported offenses.⁸ The Vice Unit retains jurisdiction over at least 836 of those reported offenses. Disorderly conduct accounted for 597 reports, which normally constitutes an in-custody arrest or low-level resource demand from the DU but would still likely be assigned. Larceny was the highest category of reported crimes with 2,524 reports, of which 1,461 are "larceny, other." Additional work streams for detectives include missing persons reports, death investigations and other administrative investigations including municipal ordinances, warrant processing and report review.

Criminal reports and others are automatically routed to the detective division by the GRPD records system, often without any prior review. The sergeant in the appropriate unit within the DU reviews the report and tasks it as appropriate or files it without further action. Discussions with DU command identified that not all criminal reports are assigned for follow-up investigation. These standards are not formalized in policy but are instead known by unit members. The DU identified that minor retail theft and other low-level cases are not routinely assigned. Most law enforcement agencies have published standards and assign cases to the field based upon solvability factors. This also ensures consistency in review and assignment.

In 2017, the GRPD reported that the DU assigned 22,015 "cases," a high number in comparison to reported crime, the identified practices for assignment and additional workstreams. Even using this number, it averages to almost 10.5 cases per week per detective, allowing for two weeks off. This is a high, rough order number and includes every assigned detective, as assignments within the DU are determined based on management's decision. The case breakdown does not include the two part-time civilian interns who provide assistance, particularly through support for missing persons. If only criminal investigations were included, the assigned investigations would equal almost eight cases per week, with two weeks off.⁹ Other factors affect these numbers, but this is a clearly defined approach, recognizing that not all cases are equal in terms of effort.

Additional Workload Factors

Detectives are responsible for review and reconciliation of all in-custody arrests. According to State of Michigan records, the GRPD reported 4,383 arrests for all Part I and Part II arrests in 2017.¹⁰ While the GRPD reported 9,373 arrests in the annual report, this number includes citations and therefore more support.

Detectives must conduct administrative reviews to determine reports generated by patrol officers are accurate. Additional steps to this process include drafting the warrant and hand-carrying it to the prosecutor's office for review and approval of the warrant. Detectives are also responsible for closing out these investigations with a report, which are then classified an "03," meaning arrest.

⁸ This number is higher than that reported by the State of Michigan, which was 16,705 for 2017.

⁹ This number does not include those that fall under the jurisdiction of the Vice Unit.

¹⁰ State of Michigan – 2017 Michigan Incident Crime Reporting



The GRPD has a unique process under which victims are requested to report in-person to the headquarters building to engage their investigation. They come to the building during specified hours only, fill out a victim statement form and then a detective is called to come to speak with the victim. Domestic violence cases and those cases with serious injury are normally followed up by a detective whether or not the victim responds in person. For most assault and battery cases, if the victim does not report in person, these cases generally do not get assigned for further investigation. This is a very inefficient process, in that the detective “on call” may not be the detective to investigate the case being filed. Furthermore, it places an additional burden on a crime victim who must go to the building – often during work hours – to share information that could be conveyed in a phone call or at the time of reporting.

Case Closure Status

In part, unit effectiveness is reflected in how many investigations are cleared or the overall solve rate. The GRPD had an overall clearance rate of 31 percent for 2017, as reported to the State of Michigan. Murders were reported with a clearance rate of eight percent in the 2017 data, but as of this report, of the 13 murders in 2017, seven of those murders have been solved, with six by arrest. Aggravated assaults had a clearance rate of 32 percent and larceny crimes had the lowest overall solve rate for crimes, reportedly ranging from zero percent to 13 percent. Juvenile runaway reports accounted for a clearance rate of 57 percent. Michigan law is unique in this regard, as it is not standard practice in other states to include statistics on juvenile runaways as part of the overall crime clearance rate.

The same system used to assign the cases is used to track the case progression. Nine categories exist for closing an investigation.

- | | |
|----------------------------------|--------------------|
| 1 Closed with warrant authorized | 6 No leads |
| 2 Exceptional closure | 7 No cooperation |
| 3 Arrest | 8 Completed |
| 4 Unfounded | 9 No investigation |
| 5 Warrant denied | |

The definitions for closure categories are defined within the policy. The outcome classification data was not readily available to the team, and it is unlikely that management reviews this type of data on a routine basis. However, data can be gleaned relative to individual and agency performance, particularly as it relates to closures for no cooperation, no investigation and no leads.

Detective Unit Process

Processes within the DU are overly burdensome, and the detectives undertake a variety of administrative tasks. As with Patrol, the DU has limited administrative support, which has a direct impact on workload capacity. For example, the DU is tasked with reviewing initial crime reports generated by patrol officers to ensure they are accurate. This is a responsibility normally owned by patrol supervisors within other law enforcement organizations as it allows them to directly interact with officers reporting and initial crime investigation. The detectives are also responsible for processing the reports and then beginning any required investigative action.



Moreover, they engage in a significant amount of administrative work in logging and retrieving evidence, including video and body-worn camera footage. They are responsible for hand-carrying documents to the courts for approval and final closure of all reports under their jurisdiction within the department. Finally, court testimony takes a considerable amount of time as detectives are frequently subpoenaed into court, even if they do not provide testimony.

Certain sub-units within the DU take on significant administrative tasks. For example, the detective assigned to the City Attorney operates essentially as a citation clerk. This detective prints out the citations issued the prior day and connects the citation to the police report within the GRPD's system. The detective then reconciles the information, prints copies and reconciles the status in the GRPD system. This detective is also responsible for tracking down and linking body-worn camera video for citations. The use of investigators to essentially perform a records clerk's duties is highly inefficient, in that detectives are engaging in tasks that do not require sworn powers.

The Investigations Support Unit uses three detectives to provide technical support for phones and video evidence. Such tasks could be supported by skilled civilian staff and thereby release detectives for investigative work that requires sworn powers.

Vice Unit

The Vice Unit is tasked with suppressing targeted offenses, including narcotics and controlled substance violations, prostitution and commercial sex offenses, gambling and organized criminal activity. The unit is also tasked with liquor control and other duties as tasked by the Chief. The unit is staffed with one lieutenant, three sergeants and 12 officers, one of who is assigned to the Drug Enforcement Agency (DEA) task force. The Vice Unit also has a civilian staff member to assist in the management of the asset forfeiture funds and other record keeping in support of this and the grant within the unit.

Over 90 percent of their work is estimated to be narcotics related, with prostitution and liquor enforcement equally divided between the two. The Vice Unit works two shifts, days and nights, with a sergeant on each team and four officers on days and six officers on nights. The Vice Unit primarily focuses on long-term and undercover investigations. This is a specialty unit with skilled officers working in support of its goals.

Forensic Services Unit

This unit is tasked with supporting crime scene processing and other evidentiary review as required by the GRPD. This is an all-civilian unit headed by a civilian manager. It has two fingerprint examiners and eight crime scene technicians. This is a specialty skill, and the unit collects and manages crime scene photographs, all evidence and expert testimony in court. It does not directly support phone or external video evidence.

Crime Analysis

The data collected by a department can assist in determining crime trends, identifying emerging patterns and guiding overall operational and administrative strategies. Currently, the GRPD has one full-time criminal analyst. The GRPD criminal analyst's primary function is to directly support the



detective unit with digital forensics, social media profile research and any other assistance its officers may need. Other duties include data queries, mapping, data retrieval for the annual report and the compilation of crime analysis for weekly command briefings. The GRPD officers create documentation for every call for service, which generates a large amount of data. The GRPD requires additional criminal analysts to provide the information and statistical data needed to develop strong operational strategies.

An opportunity exists to build upon the current section to improve its efficiency and effectiveness. Most staff in the GRPD indicated little formal information exchange regarding crime and intelligence. Minimal intelligence drives policing practices, as the organization is focused on day-to-day response to incoming demands, both in Patrol and the DU. From a staffing perspective, the GRPD is large enough to require more than one analyst, but as with any staffing decision, it should be driven by strategic use of the resource.

Task Forces

As with other law enforcement agencies, the GRPD has officers serving on various task forces. The GRPD has two officers assigned to the United States Marshals Service, two officers assigned to the FBI Task Force and one to the Bureau of Alcohol, Tobacco and Firearms (ATF). The GRPD also deploys two local task forces. Auto Theft is staffed by two detectives and one sergeant, and the Metropolitan Enforcement Team (MET), a drug task force staffed by one sergeant and one officer, is multijurisdictional and serves all of Kent County.

Task force working arrangements for federal teams often cover the cost of the personnel assigned to the task force and result in sharing asset recovery. Both the MET and the Auto Theft team are partially funded by grant. Such assignments also provide for employee development, such as fostering a national and regional perspective that can assist in solving and analyzing crime issues faced by the GRPD. However, task officers tend to stay with these teams. The GRPD has officers grandfathered onto the existing task force teams; however, as with other assignments, the GRPD has initiated a rotation schedule of five years. This will allow new officers assignment to the task force teams to develop skills and those officers who learned new skills on the task force to return and implement them on local investigations.

Community Engagement Unit

The Community Engagement Unit (CEU) reports directly to the Deputy Chief of Administrative. It is staffed by a commander and a sergeant who also serves as the Department's Public Information Officer (PIO). The primary job of this unit is to assist in the recruitment and hiring of sworn and civilian personnel. This unit is also tasked with managing the officers assigned to the Boys & Girls Clubs, all interns, the parole reintegration program, the explorer program and all community events.

Recruiting new officers continues to be a challenge for many departments across the country. The GRPD will soon be facing increased retirements, which will place more demand on the recruitment process. The current hiring process handled by the CEU includes the civil service examination, interviews and backgrounds. The CEU uses many of the community events and CPS officers as additional recruiters.



Three officers are assigned to the Boys & Girls Clubs and serve approximately 300 to 500 children per day. In addition, they act as the primary school liaison for the City of Grand Rapids, with assistance from the CPS officers when needed. Their primary responsibility is to positively engage with youth in an effort to strengthen the Department's relationship with the community.

Support Services

Records Unit

The Records Unit is supported by five civilian staff. However, this unit does not perform records management in a manner consistent with many other law enforcement agencies. The unit spends a significant amount of time addressing public requests for information. The process for reporting and advancing information through the Department is highly automated and based on classification codes.

However, data quality is a challenge as officers directly input data into the RMS and a supervisor is not required to review the information. No single case manager exists for Department information nor is one tasked with review of the reports and data accuracy. Rather, this is tasked to operational personnel, such as the detectives. Closure of records also falls to operational personnel with little to no external supervisory oversight.

Technology Unit

The Technology Unit, staffed with one GRPD civilian staff member and four contractor staff, who address all the IT issues for the Department, including any project rollout, the CAD and RMS, and digital forensics. These positions are increasingly important as law enforcement moves to greater reliance on technology in day-to-day efforts. The level of knowledge and detail required is usually the basis for retaining such personnel in-house rather than maintaining an external support resource.

Training Unit

The Training Unit is tasked under policy with formulating and implementing the training needs for all Department personnel. The unit is headed by a lieutenant who oversees one sergeant and four officers. In order to meet the training demands, the unit supplements its staff with certified instructors from Patrol, the SRT, Traffic and Investigations, when needed.

The GRPD has a strong focus on training, and on average, officers receive 26 hours of training per year despite the state training board – the Michigan Commission on Law Enforcement Standards (MCOLES) – only mandating annual firearms training. Firearms qualifications occur four times per year in two-hour blocks, which is a good practice. The Training Unit also runs all in-service, promotional and recruit training. The recruit training program is eight weeks and scheduled to run three times per year.

The Training Unit reviews all use of force reports to identify any deficiencies and training opportunities. In addition, the training staff meets with command staff for suggestions on identified issues that need to be addressed in future training curriculums. Philosophies are centered on scenario-based training and maximizing time for active participation rather than classroom instruction. Based on interviews and responses to the survey, the GRPD prioritizes training and takes great pride in its training program. Dedication to training often translates to a reduced risk profile for a department and city.



Fiscal Support

Both the Property Management Unit and Financial Services provide support for the GRPD and serve as specialized functions. Neither unit requires personnel with sworn powers.

Financial Services

Four civilian staff members operate within Financial Services, which is tasked with the financial transactions of the Department, including payroll. Whether this function could be shared with the larger City financial unit is a matter of strategic vision. Sufficient complexity to the management of officer payroll and benefits, as well as the management of the large operational budget, often justifies internal financial services.

Property Management Unit

The Property Management Unit is responsible for receiving, securing and storing custodial property and securing, maintaining and disposing of evidence. It is staffed by a sergeant, three officers and a civilian staff member, who maintains the GRPD fleet. Most of the work in this unit does not require sworn powers.

OPERATIONAL INEFFICIENCIES

The GRPD is staffed with hard-working, dedicated personnel. They strive to provide a good service to the residents of Grand Rapids. A significant number of staff members with whom we spoke identified that they needed more officers. Some of the community members that we met held this same opinion. Our analysis determined that the Department has sufficient sworn staff to meet demand, but they are not used effectively, and the administrative support required of a modern police department is lacking.

Linking Strategy to Staffing

Tasking is a key component of strategy and drives the effective use of resources. We found that Patrol has a sufficient number of personnel to address the workload and to still have 60 percent of officers' time available to address what would normally be driven by organizational strategy. However, we did not identify an evident strategy in Patrol that would task units in using their unallocated time. All Patrol efforts were tied to demand, namely calls for service.

This is not to say that officers are not busy, as they certainly are at times. Moreover, we confirmed across the organization that officers go without meal breaks at certain periods due to volume of work. But when they are not answering a call for service, minimal guidance exists as to what officers should do to advance the organization's policing goals. While we identified evidence of occasional tasking based on near-term issues or needs within specific service areas, organizational strategic guidance is limited for the day-to-day tasking of officers. Even the tasking that does occur is not subject to in-depth or strategic review of outcomes and success.

The subsequent strategic issue then is how officers fill the 60 percent of unallocated time and why they feel the pressures they described to us. Our observations indicate that some of this can be



attributed to practices and the culture within the organization. This issue is covered further in this report, but basic clerking, accuracy and document transfer forms are filled out by police officers, which consumes working time that could be better used responding to tasks that require sworn powers.

Culture also creates work pressures. For example, officers often provide back-up to another officer even where not assigned. This may be justified, but in the context of calls for service, this is a resource drain. However, the policy is not clear regarding when back-up occurs. In addition, the CAD system does not accurately track when and how officers provide back-up beyond dispatch, nor how long a back-up unit should be on scene. The data necessary to make an informed management decision about the sufficiency and value of back-up policies and practices is not available.

We found that the DU is report driven, rather than informed by a strategic plan that identifies the goals of the unit, including how and when the use of investigative resources are best allocated. Unclear policies as to solvability factors have the hardworking members of this unit under pressure to move cases with little opportunity to engage in long-term crime solving. Detectives are also tasked with a significant number of duties not specifically related to crime investigation, in part because of the lack of support resources to enter and validate reports, citations and other data required by the courts and other external stakeholders.

The GRPD does not have a data-led management approach to crime solving. Without a consistent case review and management process, detectives are left to manage their own case load. The lack of robust data for crime analysis, crime patterns and other criminal identification creates another job that detracts from investigations. One crime analyst for a department the size of GRPD is not an effective allocation of resourcing given the overall volume of data. Furthermore, this data is not used in a constructive or consistent way to inform management decisions as to case assignments and resourcing, or the effectiveness of resource allocation and ability to solve crime.

Finally, the DU staffing brings its own pressures to the overall job of crime solving. Grand Rapids is the second largest municipality in Michigan, but it has no evening investigative support, absent call outs for specific types of crimes. No detectives work weekends when volume increases in patrol. Half the unit is off on Friday, creating pressures ahead of the weekend. On Mondays, two days' worth of arrests and reports greet the officers as they start their work week.

Reporting

Some of the challenges in time pressure on officers is attributable to a policy and culture that has officers writing reports in support of every dispatched assignment. GRPD officers, on average, spend 56 minutes on a call for service. Our ability to identify what reports are subsequently used for police investigation was limited. However, in 2018, 74,746 FileMaker entries were generated, as compared to 60,185 dispatched calls for service. Interviews with supervisors in both Patrol and Investigations indicated that approximately two-thirds of the reports written by patrol officers are never subsequently reviewed. In the broadest context, these are reports that serve little to no value for policing practices and investigations. If one considers that officers spend on average 56 minutes at a call, this is a significant inefficiency in the use of patrol resources.



Reporting is electronic in the GRPD, a practice consistent with most law enforcement agencies. Supervisors may elect to review a report; however, the majority of reports are not reviewed for accuracy or sufficiency. Rather, patrol reports are automatically routed to the appropriate follow-up unit, based on the specific responsibilities assigned to that unit. Therefore, the follow-up units, primarily the DU, are tasked with reviewing to ensure appropriate classification and proper entry of information by the officers, including key numeric identifiers, as required in auto theft reports.

The follow-up units, particularly the Auto Theft task force, are tasked with ensuring key information is entered into the various databases. This occurs at the time of assignment and at the time of case closure. The GRPD does not have a tasked data manager responsible for accuracy and sufficiency of these records.

Allocation of Personnel

When an organization assesses its staffing for the factors identified by the GRPD, we often see two areas of potential inefficiency: organizational structure and use of civilian personnel. Usually efficiencies can be gained by consolidating functions or units which, in turn, reallocates redundant personnel to other areas in need of resources. Within the GRPD, because it has so little administrative support, the consolidation of command would not generate significant savings in terms of reducing administrative overhead.

However, an organization structure that is heavily staffed with command personnel creates another inefficiency as there is often a lack of support for strategy development, continuous improvement and the use of data-led management and operational strategies. The Deputy Chief operates without administrative support, including data analysis. Each commander in patrol ostensibly has command over the service area, yet the day-to-day tasking of patrol officers and operations falls to the watch commander. None of these command positions have support personnel to assist in the management of data, development of analytics and intelligence, or the management of the workload and reporting requirements of modern police organizations. While we recommend considering consolidating command over the service areas, little administrative savings will come out of this move. Rather, it would free positions and their associated costs to help inform and drive data-led policing and management decisions.

However, the GRPD is inefficient in how it uses sworn personnel and excludes civilian staff. Low-level clerical functions are performed by sworn staff. Where the Department has attempted an efficiency, collective bargaining has reduced its overall impact. For example, the CEU is tasked with conducting all background investigations for GRPD hiring and personnel who access the GRPD building. Consistent with other law enforcement organizations, the unit engaged retired officers to help address this workflow, allowing officers to remain on patrol or conducting. However, this efficiency was offset by an agreement to use one police officer for every retiree, even though the retiree is limited to 700 hours of work per year. Such work does not require sworn powers, yet sworn officers who could support calls for service and investigations are assigned to conduct background investigations.



Alternative Services

Dispatch is a critical component of modern law enforcement services and data management. Dispatch practices were not part of this review; however, inefficiencies contribute to allocation and staffing issues. Data categories for calls for service are overly broad and limit robust data collection to inform management regarding resource allocation. For example, the CAD measures overall response time rather than time of dispatch, time of arrival and closure of the call. Two categories of calls, "Suspicious condition/noise/subject" and "disorderly," account for 4,039 and 6,255 calls respectively.

We were not immediately able to ascertain the cause of this, as noise and a person are distinct in terms of assigning police resources. However, given that officers expend 56 minutes on average for a call for service, these two categories alone account for 9,608 hours of response time, or over 800 12-hour shifts. Better data collection will help the Department identify ongoing inefficiencies and ensure more effective resource allocation.

Alternative Dispatch Strategies

Many agencies have identified alternative responses to calls for service that are not emergency-related or require sworn powers. For example, most of the top calls for the GRPD, as demonstrated in the chart below, are not emergency-related and account for over 70 percent of all dispatched assignments. Police responded to 3,657 calls for service for parking complaints and 4,982 calls for service for property damage traffic crashes. These two categories, using the average response time of 56 minutes, account for 8,063 hours of patrol service or the equivalent of almost 672 12-hour shifts.

Most Common Calls for Service by Category	
Incident Type Description	Citywide
Disorderly	6,255
Domestic Argument - No Assault	4,616
Alarm	4,050
Suspicious Condition/Noise/Subject	4,039
Parking Violation	3,657
Welfare Check	3,449
Traffic Crash - Property Damage	3,215
Assist	2,962
Assault	2,099
Domestic Assault	1,844
Traffic Crash - Property Damage Hit & Run	1,767
Noise Complaint - Music, Construction, Other	1,727
Larceny	1,265
Suicide - Threat with No Injury	1,088



In the GRPD, alternative response strategies centered on keeping police officers on the street to address emergency calls that require sworn powers and allowing officers to more proactively engage with the community are not used. Rather, GRPD deployment is driven by calls for service, rather than a strategic vision. Command members of the GRPD stated they have a strong core value for community service and that they seek additional personnel to support it. In interviews with command officers, questions about what services should be provided by other agencies or opportunities for alternate service options were met with a strongly held belief that if a Grand Rapids resident calls for the police that the police should respond.

Many other agencies, nationally and within Michigan, have identified strategies for alternate workstreams to meet service demands and still allow for visible, effective policing strategies. For example, property damage-only traffic crashes are often reported in a police station rather than having a police officer respond to the location in many agencies, while other agencies have effective online reporting systems for low-level crimes. Many law enforcement agencies and municipalities have more robust civilian staffing support, including parking aides and community service officers, for activities such as parking complaints, community complaints and other requests for service that do not require sworn powers to perform.

The City of Grand Rapids already uses parking aides who cover a certain portion of the City. If a parking aide was dispatched to parking complaints in 2018 rather than a police officer, it would have saved 3,413 hours in patrol or over 284 shifts, based upon the 56-minute response average on calls for service. The GRPD uses interns to complete reports for walk-in reporters. The interns also complete reports based on phone calls received, but this practice is not consistent. Some agencies use technology for automated reports, particularly lower-level reporting. The goal of alternative reporting methodologies is to keep officers on the street providing front-line emergency services while allowing residents the convenience of determining where and when they will report, rather than waiting for a dispatched response.

Furthermore, GRPD's focus on calls for service has resulted in inconsistent responses to crime. For example, police officers are dispatched to calls for service regarding a parking complaint, while crime victims are ordered into the station during business hours to meet with a detective to ensure that their cases progress toward investigation.

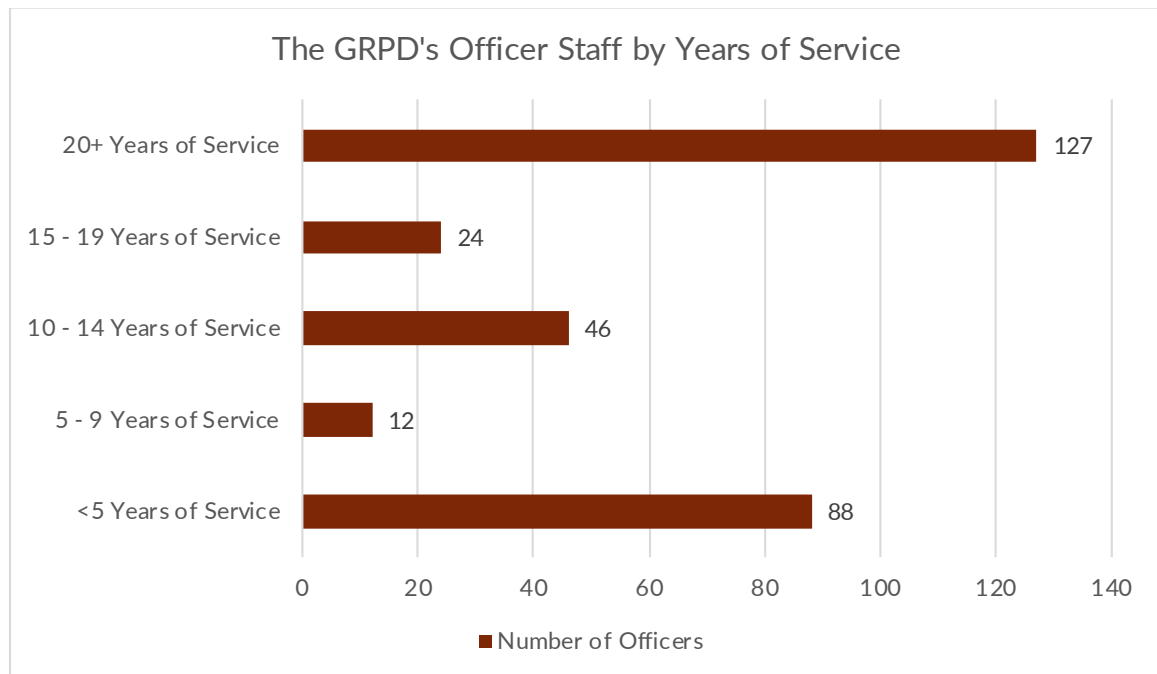
SUCCESSION PLANNING

Succession planning is an area where many law enforcement agencies face challenges, as the day-to-day response pressure consumes most of the organization's focus and resources. The GRPD faces the results of surge recruitment coupled with long periods of not hiring, a struggle shared with many other law enforcement agencies in the Midwest and Michigan. Hiring is a particular challenge for law enforcement, as leadership requires well-rounded experience and knowledge. Given that past practices have generated significant gaps in hiring, the GRPD faces future challenges in developing skills and leadership growth within the Department.



Future Staffing Needs

The GRPD has 46 officers (15.5 percent of the total sworn staff) over the age of 50, the earliest retirement date, and 127 officers (43 percent of the total sworn staff) with more than 20 years of service, the least amount of service years allowed before retirement. Forty-two officers are eligible to retire now and another 40 will be eligible within the next two years. This means that 27.6 percent of the sworn population will qualify for retirement within the next two years. Without a good succession plan, the GRPD may face the loss of significant skills and leadership capacity.



The GRPD identified that it has plans to host three recruit academies per year – with an average of eight officers each – to keep ranks at an acceptable level. This will result in approximately 24 annual hires. This places it short of the identified pool eligible for retirement. To maintain current sworn staffing levels, the Department needs a recruiting and staffing plan to address the 82 officers eligible to retire within the next two years. This is not achievable under this current staffing plan, which will deliver approximately 48 recruits over the next two years. The fact that not all officers eligible to retire will do so reduces the risk, but a looming number of officers will be able to leave the Department within the next five years, and a formal staffing and recruitment plan is needed.

The outliers in staffing for the GRPD are the 88 officers with less than five years and the 127 officers with more than 20 years of service, accounting for 72 percent of the Department. The officers in between these two ends are the officers who should be ready to lead the Department within the next two years, as those on the extremes will either be retired or still learning their job. Without a solid development plan, the GRPD will face difficulty in ensuring strong leadership and command with internal candidates.



Strong leaders require knowledge of both the administrative and operational aspects of the organization to be effective. This type of background is present in many of the current leaders of the Department. The GRPD has established a good practice around establishing term limits for certain assignments and should continue this practice in order to ensure holistic leadership development. A training needs assessment should evaluate the skills needed in future leaders and advance career development opportunities, both through in-service training and position rotation that fosters improvement of administrative and operational skills. Exposing future leaders to diverse skills will help ensure that they can manage and allocate resources in an informed manner.

The GRPD has undertaken good practices around recruiting personnel and has recruited 30 percent of the Department in the last four years. The CEU, which is responsible for recruiting, is focused on creating links with communities in an effort to recruit across all communities in Grand Rapids and other locations within the region. However, recruiting continues to be a challenge and one that requires ongoing resource investment. The GRPD has instituted innovations including the intern program, which helps familiarize the students with the GRPD and serves as a recruiting tool. The innovation that sought to bring in retired officers to conduct background investigations has been less effective as a result of the negotiated agreement that one active officer be assigned for every retired officer. In that the retired officers are limited to 700 hours per year, this is even more inefficient, as full-time officers work, on average, 1,696 hours per year.

GRPD Command Structure

The limited ranks in the GRPD equates to limited exposure to the cumulative responsibility and decision-making that is a key skill for effective leaders. Captains essentially assume all command responsibility within Patrol, with little shared or devolved responsibilities. Patrol lieutenants serve as watch commanders and are the highest-ranking authority until a senior leader responds. They are tasked with supporting the watches, including managing and granting time off, absences and other staffing needs.

However, lieutenants in Patrol are not routinely included in the conversations among captains and sergeants. While the lieutenants oversee the day-to-day operations of the GRPD, they are not directly linked or tasked with GRPD planning and intelligence, or the tasking of officers. Patrol lieutenants are not part of the weekly management meeting that discusses deployment strategies and intelligence and are not routinely included in management decision and discussions without a direct link to Patrol watch staffing. Furthermore, they are subordinate to the decisions of commanders, including personnel and granting of time off, which creates an inefficient chain of command for patrol operations.

Sergeants maintain a focus on operations, particularly within patrol. Given the daily workload, very little leadership development occurs at the sergeant level, and the sergeants are not generally tasked with larger projects or engage in assignments beyond their direct command.



OFFICER WELLNESS

The issue of officer wellness is a growing concern nationally in law enforcement. Issues surrounding vicarious trauma, mental clarity and health, and officer depression and suicide are all part of the overall awareness regarding supporting officers.¹¹ Within the GRPD, we noted an organizational focus on the overall wellness of officers. All supervisors and command spoke with genuine concern for the officers in the Department and under their command. However, a defined structural approach to ensuring officer wellness is not evident. GRPD policy has a good practice and requires officer participation in critical incident stress debriefing events, including line-of-duty deaths, officer-involved shooting incidents, civilian death caused by police action and other incidents as determined by the Chief of Police. Officers can elect to engage such services and notify of events for other incidents that may have an impact on officer wellness.

The GRPD has invested in peer support, and many supervisors are peer-support trained as well. Overall, according to the survey and the members of the Department with whom we spoke, most feel they are supported by command and the City, with some indicating this changed for the better last year. Officers as a whole indicated that the GRPD was a good place to work and that they felt supported for the most part by the Department.

Benefit Time Off

GRPD officers average 208 hours of benefit time off annually, which has an impact on staffing. All officers indicated it may be hard to get time off on certain dates and, in particular, in the summer months given demands. Across the organization, the officers spoke to the seasonal spike of the summer months, as demonstrated by the calls for service. Seasonal shifts in calls for service are exacerbated by the need to staff more events, such as public athletic events and festivals, which impact patrol staffing.

Officers indicated, both in survey and in discussion, that for the most part they can take time off, a key component of ensuring sufficient rest.

Overtime

The GRPD's overtime policies tend to vary. In 2018, the Department spent just over \$68,000 in overtime, of which about \$18,486 was deferred as compensatory time for future use. This category includes mandatory court appearances, late arrest and work that extends a shift, and voluntary overtime to extend a tour or supplement a shift. We were informed that prior to voluntary overtime, officers were required to work mandatory overtime and officers were able to decline most of it on a seniority basis, meaning an officer could decline the mandatory overtime as long as a less senior officer was willing to work overtime. We noted discussion that indicated mandatory overtime might be re-instated, but as of the time of this assessment, it was not.

¹¹ <https://www.theiacp.org/projects/mental-wellness-of-police-officers>



Recently, the Department restructured its approach to the officers working overtime on the equalization days, known as “Kelly” days. Because of the schedule, officers work eight hours, rather than a 12-hour day, every two weeks. Officers were being allowed to work a full 12-hour day to increase staffing on the shift. However, this practice has been limited on some watches in an attempt to ensure staffing supports service demands or another strategic use of the officers.

The GRPD’s policies do not address the maximum number of hours an officer can work within any given period, outside of those hours mandated under the collective bargaining agreement. Controls over the maximum amount of allowable overtime should be considered, particularly within a 24-hour period, to ensure appropriate rest for officers. Many agencies provide limits on the overall overtime an officer can earn, particularly for overtime managed by the department. The goal of such limitations is to ensure that officers receive appropriate rest periods in order to support wellness and sound decision capacity.

Special Events Overtime Employment

The Department schedules officers on overtime for local businesses and event staffing. Many GRPD officers work overtime for such events. The Department does not limit who can work overtime or how much. As a result, officers are able to schedule as much overtime as they can manage with minimal restraints. This may contribute to fatigue.

Survey responses identified some concerns about fatigue related to working special events and overtime needed to cover shifts at times. At a minimum, officers should be required to have appropriate time off in every 14-day period, excluding exigent circumstances. Given that the Department schedules most of the special event overtime, these standards should be identified as both within a 24-hour period and within a 14-day working period, for both exigent circumstances and voluntary overtime assignments.

Morale

We observed a department that demonstrated pride in the service provided. Officers demonstrated commitment and awareness of their community and their responsibilities. Command and supervisory members spoke of ensuring a good service delivery to the community and the need to provide officer support that will result in good morale. Observations and discussions from ride-alongs and focus groups demonstrated that for the most part, officers are satisfied with their assignments and recognize the challenges of their jobs with a balanced perspective.

As with law enforcement nationally, officers spoke of concerns regarding what is perceived as overly negative media reporting. Some officers were concerned that public perceptions regarding the service they provide were formed without any personal experience with the individual officers or the GRPD. Some officers noted that the Department could take steps to improve media relations and communication with the city, including outreach to all media stations. However, overall officers were engaged and positive about working for the City of Grand Rapids.



SURVEY RESULTS

As part of our engagement, we conducted a survey of all GRPD personnel. While this study is skewed toward sworn officers, it was open to all staff within the GRPD. We collected 268 responses, equating to participation by 89 percent the GRPD staff. Only 20 percent of the responses were from civilian staff and 60 percent were sworn officers. Of all respondents, 45 percent were from Patrol.

Working Conditions and Supervision

Over 76 percent of the survey respondents like coming to work, and three-quarters of the respondents feel the GRPD provides an outstanding work environment with clearly defined department and community expectations. This holds true for officer satisfaction, with over three-quarters identifying that they were satisfied in their current assignments. Over 86 percent rated the overall GRPD performance positively, and this same percentage of respondents identified that they knew what was expected from them in terms of performance.

A large percentage of respondents (85 percent) believed their supervisors valued their work, while only 70 percent believed this was true for the command staff. A large percentage of the respondents agreed that the GRPD provides policies, skills and training to meet the needs of the Department and community. Over 94 percent of the respondents noted that the GRPD training provided them with the skills needed to perform their job, and over 70 percent indicated that they had training opportunities available to them.

Respondents were mixed in whether they were empowered to implement community policing strategies, with over 43 percent neutral and over 38 percent agreeing that they could. Most respondents were neutral, 38 percent, or disagreed, 32 percent, as to whether they had time to actively engage with the community during their shift. However, almost 58 percent of the respondents believed they had time to provide a good service to the community during their shift. Respondents were mostly negative regarding whether they had sufficient back-up, with almost 33 percent neutral and 38 percent disagreeing that back-up is sufficient.

The highest percentage of respondents identified that they work for the GRPD to help the community, with pay and benefits and the ability to work in a variety of roles as the second and third reasons, respectively. Most respondents, almost 75 percent, identified that a broad range of competencies were included in performance evaluations, and almost two-thirds agreed that the process was fair. Only a slight majority of respondents indicated that the promotional processes included a broad range of competencies. Many of the respondents believe they have a future with the GRPD and feel the promotional process is fair.

A majority of the respondents, 68 percent, identified that they received enough overtime, and 67 percent of the respondents noted they had sufficient time off.

Community Engagement

A majority of the respondents (59 percent) believed the relationship between the Department and community was positive. Over two-thirds of the respondents indicated that GRPD training helped them to meet community expectations for service. When addressing workload, slightly less than half noted they had sufficient time to address supervisory expectations during a shift. Only 38 percent of



the respondents believed they had time to address crime issues, while 36 percent were neutral and over 26 percent disagreed.

Interestingly, while over 50 percent of the respondents stated they spend the majority of the shift responding to calls for service, 37 percent were neutral, and 11 percent noted they did not. Respondents were mixed as to whether the community values their work, with 47 percent agreeing they do but 28 percent remaining neutral. However, the majority of the respondents agreed that helping the community was the primary reason they work for the GRPD.

Comments

Many of the respondents took the opportunity to make additional comments on the survey. Nearly half of the written comments addressed the need for additional staffing so officers could proactively enforce laws, spend more time on investigations, engage the community more effectively and reduce the fatigue and stress of the officers.

Many indicated in their comments that elected City officials and prior Chiefs have not supported the officers. Some of the respondents criticized the number of command positions for a department of their size. Other comments spoke to the types of calls being handled by officers. Some respondents alleged that officers spend too much time handling civil matters and calls in which police should not be involved.

Overall, the survey showed that the personnel who responded are pleased with the work environment provided by the GRPD and enjoy the work they do. Most of the comments stated they would be able to provide a better service if staffing was increased.



04 Grand Rapid Police Department's Civilian Staffing

Most other law enforcement agencies and municipalities have identified the need for professional civilian staff to address tasks that do not require sworn powers to conduct. These practices have been implemented nationally to ensure the best use of officers in their communities and as a means of fiscal responsibility. Within the GRPD, civilian staff are often used for communications, records, technology, financial services and forensic services. This is a good practice as skilled, professional and civilian staff bring expertise and training that may not be readily available within the sworn population.

CIVILIAN STAFFING STRATEGY

The GRPD does not have an organizational vision or strategy regarding how to optimize civilian staffing to support the need for greater officer visibility and response to calls for service that require the sworn powers. Civilian staffing is essentially non-existent in Operations and limited in Administrative. Over the years, as the result of layoffs and other attrition, the Department has addressed reductions in staff through a process that eliminated most of the civilian positions. This contributed to the current pressures in that the administrative tasks these staff performed are now the work of officers, even though they do not require sworn powers to perform.

Defining the specific skills required for all positions, including civilian positions, is the first step in developing a strategy. The initial question should be whether the position requires sworn powers, and if not, it should be a civilian position. Subsequent skills required for the position should then be developed. Assessing whether officers serving in positions that do not require sworn powers are required would provide a more effective and efficient approach to resource allocation. Basically, administrative positions, such as property management, special events and investigative support functions such as digital forensics, should be staffed with civilians rather than sworn officers as they do not require sworn powers. These officers should be redeployed to serve in positions that require the use of their sworn powers and expertise. Defining skill sets by position would also be more efficient, as the Department can recruit a specific skill set rather than try to train to develop the necessary skills in an existing employee.

CIVILIAN DATA SUPPORT

The GRPD's leaders do not have the day-to-day and long-term data necessary to make effective, efficient decisions. The GRPD has a multi-million-dollar budget and is tasked day-to-day operations to further public safety. However, GRPD supervisors essentially perform all functions in support of ongoing operations including generating and tracking their own data, managing resources and meeting continuous service demands, including the collection and review of data, the filing of cases and citations, and the general administrative work that is generated by operations.

Minimal data exists to support management's decision-making as the GRPD has limited IT support and policies, and risk and strategy planning capacity. The lack of robust data limits the ability of managers to engage in a strategic review and planning for the organization's growth, improvement and efficiency. Civilian staff could assist in collecting, analyzing and disseminating this data. Currently,



limited staff provide this support and management of data, such as projections on overtime. Utilization and other factors are not routinely shared or discussed.

CIVILIAN ADMINISTRATIVE SUPPORT

Support for administration is not a luxury – it is critical to ensure ongoing efficiencies and effectiveness. Effective resource allocation requires using the appropriate skills and level of personnel that provide optimal value – and as a means of return on investment. The GRPD has not effectively integrated civilian staff into the organization in a way that provides the added value seen in other law enforcement agencies. The GRPD has invested in civilian staffing through the intern program, which is a good practice. However, interns are part-time employees and provide minimal professional support for the GRPD as most are students with limited schedules and are unlikely to see long-term growth within the organization.

An increased need for staffing has occurred, given the growing volume of administrative records resulting from the increased use of technology, such as in-car cameras, body-worn cameras and other automation. As with many other law enforcement agencies, the growth of such data has placed a significant burden on the GRPD. However, this demand has not been addressed through a civilian staffing strategy. Rather the Records Unit is tasked with providing these records. However, this limits its ability to manage crime records. This has shifted the responsibility for managing crime reports and data to sworn staff within the Investigations Unit. This is an inefficient use of highly skilled sworn officers and affects the overall level of service provided to the residents of Grand Rapids, as fewer investigators are spending time investigating their cases.

Civilian staffing within the GRPD needs to be holistic and developed as part of the overall staffing strategy. It should be a key component of the future vision and strategy for the Department, and it should be prioritized to support efficiency and effectiveness in the delivery of police services. We recommend that the Department prioritize additional staffing the Records Unit and the Crime Analysis Unit, to allow for the reallocation of non-sworn duties from sworn officers and to better inform resource deployment and management decision. Staffing these two units will have a significant, positive impact on the deployment and availability of field resources.



04 Analysis of Patrol Data

In the face of increasing costs and shrinking revenues, many communities are asking how many police officers are required to ensure public safety. Put another way, what number of officers would help an agency most cost effectively meet the demands placed on it? This is a fundamentally different question than how many officers does a community want or can a community support. Yet answering this question effectively frames a discussion about want and affordability.

Unfortunately, law enforcement administrators have few resources to guide them in determining the number of officers they need. Multiple approaches can be used to answer this question, ranging from the simple to the complex, each with a range of advantages, disadvantages and assumptions.

The sections that follow¹² highlight common staffing approaches and demonstrate how agencies may develop and use a workload-based assessment of patrol staffing needs that incorporates performance objectives for discretionary time. Where possible, workload-based approaches are superior to others because they can help provide a better and more objective way to determine staffing needs. Additionally, comprehensive assessments for patrol help to answer a host of critical questions regarding resource allocation and deployment.

Traditionally, four basic approaches are used to determine workforce levels: per capita, minimum staffing, authorized level and workload-based. Each differs in its assumptions, ease of calculation, usefulness, validity and efficiency. Each is reviewed below to provide context for developing an evidence-based approach to police staffing.

THE PER CAPITA APPROACH

Many police agencies have used their resident population to estimate the number of officers needed by a community. The per capita method compares the number of officers with the population of a jurisdiction. To determine an optimum number of officers per population — that is, an optimum officer rate — an agency may compare its rate to that of other regional jurisdictions or to peer agencies of a similar size. Although it is difficult to determine the historical origin of or justification for the per capita method, it is clear that substantial variations exist among police departments.

Advantages of the per capita approach include its methodological simplicity and ease of interpretation. The population data required to calculate this metric, such as census figures and estimates, is readily available and regularly updated. Per capita methods that control for factors such as crime rates can permit communities to compare themselves with peer organizations. The disadvantage of this method is that it addresses only the relative quantity of police officers per population, not how officers spend

¹² Wilson, Jeremy M., and Alexander Weiss. 2014. A Performance-Based Approach to Police Staffing and Allocation. Washington, DC: Office of Community Oriented Policing Services.



their time; the quality of their efforts; or community conditions, needs and expectations. Similarly, the per capita approach cannot guide agencies on how to deploy their officers.

Agencies using the per capita method may risk a biased determination of their policing needs for several reasons. First, a generally accepted benchmark for the optimum-staffing rate does not exist. Rather, considerable variation exists in the police rate depending on community size, region, and agency structure and type. For example, it is generally known that police rates are substantially higher in the northeastern than in the western regions of the United States. When comparing individual jurisdictions, it is not uncommon for similar communities to have per capita rates that are substantially different.

Given the disadvantages noted above, as well as others, experts have strongly advised against using population rates for police staffing. The International Association of Chiefs of Police (IACP) warns, "Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions ... Defining patrol staffing allocation and deployment requirements is a complex endeavor which requires consideration of an extensive series of factors and a sizable body of reliable, current data."

THE MINIMUM STAFFING APPROACH

The minimum staffing approach requires police supervisors and command staff to estimate a sufficient number of patrol officers that must be deployed at any one time to maintain officer safety and provide an adequate level of protection to the public. The use of minimum staffing approaches is fairly common and is generally reinforced through organizational policy and practice and collective bargaining agreements.

A jurisdiction may use a minimum staffing approach for two principal reasons. First, policy makers in many communities believe a minimum number of officers are needed to ensure public safety. This may be particularly common in small communities where relatively few citizen-generated demands exist for police service, yet residents expect a minimum number of officers to be on duty at all times. Second, police officers themselves may insist (often through collective bargaining) that a minimum number of officers be on duty at all times. In some communities, the minimum staffing level is established by ordinance.

No objective standards exist for setting the minimum staffing level. Agencies may consider population, call load, crime rate and other variables when establishing a minimum staffing level. Yet many agencies may determine the minimum necessary staff level by perceived need without any factual basis in workload, presence of officers, response time, immediate availability, distance to travel, shift schedule or other performance criteria. This may result in deploying too few officers when workload is high and too many officers when it is low. The minimum staffing level is often higher than what would be warranted by the agency workload. Ironically, even when the minimum staffing is not workload based, it is not uncommon to hear police officers suggest that an increase in the agency's workload should warrant an increase in the minimum staffing level.



Minimum staffing levels are sometimes set so high that it results in increasing demands for police overtime. When staffing falls below the minimum standard, police managers typically must hire back officers on overtime to satisfy the minimum staff requirement. It is not uncommon for some agencies to hire back officers nearly every day due to officers taking time off for sick leave, vacations or other reasons. Additionally, some agencies use a very narrow definition of available staffing. For example, agencies may hire back to fill a vacancy in patrol, even though a number of other officers are on the street, including those in traffic, school resource units and supervisors. Inefficiency increases when minimum staffing levels are on overlapping shifts, leading to a higher number of officers on duty at a time that may not coincide with workload demand.

Most police officers, given a choice, would prefer to have more officers on the street, lending credence to a minimum-staffing model. Nevertheless, increasing the minimum staffing level will not, by itself, improve agency performance or necessarily increase officer safety. In fact, officers hired back to work extra shifts are likely to be fatigued, increasing the risk of injury to themselves or others. Minimum staffing can also decrease the extent to which an agency can be nimble and flexibly deploy officers based on changing workload demands.

Finally, in some agencies, the minimum staffing level may become, by default, the perceived optimal staffing level. In these situations, agencies often use the minimum level as a method to decide, for example, whether an officer can take a benefit day off. Others build work schedules so as to ensure that the minimum level is on duty. In these situations, staffing decisions are based on meeting the minimum level rather than optimizing the available resources to meet workload demand.

THE AUTHORIZED LEVEL APPROACH

The authorized level approach uses budget allocations to specify a number of officers that may be allocated. Although the authorized level may be determined through a formal staffing assessment, it is often driven by resource availability and political decision-making. The authorized level does not typically reflect any identifiable criteria such as demand for service, community expectations or efficiency analyses, but may instead reflect an incremental budgeting process.

The authorized level can become an artificial benchmark for need, creating the misperception among police leadership, line staff and the community that the agency is understaffed and overworked if the actual number of officers does not meet the authorized level. Additionally, unless an agency staffs above the authorized level, fluctuations in recruitment, selection, training and attrition may lead to the actual staffing levels falling below authorized levels.

Because the authorized level is often derived independently of workload considerations, an agency may be able to meet workforce demand with fewer officers than authorized. Still, the perception of being understaffed, resulting when officials bemoan the Department operating below authorized strength, can diminish morale and productivity and make it appear that the community is not adequately funding public safety.



THE WORKLOAD-BASED APPROACH

A more comprehensive attempt to determining appropriate workforce levels considers actual police workload. Workload-based approaches derive staffing indicators from demand for service. What differentiates this approach is the requirement to systematically analyze and determine staffing needs based upon actual workload demand, while accounting for service-style preferences and other agency features and characteristics. The workload approach estimates future staffing needs of police departments by modeling the level of current activity. Conducting a workload analysis can assist in determining the need for additional resources or relocating existing resources (by time and location), assessing individual and group performance and productivity, and detecting trends in workload that may illustrate changing activity levels and conditions.

Furthermore, a workload analysis can be performed at every level of the police department and for all key functions, although it is more difficult to assess workload for some units than others. The importance of the workload-based approach to staffing is evidenced by it being codified as a standard (16.1.2) by the Commission on Accreditation for Law Enforcement Agencies: "The agency allocates personnel to, and distributes them within, all organizational components in accordance with documented workload assessments conducted at least once every three years."

Learning how to conduct a workload-based assessment may be challenging for police administrators. Typical workload models are complicated and require intensive calculations. They also require decisions on a wide array of issues that are very difficult for officials and communities to make — such as how frequently streets should be patrolled — and do not uniformly account for discretionary activities, such as time for community policing and other officer-initiated activities.

Even with shortcomings, allocation models based on actual workload and performance objectives are preferable to other methods that might not account for environmental and agency-specific variables. Agencies could benefit from a more popularized workload-based methodology of staffing analysis that is easy to learn and comprehend; is employed by administrators; and, importantly, helps to effectively manage discretionary time. No single metric or benchmark should be used as a sole basis for determining an agency's staffing level. Rather, agencies should consider metrics in light of professional expertise that can place them in an appropriate practical context.

A step-by-step approach for conducting a workload-based assessment should include the following.

- 1 Examining the distribution of calls for service by hour, day and month. Calls for service can differ by the hour of the day, the day of the week and the month of the year. Peak call times can also differ by agency. Knowing when peak call times occur can help agencies determine when they must have their highest levels of staff on duty.
- 2 Examining the nature of calls for service. Reviewing the nature of calls can help better understand the work that an agency's officers are doing. Types of police work required can vary by area within a single jurisdiction and require agencies to staff differing areas accordingly.
- 3 Estimating time consumed on calls for service. Determining how long a call takes, from initial response to final paper work, is key to determining the minimum number of officers needed for a shift. This is most straightforward when a single officer handles the call and completes resulting administrative demands (e.g., reports, arrests) prior to clearing it.



- 4 Calculating agency shift-relief factor. The shift-relief factor shows the relationship between the maximum number of days that an officer can work and actually works. Knowing the relief factor is necessary to estimating the number of officers that should be assigned to a shift in order to ensure that the appropriate number of officers is working each day.
- 5 Establishing performance objectives. This encompasses determining what fraction of an officer's shift should be devoted to calls for service and what portion to other activities. For example, an agency might build a staffing model in which officers spend 50 percent of their shift on citizen-generated calls and 50 percent on discretionary activities.
- 6 Providing staffing estimates. Staffing needs will, as noted earlier, vary by time of day, day of week and month of year, among other variables. Agencies should distribute their officers accordingly. For example, a shift with only half the number of calls than another shift will require half the number of officers. These numbers may also vary by the type of calls and the time and officers they require in each shift. For example, one large urban agency assigns two officers to each unit in its evening shift, affecting the number of officers needed for units to respond to calls. Another responds to the same type of calls in different ways in different shifts (for example, sending a unit in some shifts, but requesting citizens file a report in person at a station during others).

In order to estimate the appropriate level of officers required for the Patrol Division, we begin by examining "Community Generated Calls for Service." A call for service in this context is one in which someone requests the police (typically by phone) and one or more officers are dispatched. It is important to distinguish community-generated calls for service from other data. First, many dispatch systems record "events" like traffic stops or building checks. They often classify these events as calls for service. However, it is clear these are officer-initiated activities.

GRAND RAPIDS PATROL DIVISION STAFFING

The Grand Rapids Patrol Division is a part of the Operations Bureau. The bureau also includes the traffic division, SRT and Community Policing Specialists. The Patrol Division is organized around two, 12-hour shifts starting at 6 a.m. and 6 p.m. On each shift, two platoons have alternating days off.

For the purpose of operations, the city is divided into five service areas or districts. Each service area is managed by a captain as illustrated below. The Department employs a hybrid system for chain of command. That is, patrol officers and sergeants are assigned to a service area. However, they are also assigned to either the day or night shift. The shifts are managed by lieutenants that do not report directly to the service area captains.

EXAMINING CALLS FOR SERVICE

The first step in building a staffing model is to examine "community-generated" calls for service. This is the category of calls in which someone requests police service, and an officer or officers are dispatched. These are distinguished from officer-initiated activities such as traffic stops.

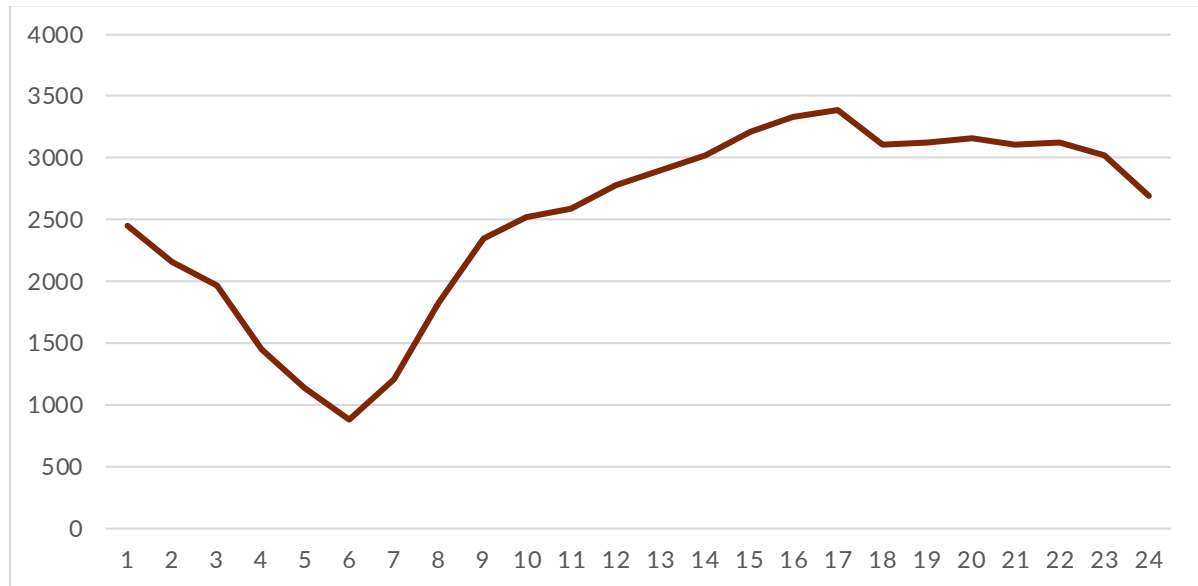
We examined one year of data (2018). Using one year of data allows us to examine the effects of seasonal variation. During this period, 60,185 calls for service were received or about 165 per day on



average. If the GRPD staffs 30 officers per day (two 12-hour shifts), it equates to about six calls per officer per shift, assuming that all of these calls are handled by patrol.

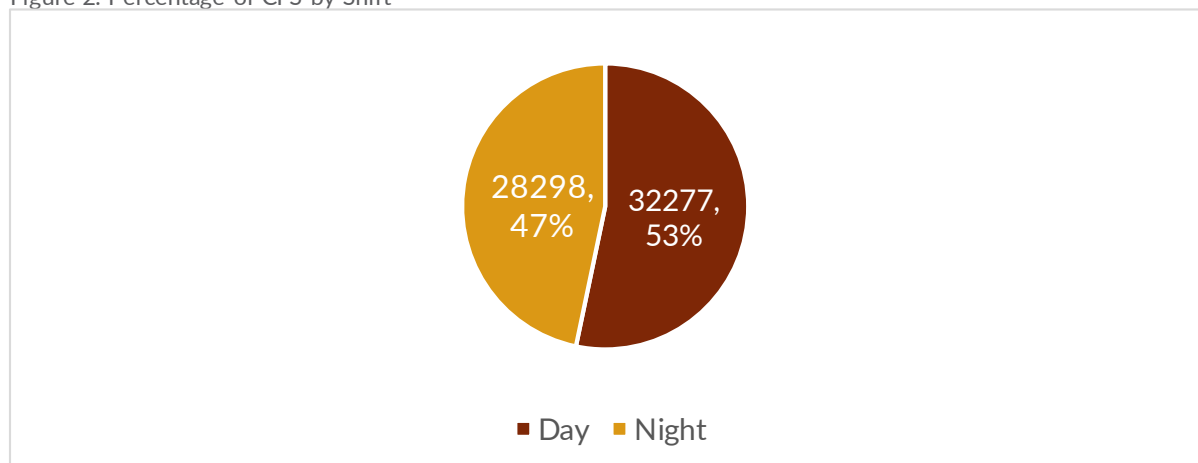
The following figure illustrates the distribution of calls for service by hour of day. This is a typical pattern for a law enforcement agency with peak demand occurring in the late afternoon.

Figure 1: CFS by Hour of the Day



The GRPD begins its patrol shifts at 6 p.m. and 6 a.m. Based on these start times, we can calculate the percentage of calls during each shift. This result is illustrated in Figure 2.

Figure 2: Percentage of CFS by Shift

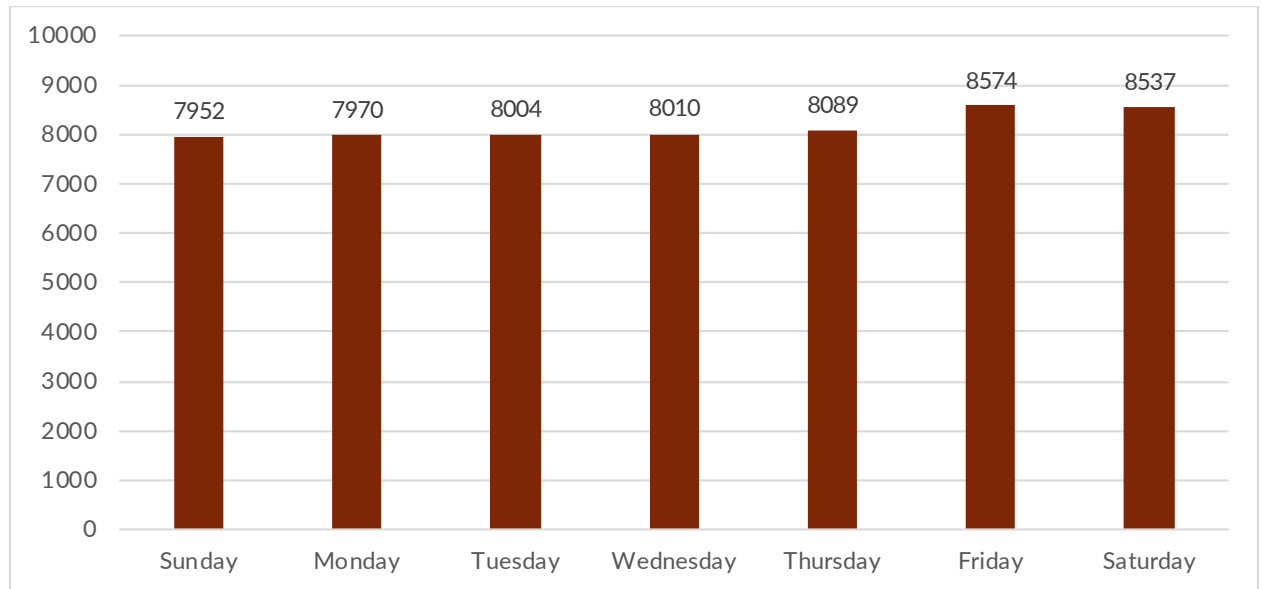


Next, we examine the distribution of calls for service by day of week. An increase in calls occurs on the weekend.



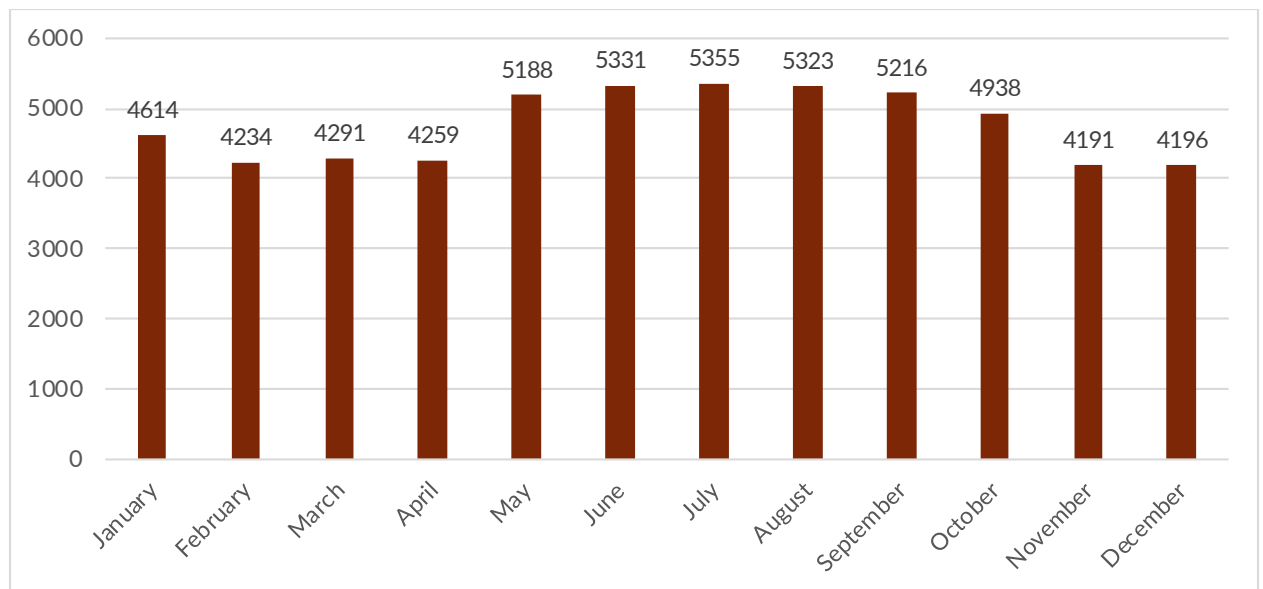
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Figure 3: CFS by Day of Week



In Figure 4, we illustrate calls for service by month. Like most agencies, the GRPD experiences increased call volume during the summer.

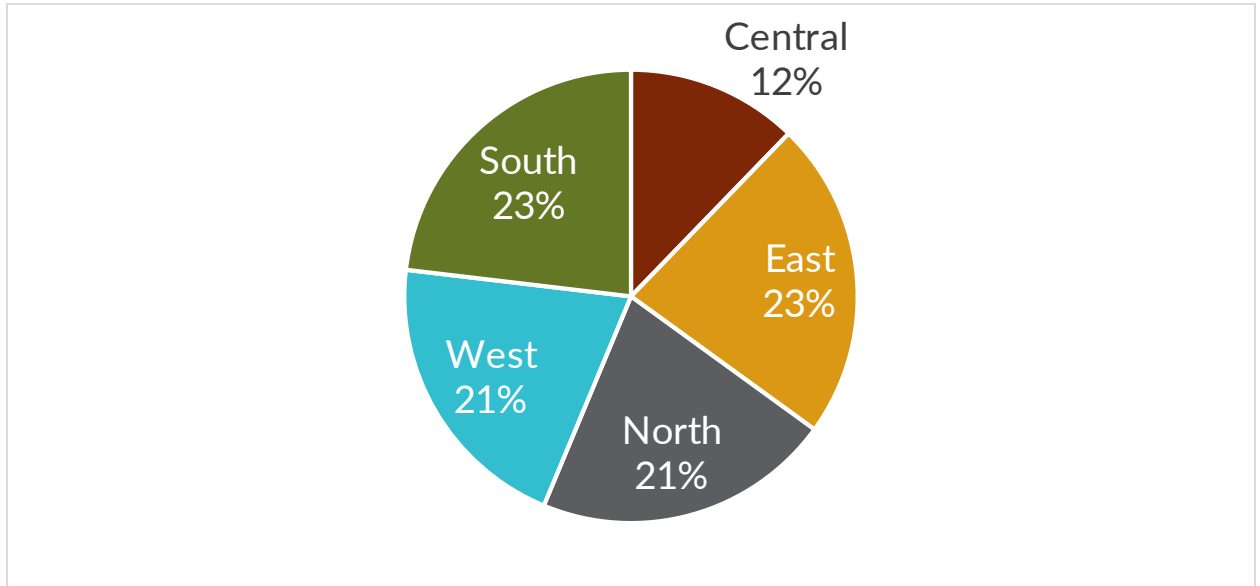
Figure 4: CFS by Month





In Grand Rapids, little variation occurs in the number of calls occurring in each district, save for the central district. This is illustrated in Figure 5.

Figure 5: CFS by District



Next, we turn our attention to the nature of calls for service. Table 3 illustrates the most frequent call types, which are calls that occurred at least 1,000 times in the study year. These calls represent about 70 percent of all calls for service. It is important to point out that alarms, property damage crashes and parking complaints together represent 18 percent of all calls for service. These are the types of calls that can lend themselves to alternative methods of service delivery.



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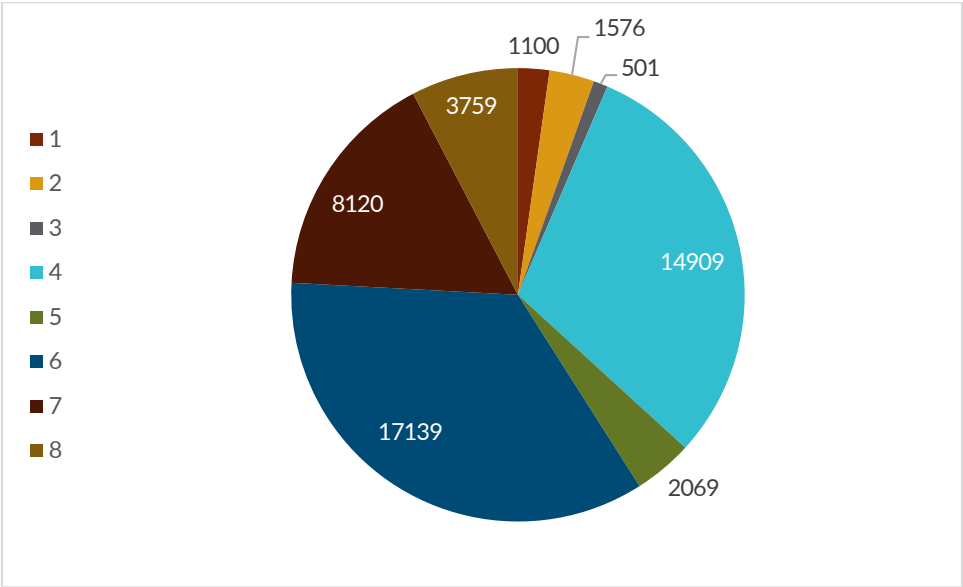
Table 1: Most Common CFS Types

INCIDENT TYPE DESCRIPTION	CITYWIDE
Disorderly	6255
Domestic Argument - No Assault	4616
Alarm	4050
Suspicious Condition/Noise/Subject	4039
Parking Violation	3657
Welfare Check	3449
Traffic Crash - Property Damage	3215
Assist	2962
Assault	2099
Domestic Assault	1844
Traffic Crash - Property Damage Hit & Run	1767
Noise Complaint - Music, Construction, Other	1727
Larceny	1265
Suicide - Threat with No Injury	1088

The GRPD uses a priority scheme to classify calls for service. Priority One calls are considered the most critical. The distribution of calls by priority is illustrated in Figure 6.

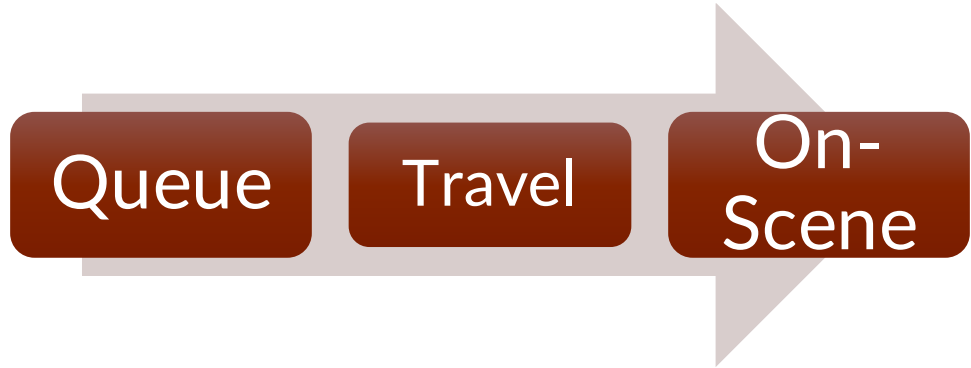


Figure 6: CFS by Priority



Next, we examine agency performance with response to time. The following figure illustrates how we consider time in the context of a call for service.

Figure 7: Model of CFS Time



These results are illustrated in Table 2.

Table 2: CFS Average Time Performance

	All Calls	Priority One Calls
Queue Time	12:37	1:31
Travel	6:30	5:05



In this table, we observe performance for all calls and for high priority calls. The queue time reflects the time from when the phone is answered in the communication center until a police unit is dispatched. For all calls, that time is about 12.5 minutes, but for critical calls it is only one minute and 30 seconds. This suggests that urgent calls are processed quickly and that resources are available for emergency calls when needed. In Grand Rapids, the average call time is 56.5 minutes (50 minutes on scene and 6.5 minutes travel time).

SHIFT RELIEF FACTOR

When conducting a staffing analysis, it necessary to calculate a shift relief factor. The shift relief factor tells us the number of officers that should be assigned to a shift in order to ensure that the appropriate number of officers are on duty given average benefit time off, regular days off and other scheduling factors that affect availability for patrol duty. The formula for the shift relief factor is:

SRF= Maximum Hours That Could be Worked / The Actual Number of Hours Worked.

Table 3 illustrates the shift relief factor for Patrol Division officers in the GRPD.

Table 3: Calculation of Shift Relief Factor

Element	Data (in hours)
Average BTO	208
Training	26
Meals/Exercise (3 hours per week)	156
Regular Days Off	2,190
42 Hour Work Week Adjustment	104
Total Time Off	2,685
Maximum Available	4,380
Total Worked (4,380 - 2,684)	1,696
Shift Relief Factor	2.6

The table describes the following:

- Average benefit time off reflects use of vacation, sick, compensatory time, etc.
- Training time working time not spent on patrol activities due to training.
- We adjust for a 40-hour work week because the 12-hour schedule results in officers working 84 hours every two weeks. The agency adjusts for this by shortening one shift during the period to eight hours.



- With regular days off and average benefit time off, we observe that each year, on average, an officer is off-duty for 2,685 hours.
- The maximum work hours an officer can be scheduled is 365×12 , or 4,380. The total average time off is 2,685 hours. Thus, each officer works, on average, 1,695 hours per year.
- The shift relief factor is 2.6 (4380/1696)

Finally, we turn to the staffing estimate for patrol. The model is based on the following assumptions:

- Average CFS Time 56.5 Minutes (6.5-minute travel time and 50-minute on scene time)
- SRF 2.6
- All calls for service are handled by patrol
- Backup required 35 percent of the time¹³

Table 4: Patrol Staffing Estimate

1	2	3	4	5	6	7	8	9	10	11	12
Shift	CFS	35%	Adj. CFS	Hours	Units	40% CFS	X2.6	50%CFS	X2.6	60% CFS	X2.6
6 a.m.	32,277	11,297	4,3574	4,1831	9.6	24	63	19.2	50	16.3	43
6 p.m.	28,298	9,904	38,202	36,673	8.4	21	55	16.8	44	14.3	38
Total							118		94		81

In the first column of Table 4, we have divided the day into two 12-hour shifts. The number of calls during each shift is in column 2. In the third column, we make the backup unit adjustments (adding 35 percent). Column 4, which includes the backup unit adjustment, is the basis for our analysis. In Column 5, we estimate the total time consumed on calls in hours by shift, based on an average time of 56.5 minutes per call. In the next column, we identify the number of units required to handle these calls if a unit worked every day and did nothing other than handle calls for service. This calculation is based on the total time consumed divided by 4,380, the number of hours that an officer would work if they worked twelve-hour shifts every day.

Next in column 7, we multiply the unit value times the performance objective. In this case, the model is based on providing enough officers to permit them to spend 40 percent of their time on calls for service and 60 percent on other activity.

¹³ The GRPD uses an algorithm to identify calls that require a two-officer dispatch. It is based on the call priority and other mitigating facts related to the call. We applied this model to our data and determined that 35 percent included a two-officer response.



In column 8, we multiply the number of required to be on duty officers by the appropriate shift relief factor. This tells us the number to assign to the shift in order to ensure that the appropriate number of units is on duty.¹⁴ Columns 11 to 14 follow the same protocol, except the model allows for officers to spend 50 percent of their time on calls for service and 50 percent on other activities, and 60 percent on CFS and 40 percent on other.

As we can see, the recommended staffing under the assumption of 40 percent of time on calls for service is similar to the current staffing level; however, the model recommends that more officers be assigned to the day shift than the night shift.

When using the workload-based approach, it is important to consider some of the potential limitations. First, this model relies heavily on averages in producing the estimates. To the extent that workload demands exceed averages, relying on averages for scheduling may affect agency performance. An example of where this might occur is during substantial emergencies, concurrent major calls or some unplanned event. In these sorts of unpredictable situations, the workload-based model, like other approaches, may not provide for an adequate number of officers. The main effect of this shortfall will be to reduce the availability of discretionary time.

Second, the models do not differentiate about the job functions of the police units. That is, we assume that calls are handled by police officers. To the extent that calls are handled by supervisors or by non-sworn staff, officer-staffing requirements will diminish. Finally, our model is based on citywide deployment. To the extent that there are variations in demand by sector, this approach may not adequately capture those differences.

WORK SCHEDULES

GRPD patrol officers work a 12-hour schedule. It consists of six 12-hour shifts and one eight-hour shift during a two-week period. This is a generally efficient approach to scheduling. However, because some units work other schedules and some members have expressed an interest in adopting a 10-hour schedule, it will be instructive to examine work scheduling more broadly.

While this is one schedule, many other variations exist. Police work schedules come in all shapes and sizes. Although each seems unique, a methodology can be applied so that we can compare work schedules. Among the important components of a work schedule are:

- Average work week
- Shift length
- Number of consecutive work days
- Weekend time off
- Staffing by day of week
- Percentage of officers on duty each day

¹⁴ The convention is to round up at this point.



For example, consider the following figure that illustrates a common work schedule.

Table 5: 5/2 Work Schedule

Officer	S	M	T	W	T	F	S
1	Off	Off					Off
2		Off	Off				
3			Off	Off			
4				Off	Off		
5					Off	Off	
6						Off	Off
7	Off						Off
% On	71	71	71	71	71	71	71

Table 5 illustrates a work schedule in which officers work a five-day on/two-day off schedule with eight-hour days. We observe that the shift has unique properties:

- Fixed days off
- Three groups of officers have either a full or partial weekend day off
- Equal staffing by day of week
- Longest on duty cycle is five days

Importantly, we observe that on every day, 71 percent of the officers are assigned to be on duty, and that the number of officers on duty each day is the same.

Table 6 shows how we can build a 5/2 schedule that increases staffing on weekends. For example, we have a workgroup with nine officers, and we wish to provide staffing proportional to the daily workload. Each officer is assigned a day-off group, but groups two and three each have two officers. This allows the reduction of staffing on some days, and the increase on others. This schedule is particularly attractive to employees that want fixed days off. It works well for officers that are going to school and may be beneficial for those that assist in childcare. The disadvantage is that a substantial portion of employees never gets a weekend off.



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Table 6: Work Schedule with variable staffing by day of week (5/2)

Officer	S	M	T	W	T	F	S
1	Off						Off
2 (2)		Off	Off				
3 (2)			Off	Off			
4				Off	Off		
5					Off	Off	
6						Off	Off
7	Off	Off					
On	7	6	5	6	7	7	7
Off	2	3	4	3	2	2	2
% On	77%	66%	55%	66%	77%	77%	77%

Another schedule that is based on an eight-hour day is commonly described as a “six and two” schedule. Over the course of the seven-week duty cycle each officer will work the following pattern:

- 6 on 3 off
- 5 on 3 off
- 6 on 2 off
- 6 on 2 off
- 6 on 2 off
- 6 on 2 off

It is illustrated below.



Table 7: Eight-Hour schedules with rotating days off

Week	S	M	T	W	TH	F	S
1			Off	Off			
2				Off	Off		
3					Off	Off	
4						Off	Off
5	Off						Off
6	Off	Off					
7		Off	Off				
% On	71	71	71	71	71	71	71

This schedule has several interesting attributes.

- The percentage of officers assigned each day is the same as a 5/2 schedule
- Rotating days off
- Each officer gets two three-day weekends during each duty cycle

TEN-HOUR SHIFTS

More than 30 years ago, several law enforcement agencies began adopting the “4–10” plan. Under this plan, officers work four 10-hour shifts and have three days off each week. The plan appeals to officers because it reduces the number of days worked each week, the likelihood of working on a holiday and commuting time. The plan can also appeal to agencies. Because the work schedules have an “overlap” period between shifts, when officers on two shifts are working simultaneously, the agency can double staffing during peak demand times. The following figure illustrates a typical 4-10 plan that is based on a seven-week duty cycle.



Table 8: "4-10" plan with rotating days off

Officer	S	M	T	W	T	F	S
1	Off	Off					Off
2	Off	Off	Off				
3		Off	Off	Off			
4			Off	Off	Off		
5				Off	Off	Off	
6					Off	Off	Off
7	Off					Off	Off
%	57	57	57	57	57	57	57

Compared to eight-hour shifts, the above 10-hour schedule significantly reduces the proportion of officers assigned to be on duty; dropping from 71 percent to 57 percent. This happens because the agency must use the same number of officers that are used to provide 24-hour staffing to provide 30 hours of staffing. In many agencies, those additional six hours of coverage are unnecessary. Moreover, 10-hour shifts require additional police vehicles to cover overlap times, which may reduce productivity for some officers.

Consider the following example. A department has 66 officers assigned to patrol (22 officers are assigned to each eight-hour shift). On each shift we would expect about 16 officers (71 percent) to be assigned to duty.

The department decides to implement a 4-10 plan with shift times of 6 a.m. to 4 p.m., noon to midnight, and 10 p.m. to 8 a.m. If we continue to assign 22 officers to each shift, we would expect that on each shift 13 officers (57 percent) would be assigned to work. This means that except during the hours of the overlap, the agency will have fewer officers assigned to duty under the 10-hour schedule. Importantly, it may be the case that an agency can use the additional capacity that comes from the ten-hour plan to its advantage, but they must understand that any advantage it experiences may be at the expense of another goal.

Another way to approach this work schedule issue is to consider 12-hour schedules.

The 12-hour schedule is relatively straightforward. It is a 14-day duty cycle. In the schedule pictured below, the pattern consists of two days on/three days off, two days on/two days off and three days on/two days off. This schedule results in a 42-hour average workweek.¹⁵ Over the two-week cycle,

¹⁵ Can be modified to reduce average workweek to 40 hours.



officers would earn four additional hours. All officers are assigned to one of two groups. This schedule makes it easier for supervisors and officers to work on the same schedule. A typical work schedule, like the one used in Grand Rapids, is illustrated below.

Table 9: 12-hour schedule

	Su	M	T	W	T	F	Sa
Week One			Off	Off	Off		
Week Two	Off	Off				Off	Off
Percentage On	50	50	50	50	50	50	50

As can be seen, officers have rotating days off during the duty cycle, but the pattern is repeated every two weeks. Thus, an officer could expect, for example, to have every other Sunday, Monday and Tuesday off. Officers assigned to this pattern would have every other weekend off.

At first glance, it looks like 12-hour shifts actually reduce resource availability but recall that the agency needs only staff two shifts per day. Staffing seven officers on 12-hour shifts is equivalent to staffing 10 officers assigned to eight-hour shifts.

An alternative 12-hour work schedule may more closely conform to a schedule with fixed days off as pictured below.

Table 10: 12-hour, 14-day duty cycle

Platoon	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	On	On	On	Off	Off	Off	Off	On	On	On	On	Off	Off	Off
2	Off	Off	Off	On	On	On	On	Off	Off	Off	Off	On	On	On

This schedule has two platoons and a 14-day duty cycle. Officers in the first platoon work on Sunday, Monday and Tuesday of the first week and then have four days off. During the second week of the cycle, officers work on Sunday, Monday, Tuesday and Wednesday and then have three days off. The second platoon has what is nominally the opposite on and off pattern.

This work schedule results in a 42-hour workweek (84 hours over two weeks). This can be adjusted to a 40-hour workweek by permitting officers to take two hours off each week, or four hours during the two-week period. The department will have to manage this time off to ensure that it does not adversely affect deployment.



Recommendations

Recommendations	
1.1	<p>Develop a formal policing strategy that aligns resources to organizational vision. Task officers to help drive strategic goals and measure the progress towards goals under the strategic vision.</p> <p>Identify core processes, such as traffic, community policing, community engagement and crime prevention, and align resources to meet the strategy. Evaluate outcomes through ongoing data analysis and process improvement to drive the best allocation of resources for service delivery.</p>
1.2	<p>Formalize the tasking and expectations for officers on a daily basis to maximize use of unallocated time. The GRPD is response ready, meaning that officers prioritize dispatch assignments over other tasking. Creating formal tasking plans will help to maximize officer allocation.</p>
1.3	<p>Review calls for service to ensure that officers are being sent to calls where their response supports strategic vision. The GRPD should evaluate whether assigning officers to traffic crashes that are property damage only is an effective use of police officers' time.</p>
1.4	<p>Provide civilian support staff to process traffic citations, City violation citations and other administrative records to allow sworn officers currently doing this work the time to address situations that require sworn powers. This will have significant benefit in both the Traffic Unit and the Detective Unit.</p>
1.5	<p>Align civilian support staff with service areas to provide appropriate data management and analysis to inform management's decision making on resource allocation, implementation of crime strategies and other administrative and operational needs.</p>
1.6	<p>Consider implementing a continuous improvement approach to policing that identifies objectives and key results for the units under Operations and ensures shared responsibility for success, particularly around community engagement and community policing.</p> <p>Use management meetings to develop shared strategies and tasks and define measurements for success.</p>
1.7	<p>Expand the use of civilian parking enforcement aides, consistent with other similar police departments, to issue parking citations and to accept parking citation assignments, as this type of professional staff can manage such actions effectively and allow officers to engage in direct traffic enforcement.</p>
1.8	<p>Develop a staffing plan for the Records Unit to establish a Department data manager responsible for ensuring the accuracy, sufficiency and consistency of data reporting across the Department.</p>



1.9	Create a Crime Analysis Unit that is staffed with sufficient resources, starting with a minimum of two to three individuals who can supply crime intelligence and analytics products across the department on a regular basis. Use this unit to help inform management regarding trends, resource allocation and effectiveness of strategy.
1.10	Review the Detective Unit schedule to ensure that it aligns with organizational needs relative to demand for investigative services.
1.11	Revise policy and procedures to ensure that patrol officers are not writing unnecessary reports that do not provide any policing or other value. If a report is not reviewed by anyone, that is a good indicator that it is not a necessary action for an officer to take.
1.12	Determine whether the assignment of an officer to every call for service is a strategic goal. If it is, establish the resources and tasking to support this goal. If it is not, establish parameters for officer assignment and educate the community and the officers on how these services will be supplied.
1.13	Establish a staffing plan that accounts for the upcoming gaps in existing staff . Work to expand the current hiring goals to match the anticipated retirements. Consider an incentive by which officers announce a year in advance that they will retire to facilitate a hiring plan.
1.14	Conduct a skills gap analysis to ensure that officers positioned to be future leaders are trained and receive professional development.
1.15	Establish clear policies on overtime and officer rest .
1.16	Provide routine command engagement with Patrol and Investigations through roll calls, appearance in the field and other opportunities to engage with officers.
1.17	Develop a civilian staffing plan that prioritizes staffing in units that have direct impact on optimal field resource allocation. Identify strategic data-led policing goals and recruit civilian staff in support of those goals.
1.18	Hire additional civilian staff for the Records Unit, as the current staffing level is insufficient to ensure a professional, integrated approach to records management and the data that attaches.
1.19	Develop a position catalogue with job descriptions and specific skills for each position in the GRPD. Those that do not require sworn powers should be staffed by civilians.
1.20	Develop an organizational strategy that seeks to transition officers out of positions and tasks that are administrative and do not require sworn powers.
1.21	Adopt a workload-based model for allocating Patrol Division resources.
1.22	Closely examine use of the 4-10 work schedule , and when possible, adopt a more efficient work schedule.

MW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

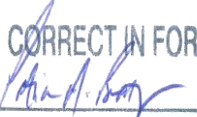
COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Eric DeLong, Deputy City Manager
Executive Office

SUBJECT: Update on Opportunity Zones

Mr. Tim Mroz, Vice President of Strategic Initiatives at The Right Place and Ms. Kara Wood, Managing Director of Economic Development will present an update on the emerging Opportunity Zone economic development tool.

Prepared by Alicia Bernt

CORRECT IN FORM

DEPARTMENT OF LAW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Suzanne Schulz, Managing Director
Design and Development Department

SUBJECT: **Resolution accepting the Heartside Quality of Life Study Final Report**

Request

The attached resolution asks the City Commission to formally accept the Heartside Quality of Life Study. This work does not meet the usual items addressed by an area-specific plan in terms of the built environment or influence on zoning, so it is not proposed that the Study be adopted as an amendment to the 2002 Master Plan. Rather, the Quality of Life Study is focused on the people in the place and how to better serve them by identifying multiple approaches and desired outcomes. Just as this was an innovative planning approach for resident engagement, the final product also provides an interesting opportunity to think about how we re-frame new planning efforts, including our new Master Plan.

Background

In July of 2016, a letter was read to the City Commission asking for assistance by the residents, business owners, and building owners of the Heartside Neighborhood. The letter cited concerns about lighting, parking, wayfinding, and safety within an area that contains more than 500 apartments and 60 businesses. In response, a multi-departmental effort began to evaluate lighting levels and crime data to understand existing conditions. This work then evolved into a broader discussion about neighborhood needs.

The Heartside Quality of Life Study was initiated in September 2017 as a collaborative effort between the Planning Department, Downtown Grand Rapids Incorporated (DGRi) and Dwelling Place, along with support from the emerging Heartside Neighborhood Association. The Study covers 14 contiguous blocks, spanning from Jefferson Street to Ionia Street and Fulton Street to Wealthy Street.

While the Heartside Quality of Life process drew components from our Area Specific Plan processes and other City-led engagement efforts, aspects of this process were

unique and intended to test the framework of community engagement. Specifically, planners wanted to explore ways in which to intentionally engage residents at a grassroots level. This included reaching those traditionally left out of the process, such as neighbors in shelters experiencing homelessness. As the planning team prepared to begin community engagement, the committee identified a need to hire a facilitator who would connect with residents and have the ability to speak with a wide range of stakeholders. Latesha Lipscomb, a resident and business owner who was already active in the neighborhood, was hired as lead project manager in June of 2017.

The Heartside Quality of Life study took a multi-layered approach to understanding how all people experience quality of life in the neighborhood. The first half of the work was focused on listening and visioning, with an intentional effort to engage all who live, work or play in Heartside. The process kicked off with a series of 14 listening sessions in the neighborhood, reaching more than 200 participants. A Neighborhood Knowledge Exchange provided an opportunity to report back what was heard in the listening sessions and to select priority areas for the next phase of the work. Over 70 people from the initial engagement chose to remain engaged in Quality of Life Study process by serving on a work group and were joined by others.

A total of seven Heartside Quality of Life Work Groups were formed, addressing the following challenges that exist in the neighborhood:

1. At Home in Heartside – Seek more affordable housing options, address homelessness and shelter care in Heartside.
2. Engaged and Employed – Find ways to aid and engage neighbors in securing employment, maintain engagement, and find a healthy work-life balance.
3. Areas of Improvement – How to positively activate people in the parks as partners, and engage Lucky's Liquor Store owners and management in discussions about the impact of their business on the neighborhood.
4. Public Restrooms – Provide additional restrooms available to the general public and expand public restroom options within Heartside.
5. Neighborhood Building & Activation – Develop the Heartside Neighborhood Association to become a formal structure that promotes civic engagement, builds human capacity and serves as a conduit for the facilitation of some Quality of Life Study final recommendations.
6. Fresh Food Access – Address the lack of access to fresh fruits, vegetables and meat at an affordable price.
7. Substance Abuse Support, Recovery and Mental Health Advocacy – Address the quality of life for neighbors that have addictions and are directly impacted by substance abuse while reconciling new alternatives to provide holistic support for peers in recovery. Because Substance Abuse and Mental Health are intertwined, also contemplate ways to educate the community on mental health to reduce the negative stigma associated with mental illness that exists in the neighborhood.

Additional efforts were also organized around lighting, Pekich Park improvements, and the Heartside District Emergency Incident Reduction initiative. The culminating event was a work group celebration where the final recommendations of each group were

unveiled. This phase not only yielded great recommendations for improvement, it also gave Heartside residents the platform to become neighborhood leaders; an opportunity many had not had before.

The Heartside Quality of Life Study has provided a rich menu of options to support everyone who lives, works or plays in the neighborhood. Generally, these projects fall into two categories. The first category involves major project recommendations. These are larger-scale projects that are anticipated to have significant impact on the neighborhood, but which also require dedication of significant time, resources, and funding. The second set of projects are much smaller in scale but can be equally impactful in lifting up residents and cultivating the spirit of community. Many of these projects were kick-started by the working groups and provide great opportunities for growth.

Key Final Recommendations in the Neighborhood Action Plan include:

1. Provide continued Neighborhood and Quality of Life Study implementation support.
2. Complete a restroom pilot to address immediate restroom needs and develop a long-term solution that is sustainable.
3. Complete lighting improvements along the South Division Corridor and side streets to improve both the safety and visual character of the neighborhood.
4. Consider redesign options for both Pekich and Heartside Parks to best meet community need.
5. Complete a Mixed-Use and Housing Market Study for Heartside.
6. Provide Mental Health First Aid Training.
7. Implement a Substance Abuse Peer Support Pilot Program.

Participants of the work groups, the Heartside Neighborhood Association, Dwelling Place, the City and DGRI have each taken ownership of individual pieces of the Neighborhood Action Plan. Community champions with the expertise and capacity to carry the project from concept to completion are important to the success of this work. The Heartside Neighborhood Association is in the process of becoming a fully organized 501(c)(3) entity and, with additional support, the Study's momentum will continue to move into implementation.

The impact of the process for the Heartside Quality of Life Study transcends the neighborhood. It is anticipated that this work, in combination with the neighborhood planning efforts occurring in Southtown, and South Division and through Age-Friendly Communities, will inform the next citywide Master Plan effort. Persons who might not traditionally feel welcomed or invited into a planning process are able to engage in a way that is personal and meaningful to them through these planning efforts. Reaching out now to traditionally disenfranchised and/or vulnerable populations within our community provides the Planning Department with critical information on the best ways in which to build relationships and trust for more equitable outcomes. In doing so, it is

hoped that when the time comes for broad engagement of the entire community to talk about our city's future that these individuals will feel comfortable and confident; and that they will be ready and willing to have their voices heard and acknowledged.


YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution accepting the Heartside Quality of Life Study Final Report.

WHEREAS:

1. Heartside is a bustling neighborhood in the heart of Downtown which has the tremendous opportunity to overcome its challenges and become a safe, collaborative place where diverse interests and lifestyles can coexist with mutual respect; and
2. The City of Grand Rapids has engaged the Heartside neighborhood through an extensive community process that reached a significant number of residents and stakeholders, resulting in the identification of priority focus areas; and
3. Implementation of the Quality of Life Study Final Study recommendations, including resident-led efforts to improve quality of life for all who live, work and play in Heartside, are important to the City; and
4. It is desired that future master planning efforts include an equitable representation of all resident voices in designing our community; the work of the Heartside Quality of Life Study helps us to learn how best to engage and involve them; therefore

RESOLVED that the Heartside Quality of Life Study Final Report is hereby accepted by the City Commission.

Prepared by Alicia Bernt

CORRECT IN FORM

DEPARTMENT OF LAW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Suzanne Schulz, Managing Director
Design, Development, and Community Engagement

SUBJECT: **Resolution considering Zoning Ordinance text amendments regarding food trucks and setting the date for adoption of those text amendments**

The attached resolution would establish April 23, 2019 as the date to consider Zoning Ordinance text amendments that would implement what is generally considered Phase 2 of the food truck policy modifications, and specifically the modification of food truck regulations when operating on private property.

The attached ordinance language would allow food trucks to operate in the NOS (Neighborhood Office Service) and IT (Industrial Transportation) Zone Districts with administrative/staff review and approval. In all the other mixed-commercial Zone Districts food trucks would be able to operate for up to 90 days via staff review and approval. If an operator wishes to stay beyond 90 days then neighbors within 300 feet would be notified. If any neighbor requests a public hearing, the Planning Commission would hold a hearing. If no request for a hearing is received, staff review would proceed.

Background

In her 2016 State of the City address, Mayor Bliss called for recommendations to amend City food truck policy in a way that better supports culinary entrepreneurship, small business development and placemaking.

After extensive engagement of, and collaboration between, food truck operators, local businesses and City staff, in August 2016 the City Commission adopted a pilot Mobile Food Truck Ordinance. The pilot ordinance focused on regulatory requirements for a food truck operator on public property and established specific locations for operation.

During the development of the pilot Ordinance it was decided that the food truck discussion should be separated into two phases. Phase 1 would focus on a regulatory ordinance and food truck operations in the public realm (right-of-way and public parks).

Phase 2 would focus on food truck operations on private property, which is largely regulated by the City's Zoning Ordinance.

Throughout the Pilot, the City Commission expressed a desire for the City to also consider modifying regulations for food truck operations on private property. This objective was supported by the Food Truck Association who cited a need to streamline regulations so that the City could achieve their goal cited by the Mayor in 2016.

Planning staff participated in the development of the pilot Ordinance alongside DGRI, the Chamber of Commerce, the Food Truck Association and other City staff. Throughout that development process we heard a repeated need to review private property regulations for food truck operations. The Planning Department agreed that this work was necessary to support the City's objectives and initiated Phase 2 in October 2018. The attached ordinance is the result of the Planning Department's efforts to review and assess zoning rules pertaining to food trucks on private property.

Current Ordinance

The City of Grand Rapids amended its Zoning Ordinance in 2012 to allow food trucks to operate on private property with a Special Land Use permit. The adopted Ordinance was modelled after the City of Portland, which effectively promoted the co-location of food trucks in a "pod" to allow various food truck operators the ability to move between approved sites that had infrastructure for ease of operations (e.g. presence of water, electric) and would be less disruptive to nearby properties (e.g. generator noise, exhaust). The Ordinance was adopted following a robust engagement process that included meetings with food truck operators, the Chamber of Commerce, Neighborhood Ventures, Downtown Alliance members and the Planning Commission.

Special Land Uses require that a public hearing be held by the Planning Commission as part of the review process. Following the submission of a completed application and associated fee (currently \$2,015), the process takes approximately forty-five (45) days.

The Ordinance does permit staff to issue temporary use permits to food truck operators that are "*ancillary to the primary use of the property*". These permits are typically issued in association with a special event (i.e. church fundraiser in a parking lot). The temporary use permit is valid for fourteen (14) days, up to two (2) times per year.

Engagement Process

The Planning Department began the formal process of considering policy changes to food truck requirements on private property in October 2018. Over the past several months, staff has presented to the city's Corridor Improvement Districts, Neighborhood Business Alliance, Grand Rapids Chamber of Commerce, Grand Rapids Hispanic Chamber of Commerce, Urban Core Collective, and to representatives from several neighborhood business associations. Staff summarized the current ordinance requirements, the goals of the Mayor and Commission regarding food trucks, reviewed best practices in several other cities, and presented some potential configurations for food trucks on private property at these meetings. Food truck configurations include

Pods/courts, single food trucks on vacant/underutilized properties in commercial districts, and single food trucks on vacant/underutilized properties in industrial areas.

In addition to direct feedback received, the Planning Department also distributed a survey in both English and Spanish. Seventy-six (76) responses were received. Survey respondents were asked to disclose the type of business they operated, what CID board they were a part of, and their views on the following three (3) food truck concepts:

Concept 1: food trucks on private property (i.e. food truck pod);

Concept 2: food trucks located in a commercial district with only one truck per parcel (ancillary to an existing building or as a single use on a vacant parcel); or

Concept 3: food trucks located in an industrial district or office parcel with single or multiple trucks per parcel.

Survey results have been analyzed and are attached.

Findings

Although the Planning Department regularly receives numerous inquiries about food truck requirements from food truck operators, since the 2012 adoption of the food truck zoning regulations currently in effect, the Planning Commission has reviewed and approved Special Land Use permits for only two (2) locations (the GRAM and a property near the intersection of Burton and Clyde Park). In general, most operators feel that the current process to operate a food truck on private property is costly and burdensome.

Based on the feedback gained through the development of the pilot ordinance, the Planning Department's recent engagement process, research of other communities, and experience with food truck operators, the recommended ordinance would modify the City's requirements for the operation of a food truck on private property and specifically to provide a more permissive approach for operations within industrial and office zone districts and a more flexible, but temporary, approach for operations within commercial zone districts. The proposed ordinance would also provide a tailored approach for food trucks wishing to operate on a more permanent basis within a commercial zone district by requiring a public hearing where there is expressed public interest or objection and a staff level review where there is no expressed interest or objection.

Outdoor Seating Text Amendments

The proposed text amendments are intended to provide consistency between outdoor seating with alcohol service on the public sidewalk, which may be permitted with administrative level review (Director Review) and outdoor seating with alcohol service on private property immediately adjacent to the public sidewalk, currently requiring Planning Commission Special Land Use approval. This change would bring outdoor

alcohol service on private property in line with the regulations in place for the public right-of-way. In either location, service later than 10 p.m. Sunday-Thursday and 11 p.m. Friday-Saturday would require Special Land Use approval.

Action

Given the robust engagement process that led to the creation of the amendments under consideration, that there was no public testimony in opposition provided at the Planning Commission meeting, and that the amendments are supported by the Grand Rapids Food Truck Association, staff has prepared a resolution for consideration of the ordinance on April 23, 2019 without an additional public hearing. Additionally, because of the seasonal nature of food trucks, expeditious consideration of the ordinance would benefit an additional public hearing would delay the effective date of the ordinance by a month.

Please forward the attached item for consideration by the City Commission.

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution setting the date to consider amending the Zoning Ordinance (Chapter 61 of the City Code) relative to food trucks.

WHEREAS:

1. The City Commission adopted a pilot Mobile Food Truck Ordinance after extensive engagement of, and collaboration between, food truck operators, local businesses and City staff in August 2016; and

2. The pilot ordinance focused on regulatory requirements for a food truck operator on public property and established specific locations for operation; and

3. During the development of the pilot ordinance there was an expressed desire to evaluate regulatory requirements for food truck operations on private property, which is largely regulated by the City's Zoning Ordinance; and

4. The Planning Department staff initiated a community engagement process in October 2018 to evaluate current policy requirements in collaboration with Corridor Improvement Districts, Neighborhood Business Alliance, Grand Rapids Chamber of Commerce, Grand Rapids Hispanic Chamber of Commerce, Urban Core Collective, and to representatives from several neighborhood business associations; and

5. Based on the feedback gained through the development of the pilot ordinance, the Planning Department's community engagement efforts, research of other communities, and experience with food truck operators, a proposed Zoning Ordinance text amendment was prepared for consideration; and

6. The proposed text amendments would modify the zoning requirements and provide a more permissive approach for food truck operations within industrial and office zone districts and a more flexible, but temporary, approach for operations within commercial zone districts. The proposed ordinance would also provide a tailored approach for food trucks wishing to operate on a more permanent basis within a commercial zone district by requiring a public hearing where there is expressed public interest or objection and a staff level review where there is no expressed interest or objection; and

7. The Planning Commission considered the Zoning Ordinance text amendments during a public hearing held on February 28, 2019; and

RESOLVED:

A. In accordance with Title V, Section 10(b) [Compiler's Paragraph 60(b)] of the Charter of the City of Grand Rapids, that the attached Summary of the Ordinance be published in the official City Commission Proceedings and in a newspaper of general

circulation in the City, in lieu of publishing the full text of the Ordinance; and

B. That the amendments be considered for adoption by the City Commission at its meeting of April 23, 2019.

SUMMARY OF ORDINANCE 2019 –
AN ORDINANCE TO AMEND CHAPTER 61 OF TITLE V OF THE CODE OF
THE CITY OF GRAND RAPIDS ENTITLED ZONING ORDINANCE

The proposed text amendments would provide a more permissive approach for food truck operations within industrial and office zone districts and a more flexible, but temporary, approach for operations within commercial zone districts. Modifications to regulations for outdoor seating with alcohol service on private property are also proposed for consistency with existing regulations for outdoor seating with alcohol service on the public sidewalk.

The ordinance would allow food trucks to operate on private property in the NOS (Neighborhood Office Service) and IT (Industrial Transportation) Zone Districts with administrative review and approval. In all other commercial zone districts, food trucks could operate for up to 90 days with staff review and approval, and beyond 90 days with notice to neighbors within 300'. Upon express interest or objection to the request, the matter would be subject to Planning Commission public hearing and Special Land Use review and approval. If no public interest or objection is received, the matter would be subject to administrative review and approval.

Alcohol service associated with restaurant outdoor seating on private property immediately adjacent to the public sidewalk currently requires Planning Commission Special Land Use approval. The proposed text amendments would bring outdoor alcohol service on private property in line with the regulations in place for alcohol service in the public right-of-way, which may be permitted with administrative review. On either public or private property, service later than 10 p.m. Sunday-Thursday and 11 p.m. Friday-Saturday would require Special Land Use approval.

The proposed Zoning Ordinance text amendments are available at the City's website at <http://tinyurl.com/foodtruckordinance> or examined in person at the Planning Department, 3rd Floor, 1120 Monroe Avenue NW, Grand Rapids, Michigan 49503, during business hours until 4 p.m., Monday-Friday. The Planning Department may be contacted at (616)456-4100 or planning@grcity.us for further information.

**AN ORDINANCE TO AMEND CHAPTER 61 OF TITLE V OF THE CODE OF
THE CITY OF GRAND RAPIDS ENTITLED ZONING ORDINANCE**

ORDINANCE NO. 2019-__

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Subsections A.2.-A.9. of Section 5.6.06. Uses of Land. of Title V, Chapter 61 of the Code of the City of Grand Rapids be renumbered to A.3.-A.10., respectively, and Subsection A.2. be amended to read as follows:

Sec. 5.5.05. Uses of Land.

2. “Qualified Review. Uses which may be allowed subject to Director Review, unless public hearing before the Planning Commission is requested in accordance with Section 5.12.16., and all other applicable requirements of this Chapter. These uses are identified with a “QR.” “

Section 2. That a new row entitled “Mobile Food Vending” be inserted into the Entertainment, Hospitality and Recreation Use Category of Table 5.6.06.B. Uses: Mixed-Use Commercial Zone Districts of Section 5.6.06. Uses of Land. of Title V, Chapter 61 of the Code of the City of Grand Rapids, and the bottom row of the aforementioned table be amended, to read as follows:

Table 5.6.06.B. Uses: Mixed-Use Commercial Zone Districts

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								
Entertainment, Hospitality and Recreation	"Mobile Food Vending	QR	QR	QR	QR	QR	P	5.9.15"
P = Permitted Use; "QR = Qualified Review;" S = Special Land Use; E = Existing; X = Not Permitted; "-" = Not Applicable; GFA = Gross Floor Area								

Section 3. That a new row entitled “Mobile Food Vending” be inserted into the Office and Retail Use Category of Table 5.7.04.B. Uses: Industrial-Transportation District of Section 5.7.04. Special District - Industrial-Transportation (SD-IT). of Title V, Chapter 61 of the Code of the City of Grand Rapids, to read as follows:

Table 5.7.04.B. Uses: Industrial-Transportation District

Table 5.7.04.B. Uses: Industrial-Transportation District			
Use Category	Specific Use	Approval	Use or Other
EDUCATIONAL, AUTO-ORIENTED, OFFICE, RETAIL			
Office and Retail	“Mobile Food Vending	P	5.9.15.”

Section 4. That Table 5.9.02. Use Regulations and Approval Process of Section 5.9.02. Applicability. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to add a new column entitled, “Qualified Review” and a new Use row entitled, “Mobile food vending,” as follows:

Table 5.9.02. Use Regulations and Approval Process					
Use	Section	Counter Review	Director Review	“Qualified Review”	Special Land Use
“Mobile Food Vending	5.9.15.	—	NOS, IT	CC, TCC, TBA, TOD, C	—

Section 4. That the Outdoor Service rows of Table 5.9.05.B. Approval Procedures for the Sales or Service of Alcohol of Subsection 5.9.05. Alcohol Sales and Consumption. of Article 9 Use Regulations of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended, as follows:

Table 5.9.05.B. Approval Procedures for the Sales or Service of Alcohol.

Table 5.9.05.B. Approval Procedures for the Sales or Service of Alcohol			
License	Description	Criteria	Review Procedure
On-Premise Consumption			
Outdoor Service (see 5.9.24.)	New outdoor license for a new or existing bar or restaurant	“Within public ROW or on private property abutting public ROW, at ground level “	Director Review
		Private property	SLU

Table 5.9.05.B. Approval Procedures for the Sales or Service of Alcohol

License	Description	Criteria		Review Procedure
	Expansion of an existing outdoor service area	"Within public ROW at ground level or on private property abutting public ROW, at ground level"		Director Review
		Private property	Less than 20% increase in seating capacity and/or sq. ft. of dedicated area	Director Review: meeting criteria
				SLU: not meeting criteria

Section 5. That Table 5.9.35.A. of Subsection 5.9.35. Temporary Structures and Uses of Article 9 Use Regulations of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to delete the "Concession Sales" use, as follows:

Table 5.9.35.A. Temporary Structures and Uses

Structure or Use	Section	Duration	Permit Required
"Outdoor seasonal sales"	5.9.35.I.	45 days, 2 times in 12 months	Temporary Use Permit
Farmer's markets		See 5.9.35.I.2.	

Section 6. That Subsection J. Concession Sales of Subsection 5.9.35. Temporary Structures and Uses of Article 9 Use Regulations of Title V, Chapter 61 of the Code of the City of Grand Rapids be deleted, and the Subsections K. and L. be renumbered to J. and K., respectively.

Section 7. That Subsection 5.9.15. Reserved. of Article 9 Use Regulations of Title V, Chapter 61 of the Code of the City of Grand Rapids be retitled "Mobile Food Vending." and be amended to read as follows:

Sec. 5.9.15. "Mobile Food Vending.

A. Purpose and Applicability.

1. Mobile food vending can provide employment and small business growth in the City while providing a broad range of food choices to the public. The provisions of this section are intended to provide a proper balance between these uses that allow brick-and-mortar restaurants to thrive while allowing for new food vending opportunities that can add vitality to vacant parking lots and underutilized sites.

2. These provisions shall apply to businesses engaged in the cooking, preparation, and distribution of food or beverage on properties outside of the public right-of-way.
3. This section does not apply to mobile food vendors that move from place to place and are in the same general location for up to thirty (30) minutes at a time, or locations under the control of Chapter 46 Downtown Vending of the City Code.
4. Mobile food vending shall be permitted subject to the requirements of this Section.

B. Approval Procedures.

1. The use and permit review of mobile food vending shall be done in accordance with Table 5.9.15.B.

Table 5.9.15.B Approval Procedures for Mobile Food Vending			
Zone District	Review Procedure		
	Temporary Use 89 days or less	Accessory Use 90 days or more	Principal Use 90 days or more
NOS, IT	Temporary Use Permit	Director Review	—
CC, TCC, TBA, TOD, C	Temporary Use Permit	Qualified Review	Qualified Review

2. Any alcohol sales associated with a mobile food vendor shall be reviewed in accordance with Section 5.9.05 of this Chapter.
3. Other Approvals. In addition to satisfying the requirements of this section, evidence of approval from the Kent County Health Department shall be provided for all mobile food vending. A Transient Merchant License shall be obtained from the Office of the City Clerk, as applicable.

C. Required Information. The following information shall be submitted with the permit application. The Director and/or Planning Commission may request additional information if deemed necessary. For Special Land Use applications, the site plan identified below may substitute for that required by Section 5.12.09.

1. A written description of the nature of the proposed use, including the methods of food preparation and cooking, and the frequency, duration and hours of operation;
2. A trash collection and removal plan;
3. Source of water and power that will serve the mobile food vending unit;
4. Dimensioned drawings of any proposed signage;

5. Details of the mobile food vending unit, including the type, dimensions, elevation drawings or photos, and details of any furniture, tent or other physical features associated with the proposed use;
 6. A dimensioned site plan showing existing and proposed site improvements, including:
 - i. Buildings and building setbacks;
 - ii. The proposed location of the mobile food vending unit and any other associated activity;
 - iii. Existing public improvements adjacent to the site, such as fire hydrants, bus shelters, trees and tree grates and parking meters;
 - iv. The nature of the property surfaces (e.g. asphalt, gravel, etc.);
 - v. The location of parking;
 - vi. Site lighting;
 - vii. Signs;
 - viii. Trash receptacles;
 - ix. The location of on-site water, generator, and/or electric utilities that will serve the mobile food vendor(s);
 - x. The location of existing or planned sanitary facilities;
 7. A business district map identifying existing restaurants within buildings and any other known mobile food vending operations within three hundred (300) feet; and
 8. Photographs of the site.
- D. Review Standards. In addition to the review standards of Section 5.12.09., the Planning Commission and the Director shall take the following into consideration in the review and approval of a mobile food vending permit:
1. Will the use contribute to the vitality and experience of the business district?
 2. Will the use support or detract from existing brick and mortar establishments?
 3. Is there an appropriate separation distance between temporary and permanent uses so as to not impair the long-term viability of nearby businesses?
 4. Will the use add variety to the types of food or beverage offerings in the district or compete with area businesses in close proximity?
 5. Will the proposed stand, trailer, wagon or vehicle contribute to the general aesthetic of the business district and include high quality materials and finishes?
- E. Outdoor Cooking. Outdoor cooking associated with mobile food vending is subject to Special Land Use approval. An Administrative Departure may be granted for outdoor cooking for a mobile food vendor meeting the requirements for temporary use permit approval and provided there are no residential uses located within two hundred (200) feet of the property.
- F. Placement. The mobile food vendor shall meet the setback requirements of the Zone District and the customer window shall be accessed directly from the public sidewalk. The intent of the placement is to contribute to the walkability of the

business district and generate pedestrian activity. An Administrative Departure may be granted where an alternate placement would achieve this intent.

- G. **Parking Area.** The area occupied by accessory concession sales shall not exceed twenty (20) percent of any required parking area. Sufficient on-site or district parking shall be provided for each stand, trailer, wagon, or vehicle on a lot, in addition to any other required parking for retail business buildings on the same parcel.
- H. **Pedestrian Space.** A minimum pedestrian clear space of five (5) feet is required along all public walkways, unless an Administrative Departure is granted in accordance with Section 5.10.08. Pedestrian Access and Circulation.
- I. **Public ROW and Clear Vision.** Sales shall not be in the public right-of-way or on public property unless otherwise approved, and shall be outside of clear vision areas.
- J. **Sanitary Facilities.** Sanitary facilities shall be provided for mobile food vending operated as a principal use on a lot. An Administrative Departure from this requirement may be granted if documentation is provided for alternative arrangements.
- K. **Hours of Operation.** Operating hours shall be no later than 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday, unless otherwise approved by the Planning Commission as a Special Land Use.
- L. **Co-Location.** where mobile food vending has been approved on a lot as a principal use, locating additional vendors on the same lot is encouraged.
- M. **Sound.** No amplified outdoor music, sound, or noise shall be permitted. Planned locations for outdoor generators that provide power shall be identified. Use of generators may be prohibited if it is anticipated that they may create a nuisance to neighbors due to noise, exhaust or vibration.
- N. **Revocation.** Any approved stand, trailer, wagon, or vehicle on a property for the purposes of Mobile Food Vending shall remain in continuous operation so long as the premises is occupied. If the business closes, ceases to operate, or fails to keep regular business hours, then the temporary use permit may be revoked by the Director, or by the Planning Commission for Special Land Uses in accordance with the provision of Section 5.12.09.I. If the approval is revised, the stand, trailer, wagon or vehicle shall be immediately removed from the property."

Section 8. That Table 5.12.02.A. Review Procedures and Decision-Making Bodies. of Section 5.12.02. Summary of Authorities and Review Procedures, Effect of Decisions. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to add a row entitled Qualified Review, as follows:

Table 5.12.02.A. Review Procedures and Decision-Making Bodies.

Table 5.12.02.A. Review Procedures and Decision-Making Bodies					
PH = Public Hearing Required PHO = Public Hearing Optional M = Public Meeting Required	R = Review and Recommend D = Approving Authority A = Authority for Appeal		CC = City Commission PC = Planning Commission BZA = Board of Zoning Appeals		
Review Procedure	Section	CC	PC	BZA	Director
"Qualified Review	5.12.16	—	PHO, D	A	D"

Section 9. That Section 5.12.16. Administrative Approvals: Administrative Departures, Director Review and Counter Review. of Title V, Chapter 61 of the Code of the City of Grand Rapids be retitled, as follows:

"Sec. 5.12.16. Administrative Approvals: Administrative Departures, Director Review, Counter Review, Qualified Review, and State University Plan Approvals."

Section 10. That Subsections B.2.f. - B.2.j. of Section 5.12.16. Administrative Approvals: Administrative Departures, Director Review, Counter Review, Qualified Review, and State University Plan Approvals. of Title V, Chapter 61 of the Code of the City of Grand Rapids be renumbered to B.2.g. - B.2.k., respectively, and Subsection B.2.f. be amended to read as follows:

Sec. 5.12.16. Administrative Approvals: Administrative Departures, Director Review, Counter Review, Qualified Review, and State University Plan Approvals.

- f. "Uses listed as Qualified Review in Article 5 Residential Zone Districts or Article 9 Use Regulations, unless referred to the Planning Commission for public hearing."

Section 11. That Subsection D. State University Plan Approvals. of Section 5.12.16. Administrative Approvals: Administrative Departures, Director Review, Counter Review, Qualified Review, and State University Plan Approvals. of Title V, Chapter 61 of the Code of the City of Grand Rapids be renumbered as Subsection E., and Subsection D. be amended to read as follows:

Sec. 5.12.16. Administrative Approvals: Administrative Departures, Director Review, Counter Review, Qualified Review, and State University Plan Approvals.

D. "Qualified Review Procedures.

1. Purpose. This Section provides procedures and standards for uses of land or structures that, because of their relationship to surrounding uses and

structures, may require additional consideration in relation to the welfare of adjacent properties, the neighborhood, and the community. The regulations and standards herein are designed to allow practical latitude for the applicant, but maintain adequate provision for the protection of the health, safety, convenience, and general welfare of the community.

2. Applicability. Only those Qualified Review uses that are specifically noted in this Chapter may be requested and approved.

3. Review Procedures

- a. Notice of Filing. Upon receipt of a complete application, mailed notice of receipt of a Qualified Use application shall be mailed consistent with the requirements of Section 5.12.05. The notice shall state the nature of the use and provide option for affected persons to request a formal public hearing within fourteen (14) days of the receipt of the request.
- b. No Request for Public Hearing. If no request for public hearing is received, the Qualified Use request shall be processed pursuant to the Director Review procedures under Section 5.12.16. A quarterly report of Qualified Use requests processed under Director Review shall be provided to the Planning Commission.
- c. Request for Public Hearing. If a request for public hearing is received, the Qualified Use request shall be processed consistent with the Special Land Use procedures under Section 5.12.09. Notice of public hearing shall be provided consistent with the requirements of Section 5.12.05.

4. Review Standards. The Director or Planning Commission shall only approve an application for a Qualified Review use that meets the following standards.

- a. Master Plan/Zoning Ordinance. The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the Zone District.
- b. The Site Plan Review Standards of Section 5.12.08.E.
- c. Neighborhood Effects.
 - i. The proposed use would be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties, and the natural environment.
 - ii. Potentially adverse effects arising from the proposed use on the neighborhood and adjacent properties would be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers or setbacks.

- iii. The proposed use would not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, smoke, odors, glare, visual clutter, and electrical or electromagnetic interference.
 - iv. The proposed use would not adversely affect the walkability of the neighborhood, impair pedestrian circulation patterns, disrupt the continuity of the urban street wall or otherwise hinder the creation of a pedestrian-oriented environment.
- d. Environment. The building and site area required for the proposed use will retain as many natural features of the landscape as practicable, particularly where the natural features assist in preserving the general character of the neighborhood.
- e. Public Facilities.
 - i. Adequate public or private infrastructure and services already exist or would be provided at no additional cost, and will safeguard the health, safety, and general welfare of the public.
 - ii. The proposed use would not be detrimental to the financial stability and economic welfare of the City.
 - iii. The proposed use would comply with all other applicable City ordinances and policies and all applicable State laws.
- f. Sale and/or Consumption of Alcohol. Alcohol-related uses tend to have a particularly detrimental effect on neighborhoods where there is a concentration of these uses. Any Qualified Review use that includes sale and/or consumption of alcohol shall be automatically referred to Public Hearing.”

Section 12. That the definition for “Concession Sales” in Subsection C., Section 5.16.02. - Definitions. of Title V, Chapter 61 of the Code of the City of Grand Rapids be deleted.

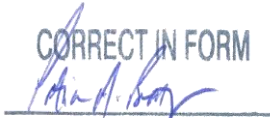
Section 13. That the following definition in Subsection M, Section 5.16.02. - Definitions. of Title V, Chapter 61 of the Code of the City of Grand Rapids be added:

M. Definitions—M.

“MOBILE FOOD VENDING

Serving or offering for sale food and/or beverages from a cart, stand, trailer, wagon, vehicle, or any other similar temporary or moveable unit.”

Prepared by Elizabeth Zeller and Kristin Turkelson


 CORRECT IN FORM
 DEPARTMENT OF LAW



FOOD TRUCK NATION

U.S. CHAMBER OF COMMERCE FOUNDATION
FOOD TRUCK INDEX

WHAT ARE THE HIGHLIGHTS?



Local regulations on food trucks vary widely across America. These rules mandate review processes for food safety, business operations, insurance, fire safety, and more. Similarly, financial obligations, including licensing, permits, and mandatory food safety training, of food trucks differ substantially.



The five friendliest cities for food trucks are Portland (OR), Denver, Orlando, Philadelphia, and Indianapolis. Only Orlando sits in the top five rankings across each of those three components. For example, Portland does not rank as well in permits and licenses (8th place); there are more restrictions imposed on food trucks in Indianapolis (13th place); and it is costly to operate a food truck in Philadelphia (12th place).

The five most difficult cities for food trucks are Boston, Washington D.C., San Francisco, Minneapolis, and Seattle. Except Minneapolis (where it is a relatively smooth process to obtain permits and licenses), these cities prove to be difficult for food trucks in all three components in the Index.

The ease of doing business varies immensely across American cities depending on the angle of analysis. For example, Los Angeles does not have many restrictions on where trucks may operate, but it is more costly to maintain compliance with regulations compared with other cities. By contrast, Phoenix has many proximity restrictions for food trucks, but it is less costly to operate a truck there.

Moreover, the regulatory burdens of a city do not necessarily determine how easy the local government makes it to navigate those rules. Austin (TX) and Minneapolis have different business environments for food trucks by our measure, yet both have created one-stop shops to obtain permits and licenses for food trucks.

The rankings of each city in the *Food Truck Nation* index are based on the average scores of all three components of our index: obtaining permits and licenses, complying with restrictions, and operating a food truck. Each of these components in turn consists of the simple average (amongst all the cities in the Index) of procedures, trips to city government agencies, and fees paid to city government agencies. We give each city an overall score from 0 to 100 (100 being the best) to obtain a ranking from 1 to 20 (1 being the best).

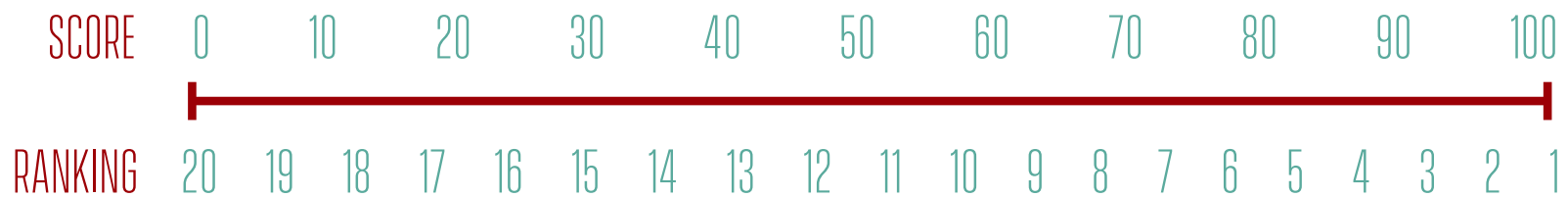


TABLE 1 *FOOD TRUCK NATION* INDEX RANKINGS

CITY	OVERALL RANK	OBTAINING PERMITS AND LICENSES	COMPLYING WITH RESTRICTIONS	OPERATING A FOOD TRUCK
Portland (OR)	1	8	3	1
Denver (CO)	2	1	2	6
Orlando (FL)	3	5	4	4
Philadelphia (PA)	4	3	1	13
Indianapolis (IN)	5	2	13	3
Houston (TX)	6	9	6	7
Austin (TX)	7	6	10	12
Los Angeles (CA)	8	13	8	10
New York City (NY)	9	14	5	15
Nashville (TN)	10	12	12	11
Raleigh (NC)	11	10	14	8
St. Louis (MO)	12	11	11	16
Chicago (IL)	13	15	9	17
Phoenix (AZ)	14	7	19	2
Columbus (OH)	15	16	16	5
Minneapolis (MN)	16	18	15	9
Seattle (WA)	17	4	20	14
San Francisco (CA)	18	17	18	18
Washington (DC)	19	19	17	19
Boston (MA)	20	20	7	20

TABLE 2

FOOD TRUCK NATION INDEX OVERALL RAW SCORE AND RANKING



CITY	OVERALL RAW SCORE	RANKING
Portland (OR)	85.0	1
Denver (CO)	83.0	2
Orlando (FL)	76.8	3
Philidelphia (PA)	72.6	4
Indianapolis (IN)	70.6	5
Houston (TX)	67.3	6
Austin (TX)	63.3	7
Los Angeles (CA)	61.8	8
New York City (NY)	60.1	9
Nashville (TN)	58.4	10
Raleigh (NC)	58.2	11
St. Louis (MO)	56.2	12
Chicago (IL)	51.9	13
Phoenix (AZ)	49.4	14
Columbus (OH)	49.1	15
Minneapolis (MN)	45.4	16
Seattle (WA)	44.9	17
San Francisco (CA)	35.1	18
Washington (DC)	29.9	19
Boston (MA)	27.4	20



PART ONE:

OBTAINING PERMITS AND LICENSES

The Obtaining Permits and Licenses component is a collective measure of the rules a food truck operator must comply with to establish their business. We examine the number of procedures required (e.g., inspecting a vehicle and obtaining a certificate counts as two procedures), the amount of trips to regulators (one for inspection and another to submit an application for a certificate), and the costs associated with these steps (e.g., a filing fee).

Each of these five subcomponents have about seven parts to our measure. For instance, the administrative subcomponent looks for requirements around a mobile food truck application and general business certificate.

Denver, Indianapolis, and Philadelphia scored highest for starting a food truck, while Washington, D.C., Seattle, and Boston are in the bottom of our ranking. Boston and San Francisco, for example, require 32 procedures to start a new truck. Denver, by comparison, requires only 10 procedures to obtain permits and licenses.

Cities may combine several procedures in one step to save time for applicants, while others require many trips to government agencies or other official entities, such as a notary public or accredited food safety training institution. Applicants typically need to make eight trips to agencies in Denver and 23 trips in Washington, D.C., to complete all required procedures to obtain permits and licenses.

Fees paid to city governments and other official entities vary substantially across cities. Food truck owners pay approximately \$17,066 to Boston city government, nearly 29 times more than fees paid in Indianapolis. A large portion of Boston's fees go toward monthly zoning permits.

There are five subcomponents in this measure:

- ① ADMINISTRATIVE
- ② HEALTH/MENU/FOOD SAFETY
- ③ VEHICLE REQUIREMENTS & SAFETY/HAZARD PREVENTION
- ④ EMPLOYMENT
- ⑤ ZONING

TABLE 3

INDEX AREA 1: OBTAINING PERMITS AND LICENSES

CITY	PROCEDURES		TRIPS		FEES PAID		OVERALL SCORE
	NUMBER	SCORE	NUMBER	SCORE	COSTS	SCORE	
Denver	10	100	8	100	\$811	99	100
Indianapolis	19	59	10	87	\$590	100	82
Philadelphia	18	64	11	80	\$1,778	93	79
Minneapolis	20	55	10	87	\$1,674	93	78
Orlando	20	55	11	80	\$629	100	78
Austin	20	55	14	60	\$1,139	97	70
Phoenix	19	59	15	53	\$1,540	94	69
Portland	22	45	15	53	\$1,877	92	64
St. Louis	22	45	17	40	\$1,204	96	61
Houston	21	50	17	40	\$1,788	93	61
Raleigh	24	36	16	47	\$848	98	60
Nashville	25	32	15	53	\$1,343	95	60
Los Angeles	23	41	16	47	\$2,439	89	59
New York City	26	27	18	33	\$1,075	97	53
Chicago	23	41	19	27	\$2,713	87	52
Columbus	29	14	17	40	\$1,560	94	49
San Francisco	32	0	15	53	\$3,481	82	45
Washington	28	18	23	0	\$2,720	87	35
Seattle	29	14	20	20	\$6,211	66	33
Boston	32	0	22	7	\$17,066	0	2



PART TWO: COMPLYING WITH RESTRICTIONS

The Complying With Restrictions component is a measure of the rules a food truck operator must comply with so they can vend on a regular basis. We examined the number of quantitative restrictions required (e.g., the number of proximity rules or amount of times a truck must report to a depot in a day), and the qualitative measure of these restrictions (e.g., the number of feet a truck must be away from a school).

Each of these subcomponents in turn has between three and nine parts to the measure. For instance, the proximity subcomponent looks for the number of feet that must be maintained from restaurants, civic events, or residential buildings. Philadelphia, Portland, and Denver scored best when it came to complying with restrictions, while Minneapolis, Phoenix, and San Francisco ranked at the bottom.

THE CITY OF MINNEAPOLIS DOES NOT ALLOW FOOD TRUCKS TO BE WITHIN 100 FEET FROM A TRADITIONAL RESTAURANT, 300 FEET FROM A RESIDENTIAL BUILDING, AND 500 FEET FROM A FESTIVAL OR SPORTS EVENT. BY CONTRAST, PORTLAND ONLY HAS A PROXIMITY RESTRICTION IN THE CITY CENTER, NOT ANY SPECIFIC BUSINESS OR INSTITUTIONS; BUT IT HAS OTHER RESTRICTIONS INCLUDING HOURS OF OPERATION.

Six proximity restrictions in Phoenix add to 2,215 feet of restrictions, while nine proximity restrictions in Raleigh add to only 325 feet of restrictions. In addition to proximity restrictions, cities have restrictions on operations. In Washington, D.C., there are five operational restrictions, such as for opening hours and menu changes.

There are three subcomponents in this measure of regulation:

- ① PROXIMITY (DETERMINED BY THE DISTANCE THE FOOD TRUCK MUST REMAIN FROM SCHOOLS, RESTAURANTS, OR OTHER LOCATIONS)
- ② OPERATIONS
- ③ ZONING

TABLE 4 INDEX AREA 2: COMPLYING WITH RESTRICTIONS

CITY	NUMBER OF RESTRICTIONS		RESTRICTION VALUES		OVERALL SCORE
	NUMBER	SCORE	FEET	SCORE	
Philadelphia	4	90	30	99	94
Denver	2	100	320	86	93
Portland	5	85	0	100	93
Orlando	5	85	45	98	91
New York City	7	75	31	99	87
Houston	6	80	160	93	86
Boston	8	70	124	94	82
Los Angeles	5	85	700	68	77
Chicago	10	60	250	89	74
Austin	12	50	105	95	73
St. Louis	9	65	504	77	71
Nashville	10	60	546	75	68
Indianapolis	6	80	1,000	55	67
Raleigh	14	40	325	85	63
Seattle	11	55	1,120	49	52
Columbus	8	70	2,045	8	39
Washington	22	0	512	77	38
San Francisco	14	40	1,627	27	33
Phoenix	15	35	2,215	0	18
Minneapolis	22	0	1,636	26	13



PART THREE: OPERATING A FOOD TRUCK

Operating a food truck is a measure of the rules a food truck operator must comply with to maintain legal compliance annually. We examine the number of procedures, including regular health and safety inspections, the number of trips involved to a regulatory agency, and the costs associated with compliance, including the fee for renewing a food truck's vehicle registration.

Each of these average about four aspects. For instance, the inspections subcomponent looks for requirements around health, safety, and fire inspections.

Portland, Phoenix, and Indianapolis scored best when it came to operating a food truck, while Boston, Washington, D.C., and San Francisco scored lowest.

Typically, fees are associated with the number of procedures and trips to city government agencies and other official entities, such as notaries and accredited food safety training facilities. In Boston, a food truck has to make 31 trips and 21 procedures to comply with these operation-based regulations. Meanwhile, Portland not only offers the lowest ongoing costs, but food trucks need to comply with only 7 procedures and 7 trips to city agencies each year.

ANNUAL REGULATORY OPERATING COSTS ARE AS HIGH AS
\$37,907 IN BOSTON AND AS LOW AS \$5,410 IN PORTLAND.

There are five subcomponents in this measure:

- ① INSURANCE
- ② LICENSES AND PERMITS
- ③ TAXES
- ④ INSPECTIONS
- ⑤ OTHER (E.G., A DATA PLAN, OR TRACKING DEVICES)

TABLE 3

INDEX AREA 3: OPERATING A FOOD TRUCK

CITY	PROCEDURES		TRIPS		FEES PAID		OVERALL SCORE
	NUMBER	SCORE	NUMBER	SCORE	COSTS	SCORE	
Portland	7	100	7	100	\$5,410	100	100
Phoenix	8	93	18	56	\$25,187	39	63
Indianapolis	9	86	20	48	\$20,435	54	63
Columbus	10	80	20	49	\$20,820	53	61
Orlando	10	79	20	48	\$19,621	56	61
Denver	10	79	21	44	\$22,751	47	57
Houston	11	75	21	46	\$22,746	47	56
Raleigh	11	72	22	40	\$22,827	46	53
Seattle	13	59	13	77	\$32,076	18	51
Los Angeles	10	79	21	47	\$29,096	27	51
Austin	14	52	22	43	\$22,168	48	48
Nashville	10	79	22	40	\$29,579	26	48
Philadelphia	13	63	24	34	\$25,292	39	45
Minneapolis	12	68	20	48	\$31,694	19	45
New York City	12	66	25	31	\$28,085	30	43
St. Louis	12	66	29	13	\$26,191	36	38
Chicago	14	53	26	26	\$32,461	17	32
San Francisco	17	33	27	22	\$28,642	29	28
Washington	16	39	32	0	\$29,382	26	22
Boston	21	0	32	0	\$37,907	0	0

CITY – BY – CITY ANALYSIS



Portland is the best city for food trucks in America by our measure. Mobile vendors are a fixture of local culture.

NOT ONLY IS IT RELATIVELY EASY TO OBTAIN PERMITS AND LICENSES, BUT DOING BUSINESS IN PORTLAND IS A CLEAR AND STRAIGHTFORWARD PROCESS. THERE ARE NO PROXIMITY RESTRICTIONS OR SALES TAXES.

Numerous parking lots are set aside across downtown Portland for the exclusive use of food trucks. And the local government goes out of its way to offer an easily navigable experience for staying in business.

Unsurprisingly, local food truck operators give Portland high marks across the board. The city scores particularly well on operational restrictions (4.8, out of 5.0) and governmental support (0.86, out of 1.00). In fact, the city's Economic Development Plan, adopted in 2009, specifically incorporated mobile food vendors as a key tool for promoting growth and deterring blight downtown.

Survey respondents noted a few areas for improving Portland's regulatory environment. "The permit is so expensive," cited one owner; "lower the fee," echoed another. Three more operators pointed to the city's water tank requirement as being unnecessary. Trucks are required to have a 50-gallon water tank, "even though they are not used" or function only for handwashing. In addition, without a special permit, trucks can only cater an event from a separate commissary kitchen, they can't cook food on board like they do for their everyday business.

DENVER

OVERALL RANK 2

Denver scored the second-best results of the cities measured in this index. Starting a food truck business is easy and straightforward. There are just 10 procedures, the lowest of all the cities under consideration, and Denver requires just eight trips to city offices for approvals. Information about government permitting is aggregated well online and easy to navigate. Operating a food truck and maintaining compliance are equally straightforward.

STRANGELY, IT IS THE DENVER FIRE DEPARTMENT THAT MAY PRESENT THE GREATEST OBSTACLES TO FOOD TRUCKS.

Numerous truck owners in our survey pointed to the new fire suppression systems they are now required to install, alongside changes to gas lines and propane tank sizes. All told, one owner paid out over \$4,000 in repairs and updates to comply with these rules. Other owners report that these rules are inconsistently applied and poorly understood by the fire department itself.

What is actually on the books when it comes to zoning and proximity rules is relatively mild. Nevertheless, food truck owners rated the city poorly on this scale when surveyed. It may be because of the presence of downtown zones in and around the 16th Street Mall where trucks are not allowed to operate. The same goes for parks, where trucks are not allowed to operate within 300 feet.



For trucks looking to operate outside the central part of the city, regulatory costs can quickly mount. Boulder, for instance, requires city permits costing \$300. Filing permits and taxes in every city and county in the area quickly becomes “a huge burden and is hard to keep track,” said one local owner. Owners may be filing taxes in a place they operated in just once in a year because there is not a streamlined or straightforward system to operate a food truck in neighboring communities.

6.a

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

ORLANDO

OVERALL RANK 3

ORLANDO IS THE ONLY CITY IN OUR *FOOD TRUCK NATION* INDEX TO SCORE IN THE TOP FIVE ON ALL MEASURES.

The city has one of the least expensive permits (\$50) and low fees to continue operating. Additionally, the local government's FAQ page is helpful and easy to navigate.

Our survey respondents agreed with the Index's positive assessment, Orlando received good measures across the board. As with every city, there are downsides for food trucks doing business in Orlando. They are prohibited from selling food or merchandise on city streets or sidewalks. "Let us park anywhere," said one Orlando food truck operator. Add traveling anywhere in the metro area triggers additional permits and inspections. "Costs add up, as does the inconvenience of inspections in each new city we travel to."

6.a

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

PHILADELPHIA

OVERALL RANK

4

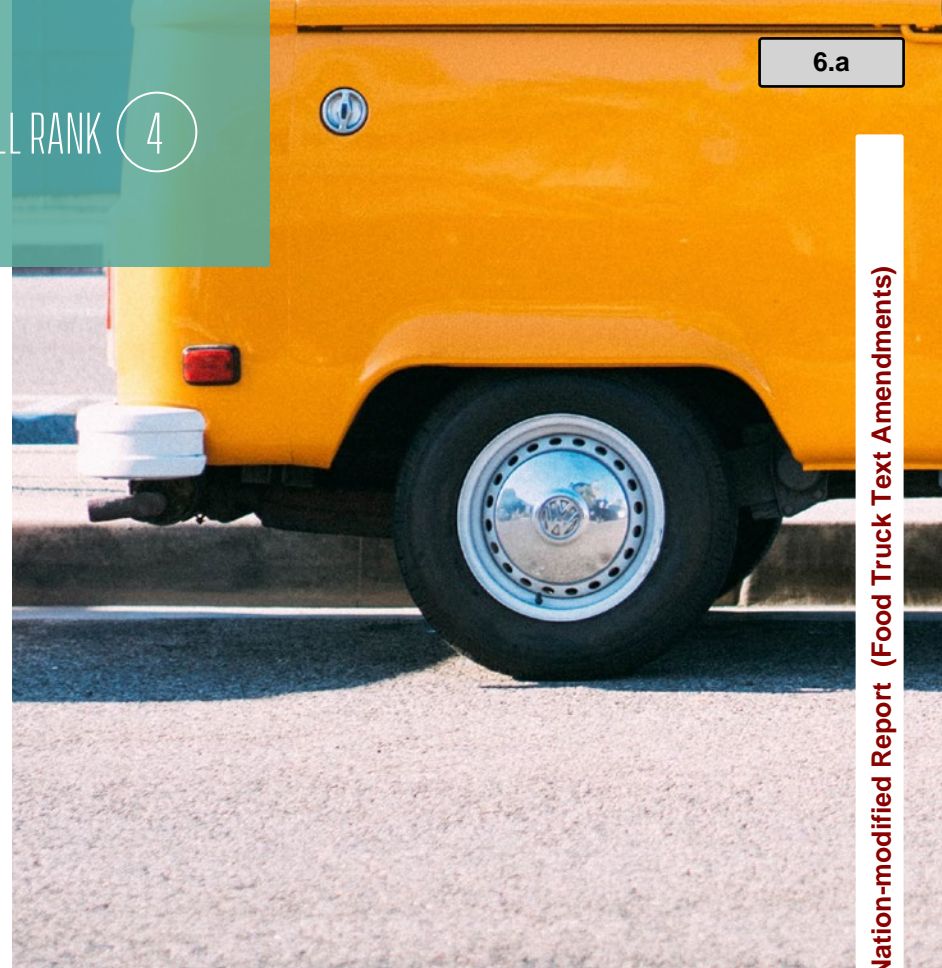
6.a

Philadelphia shows brotherly love to the city's food trucks. Philadelphia ranks in the top three for starting up, and the city's rules are among the best for food trucks overall. Few regulations apply directly to food trucks—as a result, enforcement is more about upholding food safety and sanitation. "I know people talk about how the city makes it difficult," said a local pizza truck owner, "but at the end of the day it's not that hard."

The flip side to this light overall regulatory touch is a very specific requirement by health inspectors that many food truck owners felt were burdensome. Every large event a truck vends at triggers a health inspection, which on top of the yearly review translates into anywhere from 10 to 30 inspections a year.

As with many older cities, rules around public right-of-way can quickly become a hassle. Approvals are needed to vend in Philadelphia's more popular spots and according to one owner, "you can easily spend decades on the waiting list" for a weekday lunch spot. Much of Center City in downtown Philadelphia is effectively off-limits as well.

Inconsistent enforcement is perhaps the biggest concern among the city's food trucks.



NUMEROUS FOOD TRUCK OWNERS REFERRED TO PHILADELPHIA AS THE WILD WEST.

It is not just that trucks are prohibited from vending past midnight or parking closer than 30 feet from another truck, but that rules like these are ignored by enforcement officials part of the time.

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

INDIANAPOLIS

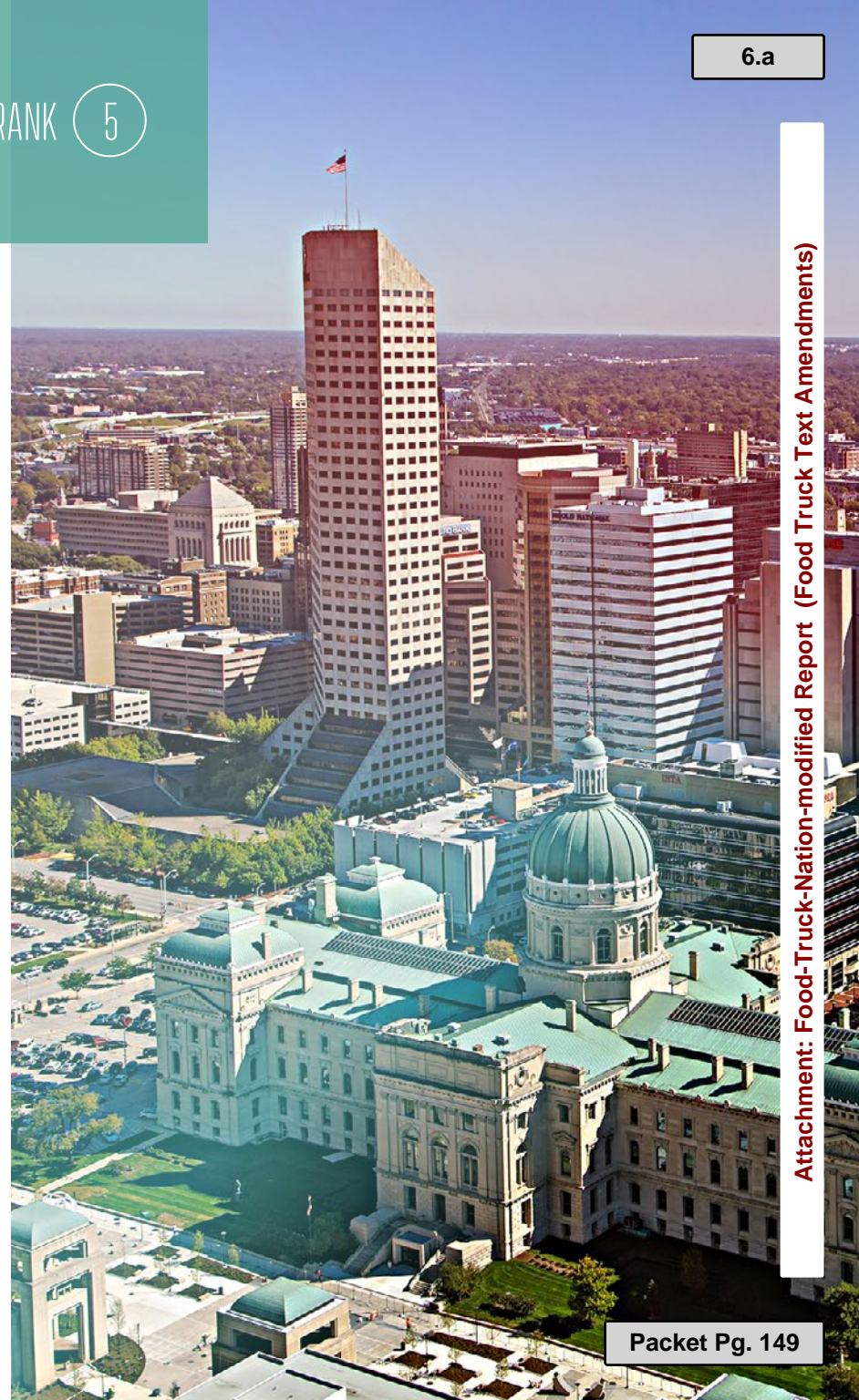
OVERALL RANK 5

INDIANAPOLIS IS SEEN BY OUR INDEX AND FOOD TRUCK OWNERS AS ONE OF THE FRIENDLIEST CITIES IN AMERICA IN WHICH TO DO BUSINESS.

It is one of the five best cities on our index, with a strong second and third place ranking in starting up and operating, respectively. The city has the lowest fees (\$590) of any city to start up and requires very few trips (10) to regulators to comply.

Indianapolis' food truck regulations are simple. Most of them are about food safety and sanitation, and they are part of the same Indiana Administrative Code that operates throughout the state. Trucks face some proximity restrictions; they cannot operate less than 1,000 feet from a school while it is in session. Additionally, it is very difficult to find information on starting a food truck from the city's website. Rather, information is scattered across multiple sites and often laden with dense terminology.

Our survey of entrepreneurs turned up just three respondents in Indianapolis, making a qualitative assessment difficult.



6.a

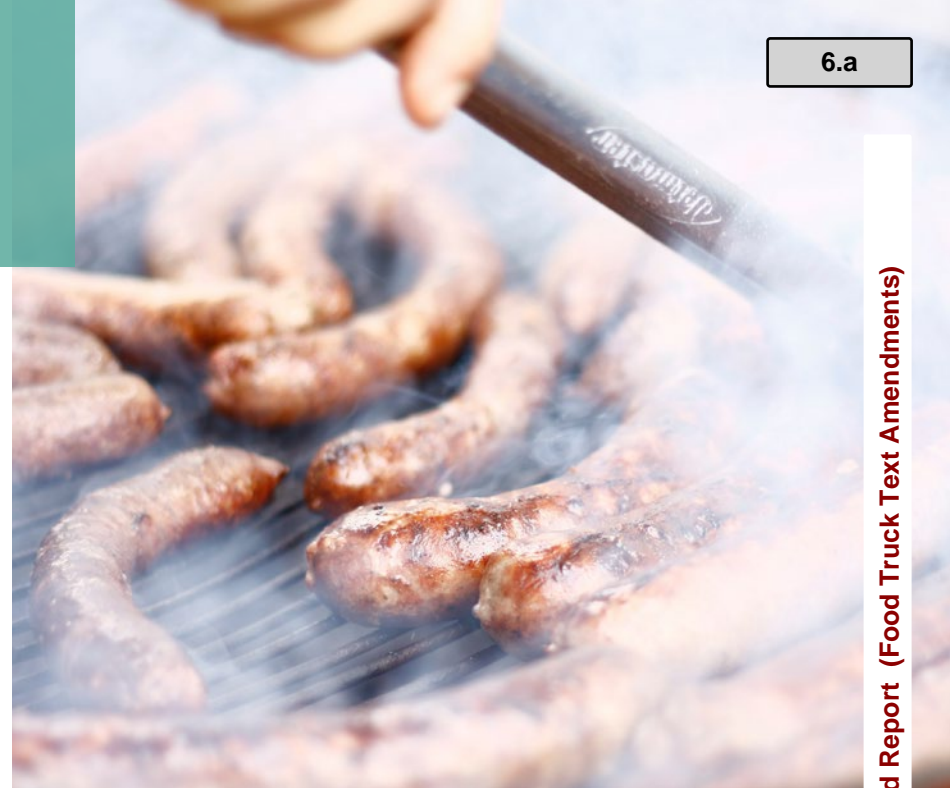
Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

Houston ranked above average across the board in food truck regulations. Placing sixth overall in our index, the city scored well in every category. But there are deep concerns below the surface.

Interestingly, for a city without a zoning code, the 21 food truck owners who responded to our survey cited zoning and proximity as below average (2.9 and 2.8, respectively, with 5 as positive) while giving government low marks. Trucks cannot operate within 100 feet of a restaurant or 60 feet from other food trucks. There are distance rules of 100 feet from tables and chairs too. Perhaps most significant, street parking is prohibited for vendors.

Commissary rules were consistently cited by food truck owners as a hassle. These are venues offering services such as shared commercial kitchens and storage facilities for equipment and even the truck itself. "We are required to visit a commissary daily, no matter if it is necessary or not," according to one owner. Even if the truck did not vend that day, its owner must pay to visit the commissary to be serviced.

Other rules stand out for being excessive compared with other cities. For example, food truck owners must pay the city \$223.65 as a monthly "electronic monitoring fee." When operating on private property, truck owners must also submit a notarized letter citing they have bathrooms on-site and a separate letter certifying they have received permission from the property owner to vend. These letters must be obtained at every new location the food truck operates in and do so one year in advance. According to one owner, "This is very restrictive for Houston because trucks depend on moving from one location to another and trying new locations on a regular basis."



WHEN ASKED HOW GOVERNMENT COULD SUPPORT FOOD TRUCKS, OWNERS REQUESTED THAT THE CITY "ALLOW US TO BE ON CITY PROPERTY IF WE ACQUIRE THE PROPER PERMITS."

"Engage with truck owners," they said, and invest in the resources necessary to support trucks. Last, "Harris County and the City of Houston should work together to streamline regulations" and "should reciprocate in acceptance of licenses."

AUSTIN

OVERALL RANK

7

Opening a food truck in Austin is surprisingly easy, but the devil's in the details.

THE CITY'S ONE-STOP PERMITTING SHOP CUTS THE AVERAGE NUMBER OF STEPS (20) AND TRIPS (14) TO REGULATORY BODIES AS WELL AS KEEPS A LID ON FEES (\$1,139).

Nevertheless, entrepreneurs consistently pointed to the hassle of the inspection process. Inspections are long and the available windows for conducting them are short. Afterward, the process for approvals can be painfully slow.

Compared with all cities in the Index, complying with restrictions and operating a food truck in Austin is a middling experience—neither easy nor unusually hard. No food truck can operate closer than 20 feet to any structure; for residential buildings, 50 feet. Austin's three commissaries are "simply not enough for all the trucks," said one owner. And Austin is unusual in requiring county-level registration for food managers.



Every city and county surrounding Austin has different rules and taxes, which can exponentially increase the hassles of doing business. Localized permit fees mean that, as one owner put it, "Everyone is dipping into food truck profits." Another owner simply called it "insane!" Meanwhile, Austin charges property taxes even for trucks based elsewhere.

6.a

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

LOS ANGELES

OVERALL RANK 8

6.a

Los Angeles' rapidly growing food truck market is quickly becoming a fixture of local culture.

TRUCKS OPERATE UNDER RELATIVELY LIGHT
REGULATORY BURDENS, EVEN THOUGH IT IS MORE COSTLY
TO OPERATE IN THE CITY OF ANGELS THAN IN MANY OF
THE CITIES STUDIED IN THIS REPORT.

Moreover, even though food trucks cannot operate on public property, the prevalence of private lots (as is the case beyond much of the East Coast) makes these rules easier to navigate. The relatively small number of proximity restrictions, around schools and a few of the main city parks, means that vendors can operate in high density areas, such as downtown Los Angeles, with significant freedom; although restrictions on time spent in a single area can hamper sales.



The single greatest difficulty to doing business in Los Angeles is that there is no one Los Angeles. As one owner in our survey cited, "Paying \$100-\$600 per permit for each county and city gets incredibly expensive." A food truck that might only operate in the city of Los Angeles for a few days has to go through the same procedures and payments as if it operated there for 365 days. This problem is compounded between the dozens of city and county jurisdictions a roving food truck will encounter. Most trucks by necessity operate in significant stretches of the metro area, and there they find additional hurdles beyond permitting. West Hollywood, for instance, requires trucks to move every hour to a different street. Allowing trucks to obtain permitting across a single county may go a long way toward lowering the real cost of doing business in the Los Angeles area.

NEW YORK CITY

OVERALL RANK 9

6.a

New York City ranked ninth overall in our index, but there is a greater story beneath the surface. As with many instances of local regulation, what is on the books is only part of the story. Paying a little over a thousand dollars to drive into business seems costly but manageable. The same goes for New York City's operational restrictions.

But the cap on the number of licenses available for food trucks in New York City is unusually harsh for a major city.

AS A RESULT, ACQUIRING A TWO-YEAR VENDING PERMIT MEANS SITTING 15 YEARS ON A WAITING LIST OR PAYING UPWARDS OF \$25,000 ON THE BLACK MARKET.

"Permits are impossible to legally obtain," confessed a local food truck owner. New York City is essentially closed to new food trucks.

The burden of these limits are clear from our survey. Eight respondents gave some of the lowest scores for any of the cities we studied. From a scale of zero (bad) to one (good), New York City government got a 0.125. Meanwhile, on a scale of one to five (with five being good), zoning, employment, and licensing all received scores in the ones.

No food truck can vend from metered parking, which effectively closes off the great majority of Manhattan to doing business. Even open parking spots must be 10 feet away from a crosswalk and 20 feet from a building entrance. As a result, a \$65 ticket from police is a constant cost of doing business, and owners often find themselves crowded on certain blocks.



Employing workers is particularly difficult. All employees—from cashiers to experienced chefs—must acquire a food handler's license and take a class from the health department, a process that takes at least a month. Those employees, in this instance, are treated the same as if they own the business, which means an additional license to be able to collect and pay sales taxes, and continual tax filings even when they paid no sales taxes.

This much is clear, respondents claim: "Licenses and permits are completely broken in NYC." Even when permitted, "Agencies use food trucks as a cash cow to milk with excessive fines." Adam Sobel, owner of a popular vegan food truck, shuttered his business in 2015, saying, "You kind of have to be crazy to have a food truck in New York."

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

NASHVILLE

OVERALL RANK

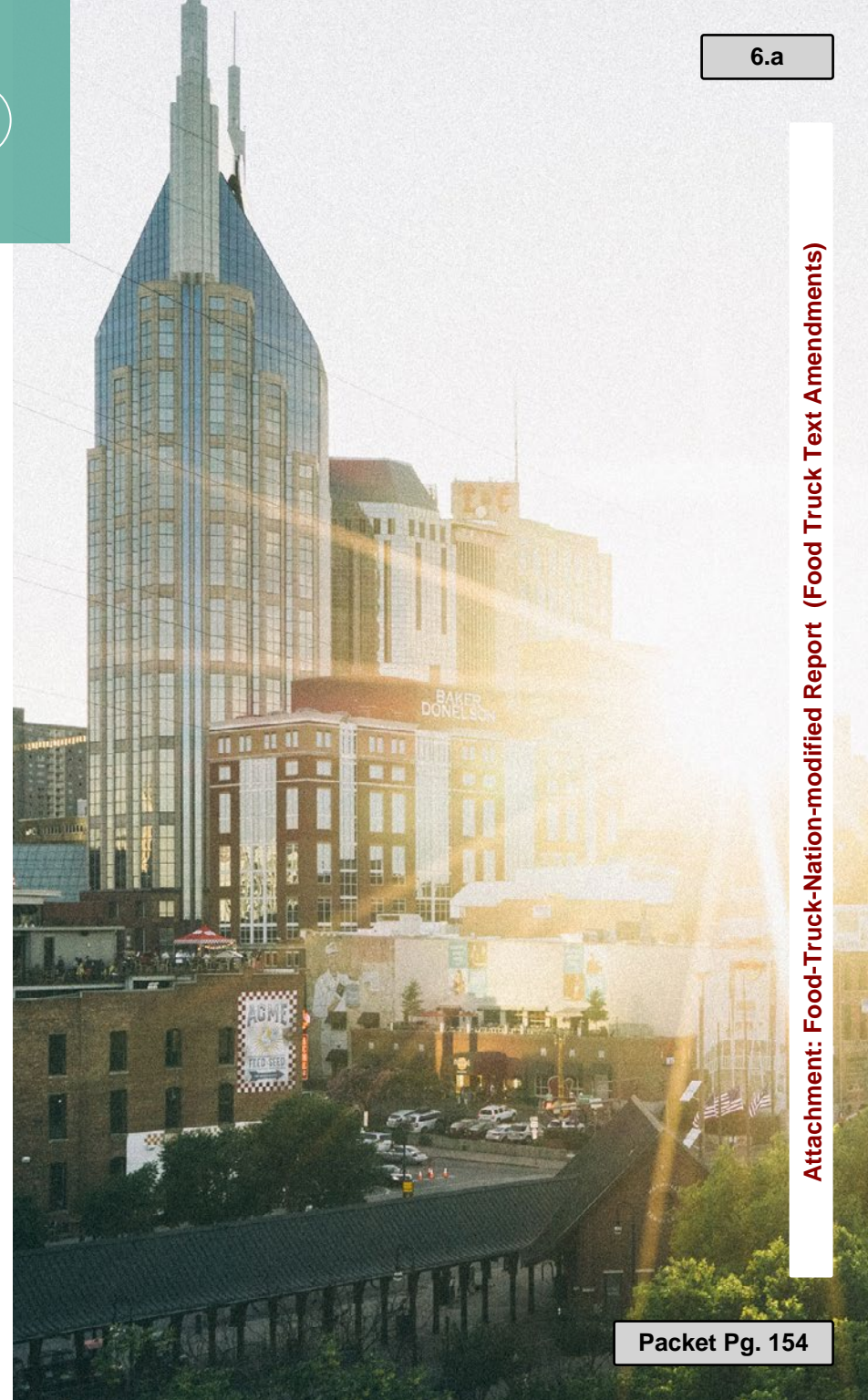
10

6.a

Nashville's middle-of-the-road food truck regulations placed it tenth on our index. Operating costs are average and the interactions with city offices appear to be manageable. Truck registration costs are on the high side—\$487.75, in addition to a \$120 water permit, among other fees incurred before driving off.

NEVERTHELESS, THE 150-FOOT RESTRICTION AROUND COMPETING RESTAURANTS IS HIGH AND UNUSUAL.

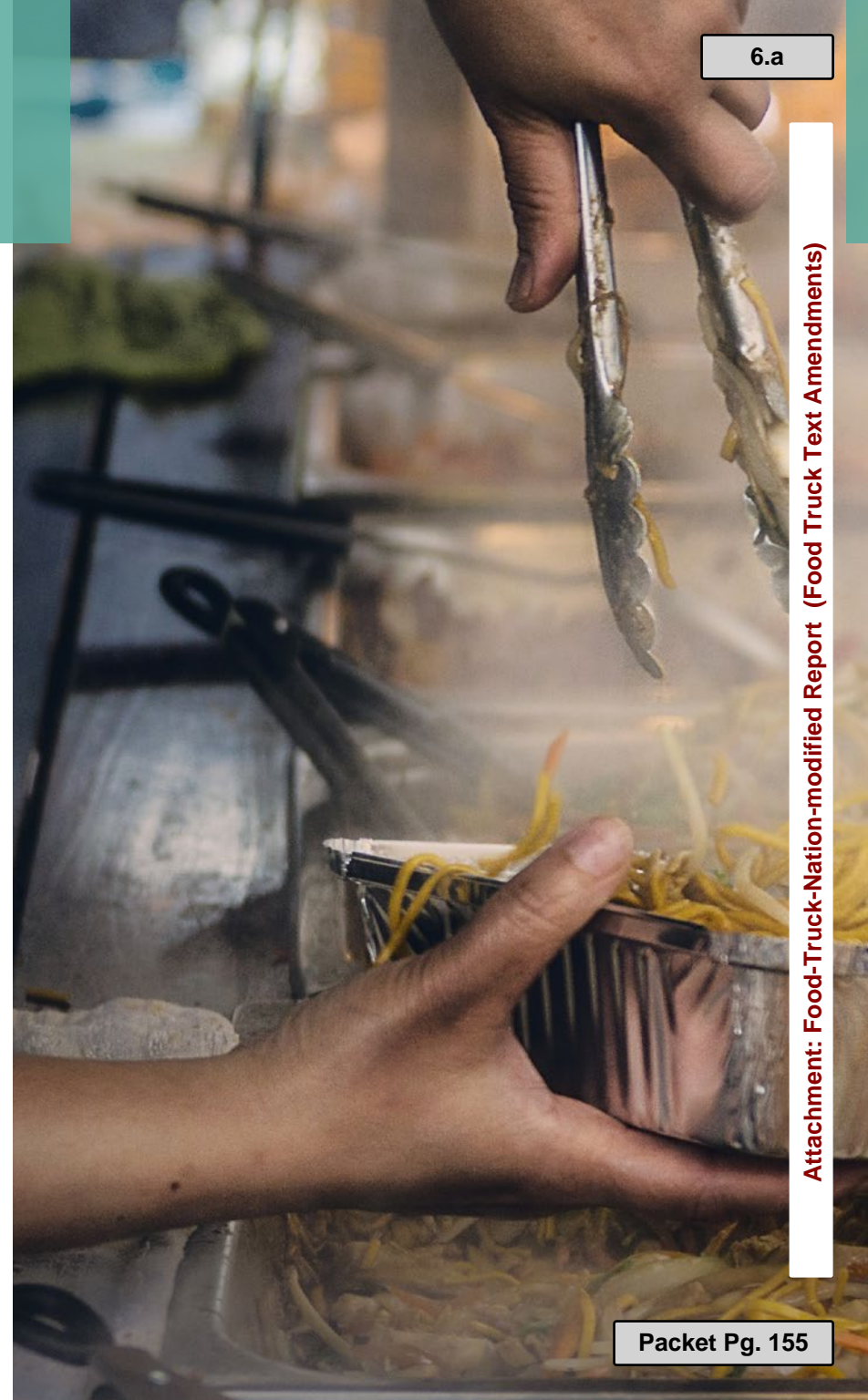
Parking closer to a restaurant requires permission from the owner. Zoning in general invited a tepid response from food truck owners in our survey. They noted that it's often "unclear where you can and can't park," and that neighboring suburbs require additional permits.



Raleigh scores above average in terms of food truck regulations. Even its lowest ranking on our index, complying with restrictions, is due more to the number of proximity limits rather than their distance. The city operates under a 2016 pilot program that limits the public right-of-ways that food trucks can service, but enables them to vend under a lighter regulatory burden.

THE DIVERSITY OF REGULATIONS ACROSS THE RALEIGH METRO AREA ADDS TO THE COST AND COMPLEXITY FOR FOOD TRUCKS DOING BUSINESS.

“Even though we have a statewide license,” noted a local survey respondent, “each county, city, and town has its own process, application, and fee for doing business in their area. None of these processes are streamlined or simple.” Government support ranked poorly in our survey as a result. Zoning, licensing, and taxes all scored poorly as well (2.6 out of 5.0) for the same metro-level complexity. Of the cities near Raleigh, Durham appears to be the friendliest to food trucks.



ST. LOUIS

OVERALL RANK 12

St. Louis' regulatory environment for food trucks ranks near the middle of the cities we studied. The city's mobile vendors enjoy low startup fees (\$1,204 altogether). Food trucks also have an easily navigable city website for understanding the startup process. Nevertheless, there are numerous agencies to deal with in starting up; "the process is poorly defined and employees of the city do not completely understand it either," said one own local operator. Further, there are more than 100 townships in the St. Louis area, each with its own fees and permitting processes.

The city is highly restrictive when it comes to food truck operations.

TRUCKS CANNOT VEND WITHIN 200 FEET OF A RESTAURANT
OR IN "PARKS AND PLACES WHERE PEOPLE CONVEGE,"
NOTED ONE OWNER.

Serving late-night crowds is out of the question, since trucks must shutter by 10 p.m. Unusually, the city requires that a "flashing signal device is needed to indicate when sales are being transacted."

6.a

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

Chicago's food truck scene appears to be stalling out due to onerous regulations. One truck owner recently lost a multiyear court battle to overturn rules on when and where mobile vendors could operate. Since the suit was filed in 2012, the number of food trucks in Chicago has fallen by half. Combined with an unfriendly business environment and some of the highest taxes in the country, food trucks expressed strong frustration in our survey. Numerous owners called for the city to "lessen restrictive laws" and promote food trucks as much as they already seem to do for brick-and-mortar restaurants.

When it comes to dealing directly with regulators, Chicago ranks below the average of the cities studied in this report. The city has one of the most extensive processes to obtain a permit, though the city helpfully aggregates the bulk of its licensing requirements on one page online. Owners must first meet with a business consultant, and fill out an extensive pre-application form so that the city may decide if they are qualified to start a food truck business. Menu requirements are extensive, requiring applicants to list every ingredient used for each item (even pre-packaged goods), and every menu change triggers an inspection.

The experience of operating a food truck in Chicago is perhaps one of the most difficult in the country.

NO FOOD TRUCK CAN OPERATE WITHIN 200 FEET—ROUGHLY THE WINGSPAN OF A 747 JUMBO JET—FROM THE FRONT DOOR OF ANY RESTAURANT, GROCERY STORE, OR EVEN VENDING MACHINE.



If a food truck owner violates this ban, he or she faces fines of up to \$2,000, or 10 times the fine for parking in front of a fire hydrant. As one owner noted in our survey, the proximity rule "treats food trucks as criminals rather than as entrepreneurs, and creates an unnecessary and ridiculous environment in which trucks must break the law in order to have any hope of meeting costs or making money."

Combined with the city's proximity and parking restrictions, only 3% of the downtown Loop is legally open to food truck operators. Even most private lots are off-limits; only parking lots approved for commercial use may be used. Trucks are often forced to pay "spotter cars" at least \$80 a day to save the most lucrative legal spots. Moreover, a truck cannot remain in one location longer than two hours, which is hardly enough time to cook, sell, and properly dispose of food for a lunch rush hour. These rules are enforced vigorously in what the Chicago Sun-Times labeled a "blitzkrieg of citations and fines against food truck owners."

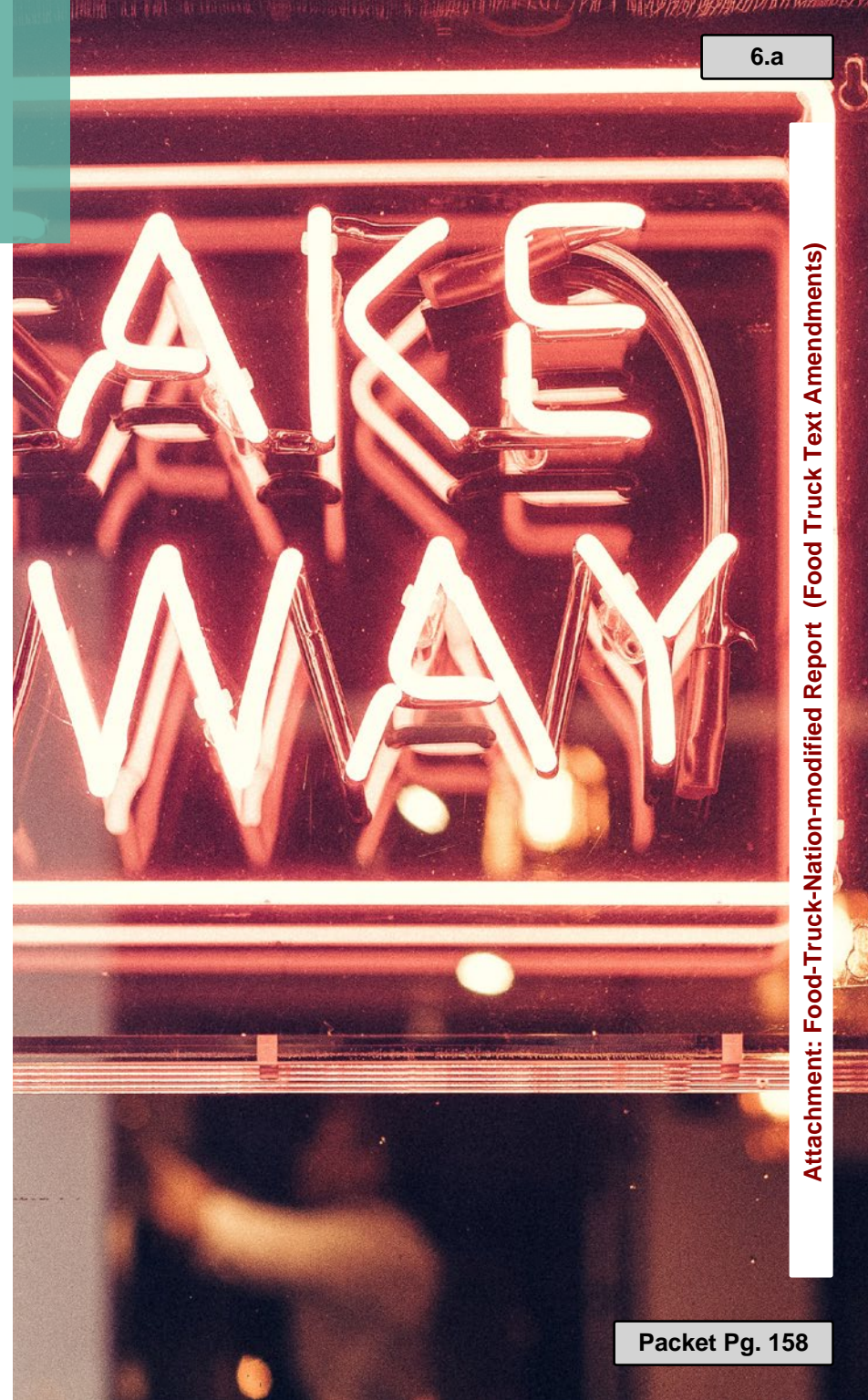
Further, Chicago requires food trucks to install GPS tracking devices, similar to Boston, which must report their location every five minutes. The city has yet to access the data, though it promises it may for health inspections. As it stands, the average food truck receives about 15 inspections a year.

Phoenix layers on a number of restrictions for food trucks, but with few exceptions these rules are not unusual or costly.

WHAT STANDS OUT IS THE NUMBER 1,320—THAT IS THE MINIMUM NUMBER OF FEET THAT MUST BE BETWEEN TWO FOOD TRUCKS ON THE SAME SIDE OF A STREET AND IS ABOUT TWO CITY BLOCKS.

Even for a sprawling metro area like Phoenix, that is a significant proximity restriction and far from the only one enforced.

Sprawl itself is a barrier to doing business in Phoenix. Numerous food truck operators cite the wide variance in regulations between cities in the wider metro area; Chandler, Mesa, and Glendale were fingered as being less friendly. Some localities require peddler permits simply for vending at a private event once in a year. Combined with fingerprint cards for each employee, the costs and complexity of regulatory compliance can quickly add up.



Columbus' middle-of-the-road approach to regulations appears to be working for the city's food trucks.

OPERATING A TRUCK IS RELATIVELY EASY AND THE HASSLES OF STARTING UP ARE COMPARATIVELY LIGHT.

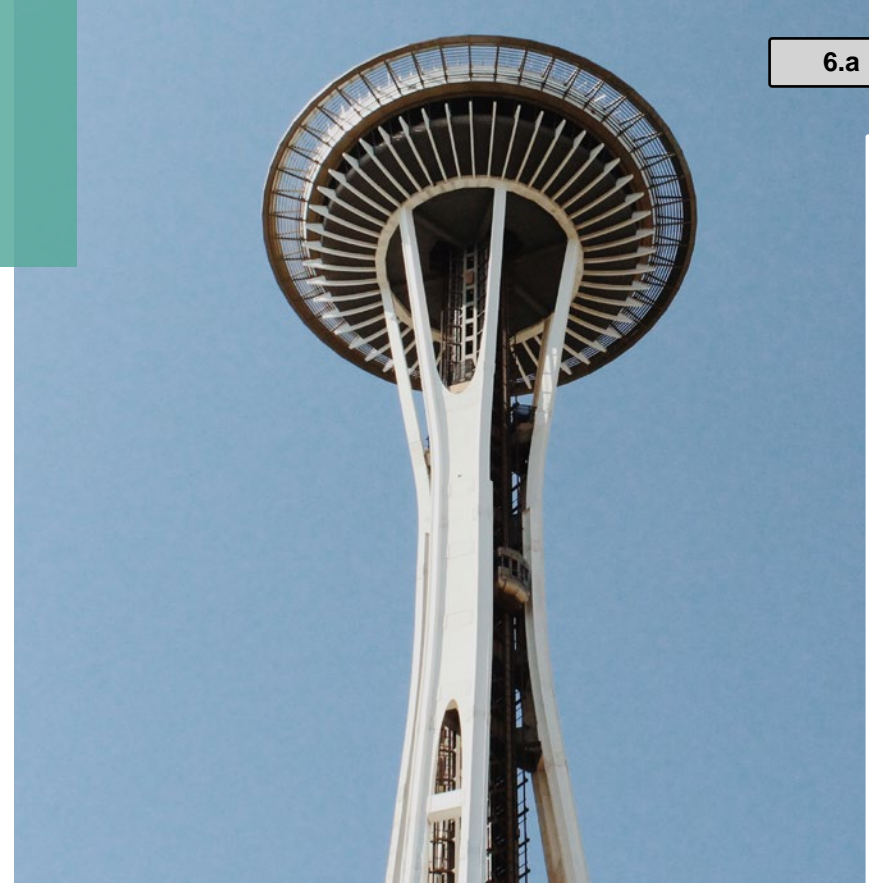
Food truck owners similarly report solid ratings overall for doing business in Columbus. Most reported government to be very supportive.

The sharpest worries had to do with zoning and the use of public right-of-way. Proximity restrictions exist in the city, though they appear to be relatively easy to navigate. Food trucks must not operate within 1,000 feet of a school or special event without prior permission. Moreover, a space of 25 feet beyond the truck is to be free and clear of refuse. Parking in public right-of-way is a "hassle to deal with" and costs extra.

Seattle has some of the strictest standards in the country for food trucks. Across nearly every measure in this report's index, from the \$6,211 in permitting fees to the numerous proximity restrictions, the city's regulatory burdens are high. Similar to Boston, Seattle requires additional permits to vend on public property, with costs calculated by the time of a truck's shift and the number of days it is in operation each week. Accessing these locations means contending with an online permitting system that is frequently inoperable, inaccurate, and inflexible, according to food truck owners surveyed.

The structures around taxes, zoning, and licensing in Seattle have some of the poorest grades among food truck operators in our survey. Multiple respondents noted how the cost and burdens of operation appeared to be remarkably greater for food trucks than for brick-and-mortar establishments. For one thing, the time it takes to obtain a permit meant, for one respondent, waiting over a month to start serving food. Changing menus is difficult, which also hurts culinary creativity.

OPERATORS HAVE TO "GO INTO GREAT DETAIL ABOUT OUR MENU AND EACH INGREDIENT THAT WE PURCHASE TO GET OUR PERMIT"



Proximity restrictions mean that no food truck can vend within 50 feet of a restaurant. Additionally, trucks must operate within 200 feet of a bathroom and obtain a signed agreement with its owner for access. These restrictions vary, as they do for permitting, across the Seattle metro area. "One city may charge for multiple permits," said a food truck operator, "but for the exact same thing another city may just charge you \$50 and tell you to have a nice day."

Food trucks are prohibited from preparing ingredients on board, which means paying commissaries upward of \$1,250 a month for their kitchens. These facilities are often crowded and in poor shape. One truck owner called the arrangement a "scam," saying "we are a restaurant on wheels and should be able to prep on the truck."

MINNEAPOLIS

OVERALL RANK 17

6.a

Minneapolis is ranked by our measure as one of the five most difficult cities for food trucks to do business. While it is relatively easy to obtain permits and licenses, the city ranks at the bottom on restrictions. Indeed, Minneapolis is one of the most stringent when it comes to proximity restrictions. Twelve proximity restrictions govern distance from restaurants (100 feet), festivals (500 feet), venues (500 feet), park land (200 feet), residential buildings (300 feet), and more. Fees are also high, totaling \$31,694.

The impact of the restrictions was felt among our survey respondents. Zoning scored poorly as did licenses and permits. Truck owners flagged the hassles of vending at large events, such as football games or beer festivals, where there are limited legal zones available (and none in practice). And throughout the state of Minnesota, food trucks cannot vend in one location for more than 21 days straight, which impedes the development of long-term clientele and prevents truck owners from signing long-term parking arrangements. Neither can they vend past midnight (or 10 p.m. within 300 feet of a residential building), which prevents trucks from serving the late-night crowd downtown. "Licensing is very costly and restrictions on locations are very prohibitive to my business," confirmed one respondent. Minneapolis' sister city, St. Paul, was reported as "very good" to "fair" in contrast.

HIGH TAXES AND WAGES ARE TAKING A BITE OUT OF MINNEAPOLIS FOOD TRUCKS. THE CITY WILL SOON INSTITUTE A \$15 AN HOUR MINIMUM WAGE (WITH NO TIP CREDIT). "THIS WILL SEVERELY IMPACT THE FOOD TRUCK COMMUNITY, WHICH EXISTS ON VERY THIN MARGINS AS IT IS, "ACCORDING TO A LOCAL OWNER. MEANWHILE, DOWNTOWN MINNEAPOLIS' COMBINED TAXES ON PREPARED MEALS (THE "RESTAURANT TAX") TOTAL 10.775%—THE HIGHEST AMONG THE NATION'S 50 LARGEST CITIES.

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

SAN FRANCISCO

OVERALL RANK 18

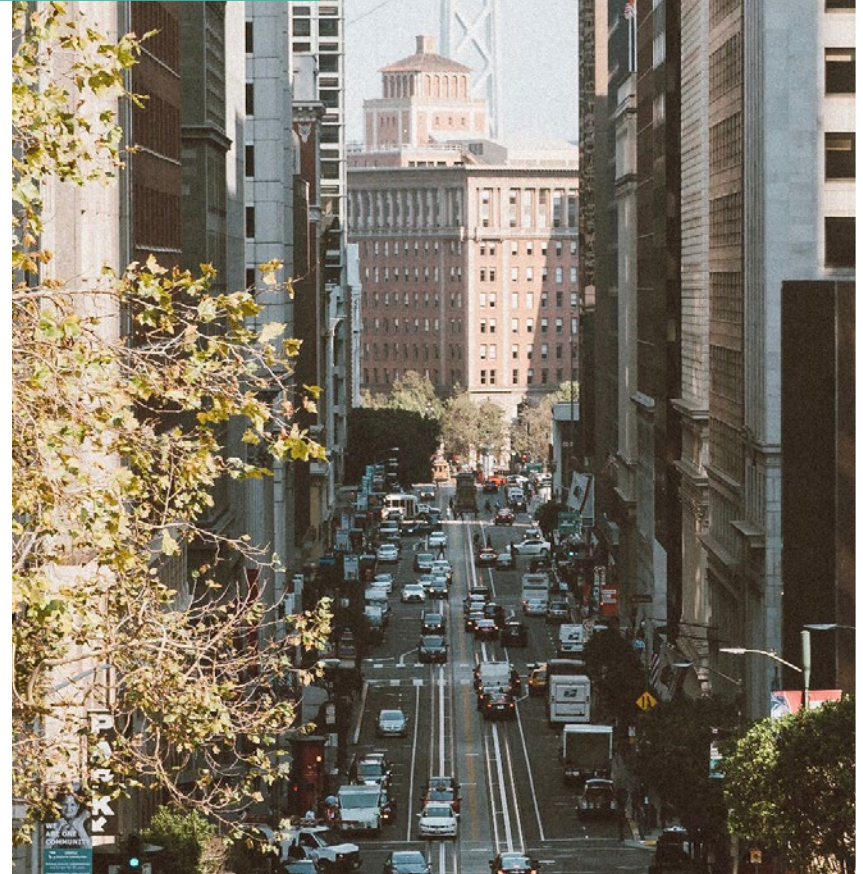
6.a

San Francisco ranks among the five most difficult cities for food trucks. San Francisco requires some 32 separate procedures to obtain permits and licenses at a minimum cost of \$3,481 before even driving off the lot. Each permit is valid for one location, meaning that to use the wheels on a truck to move to another vending spot requires going through the same approval process again. Moreover, truck owners must notify competing businesses within a specified radius that they intend to set up shop and receive those businesses' written authorization. The city government has helpfully aggregated information for starting up on one website.

Our survey revealed significant pessimism among food truck owners for government support, licensing, and zoning. One truck owner noted that the "rules are easy to follow," but this respondent (and others) noted that actually dealing with regulators often proves a difficult and lengthy process.

"WE ARE TRYING TO GET LICENSED IN SAN FRANCISCO, AND NO ONE WILL CALL US BACK," NOTED A RESPONDENT.

The permitting process in San Francisco appears to not only be difficult, but one that must be repeated in every locality a food truck vends in throughout the Bay Area. "As we roam, we have double, triple and beyond the cost of permits and licenses than a brick and mortar."



Once a food truck is operational, it cannot operate within 75 feet of a brick-and-mortar restaurant. There are a host of additional restrictions around everything from street artists (8 feet) to street furniture (6 feet). They also face high insurance costs; one owner cited a yearly bill of \$10,000 and another quoted a \$2 million policy.

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

WASHINGTON, DC

OVERALL RANK 19

6.a

The nation's capital is the second most difficult city to do business in as a food truck according to our index. The city scores poorest when it comes to operating a food truck (ranked 19th).

STARTING UP REQUIRES AT LEAST 23 SPECIFIC INTERACTIONS WITH REGULATORS; THERE ARE HIGH STARTUP FEES (\$2,720), ANOTHER 22 RESTRICTIONS ON VENDING, AND SIGNIFICANT ONGOING REGULATORY INTERACTIONS.

There are also oddities: an additional inspection and review process for meatless burritos, a short size limit on trucks (18.5 feet long), and a vendor badge requirement for each worker (with associated fees and processes).

Washington, D.C., has made significant strides in easing its regulatory environment. The metro area received relatively high marks on our survey. However, food truck survey respondents ranked government and zoning poorly across the board. Where vendors can operate was a regular sticking point among our survey respondents. They noted how the city's government did not appear to offer enough public vending spots on its monthly lottery for "Mobile Roadway Vehicles." Trucks may "get one or two spots only per month." Other truck operators noted how "we cannot work near the National Mall during the weekends," where the space is crowded with tourists.



Washington-area food trucks frequently pressed in our survey for streamlining and simplifying permits and licenses. For instance, trucks have to close for the day when they renew their permits because "health and fire inspections happen only in the middle of the day." Similar processes are repeated across the metro area, particularly in Fairfax County.

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)

BOSTON

OVERALL RANK 20

Of the 20 cities studied in this report, Boston's regulatory environment was the most difficult for food trucks to navigate.

To get a food truck rolling in Boston requires more than three times the number of procedures as Denver (the city with the fewest required procedures) and, by our estimates, some 22 discrete interactions with regulators. Before getting to this point, owners must craft a business plan showing, among other things, that their products will not "compete with any establishments within 100 feet." Additionally, they must acquire a GPS unit from the city's preferred vendor for \$299, have it installed by that firm for \$89, and begin paying the monthly data charge of \$35.

Monthly zoning permits for public sites represent a substantial cost to food truck operators in Boston.

A FOOD TRUCK OPERATING ONLY AT LUNCHTIME MONDAY THROUGH FRIDAY IN THE LEAST POPULAR ZONES OF BOSTON FACES YEARLY COSTS OF \$14,400 (THAT IS, TAKING THE MAXIMUM OF 12 MONTHLY SHIFTS IN THE LEAST EXPENSIVE ZONE 3 AND ANOTHER 8 SHIFTS IN ZONE 2).



6.a

Accessing the "very competitive," "high-traffic locations" of zone 1, such as around City Hall Plaza, results in permitting fees that are 2.5 times higher.

For as intricate and costly as it is to start and operate a food truck in Boston, the city's online permitting portal and food truck startup guide are second to none. Every piece of information and step involved in doing business with the City of Boston is online and easy to navigate. Moreover, once fees are paid for public sites (or access granted for private sites), the proximity restrictions for food trucks are relatively few and light.

Possibly the greatest challenge to a food truck operator in the Boston area is not the city itself, but the overlapping rules and fees administered by townships across the metro area. Food truck owners consistently cited "having to reapply in every municipality" as a major barrier to doing business. One owner, speaking for his industry, said that "we spend most of our time getting these permits, even for a one-day event."

Attachment: Food-Truck-Nation-modified Report (Food Truck Text Amendments)





DEVELOPMENT CENTER

FOOD TRUCKS ON PRIVATE PROPERTY SURVEY 2018

Concept #1 - Many food trucks on one property (a "Food Truck Pod"): A food truck pod on private property may include shared seating and trash receptacles.

Un camión de comida en una propiedad privada puede incluir asientos compartidos y recipientes para basura.

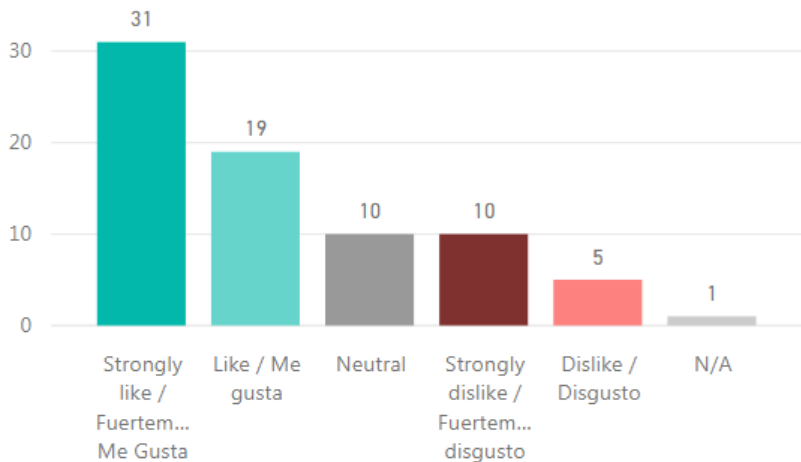
ALL SURVEY RESPONSES

6.b

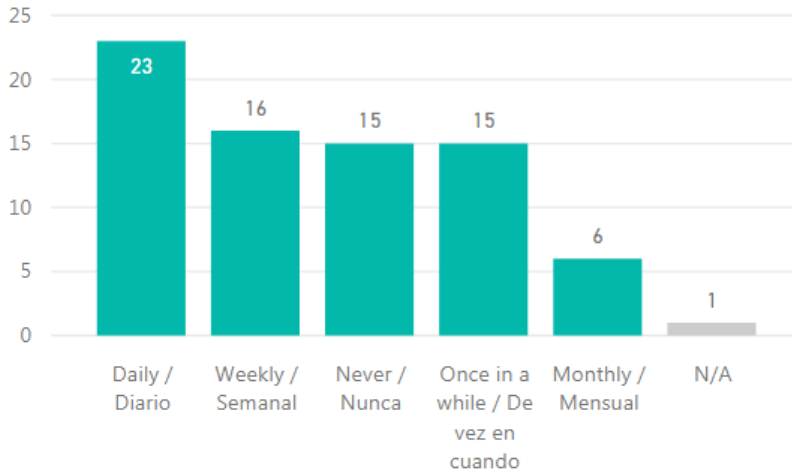


Attachment: Survey Responses Presentation (Food Truck Text Amendments)

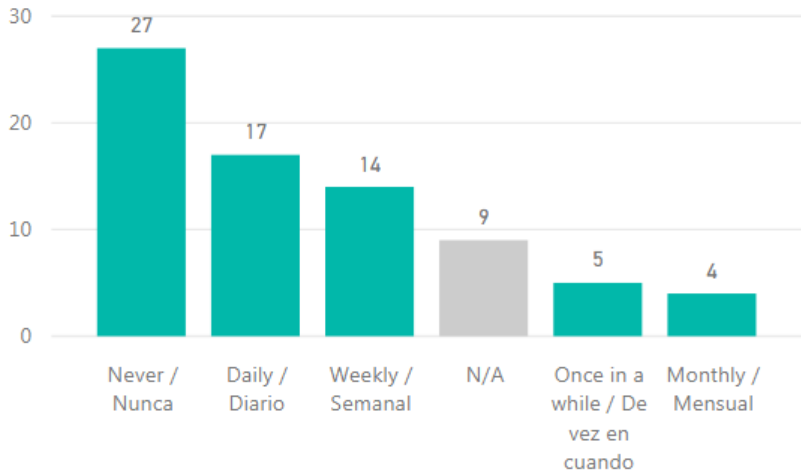
Rate the overall idea of Concept #1



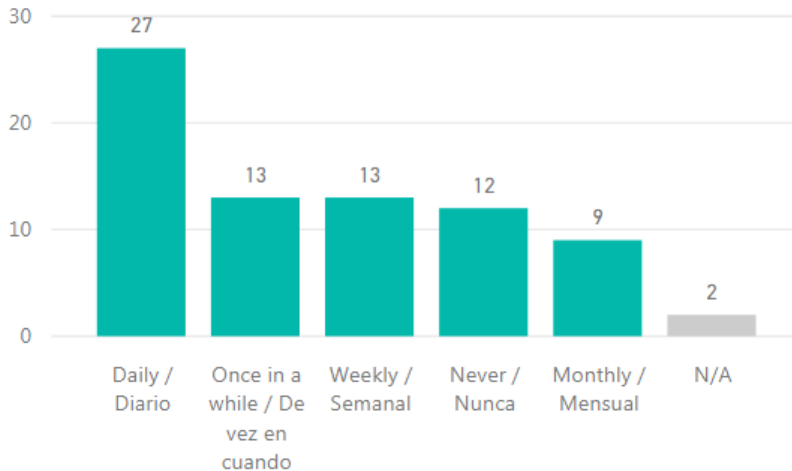
How often would you like this configuration in your district? / ¿Con qué fre...



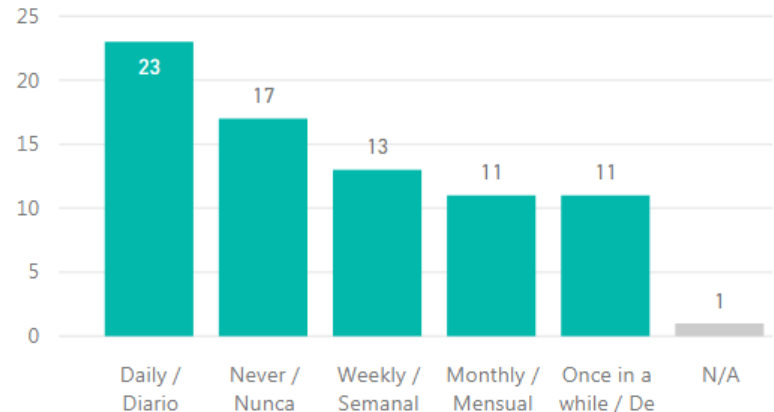
Next to your business / on your business' lot



On a vacant lot



In an underutilized parking lot of an existing business. En un estacionami





CITY OF
GRAND
RAPIDS

DEVELOPMENT CENTER

FOOD TRUCKS ON PRIVATE PROPERTY SURVEY 2018

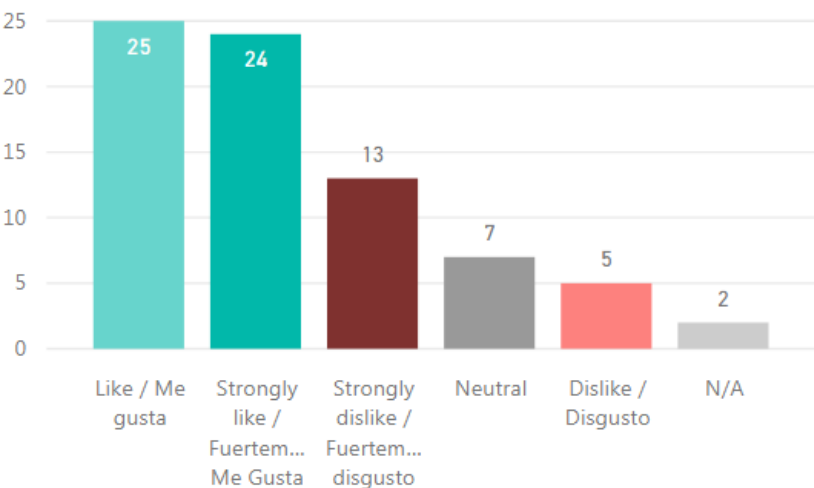
Concept #2 - Food trucks spread around a commercial district: This would be a less intense use than the food truck pod, with only one food truck per parcel. Trucks would be ancillary to an existing building or as a single use on a currently vacant property.

Este sería un uso menos intenso que el camión de alimentos, con solo un camión de alimentos por paquete. Los camiones serían auxiliares de un edificio existente o como uso único en una propiedad actualmente vacante.

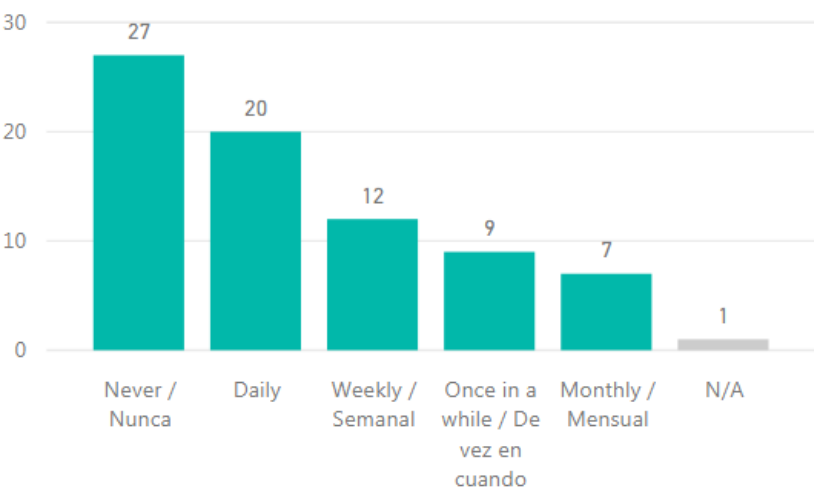
ALL SURVEY RESPONSES

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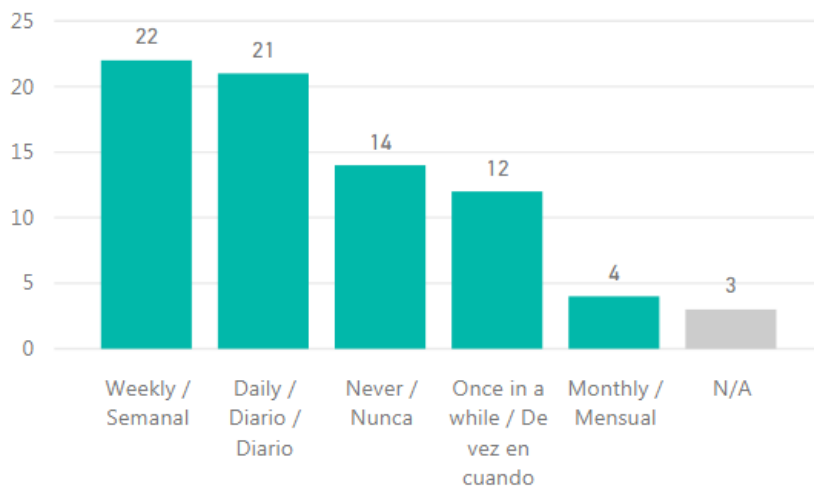
Rate the overall idea of Concept #1



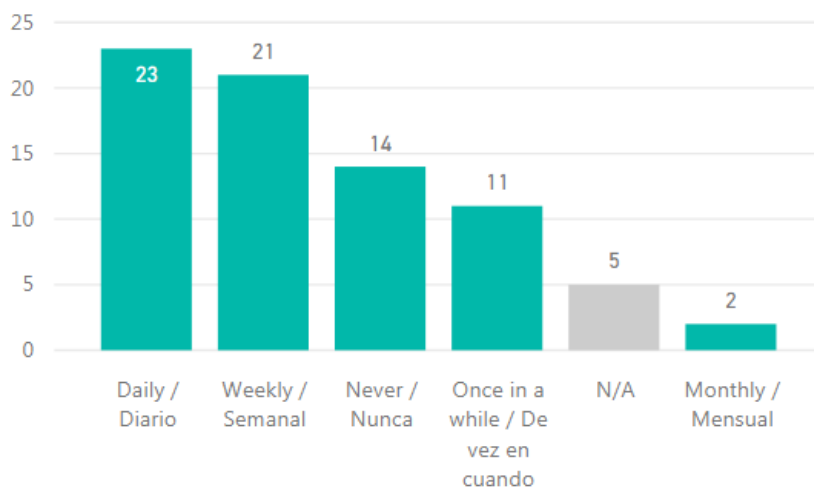
Next to your business / on your business' lot



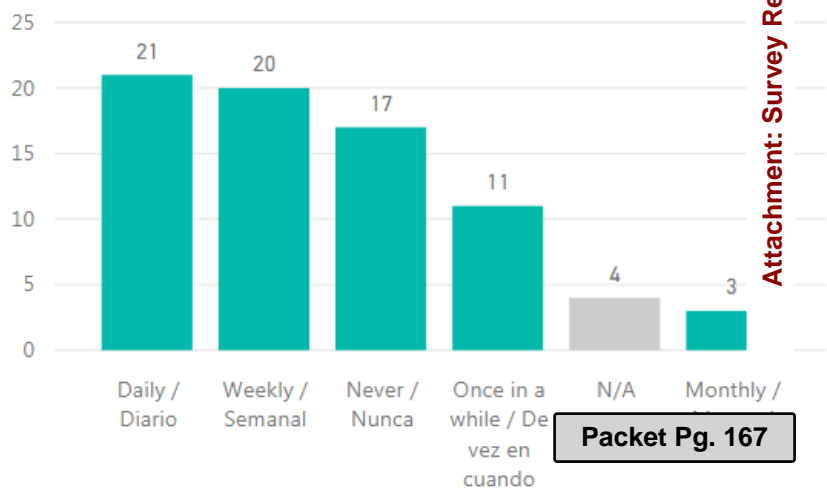
How often would you like this configuration in your district? / ¿Con qué fre...



On a vacant lot



In an underutilized parking lot of an existing business. En un estacion... n...



Attachment: Survey Responses Presentation (Food Truck Text Amendments)



DEVELOPMENT CENTER

FOOD TRUCKS ON PRIVATE PROPERTY SURVEY 2018

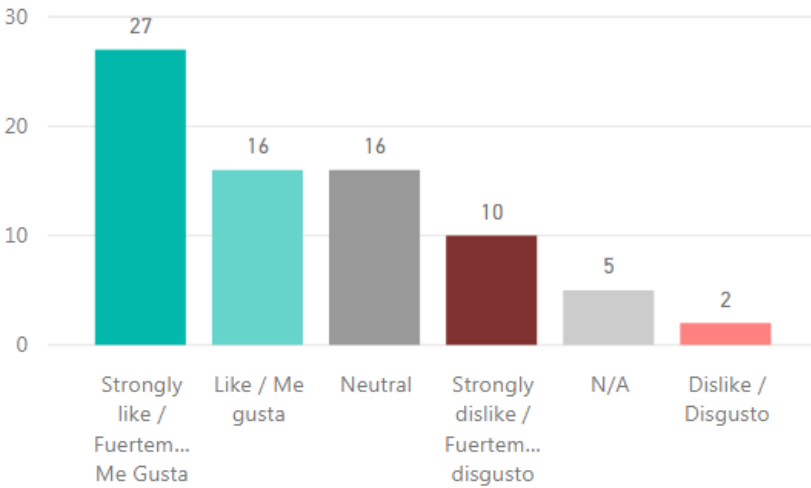
ALL SURVEY RESPONSES

6.b

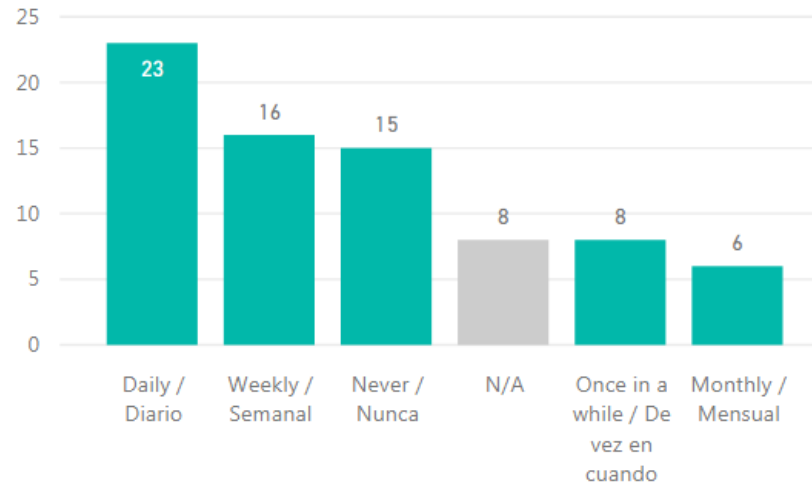
Concept #3: Food trucks spread around an industrial or office park: This configuration could be multiple or single trucks, located in an area that does not have any brick and mortar restaurants within walking distance.

Esta configuración puede ser de camiones múltiples o simples, ubicados en un área que no tiene ningún restaurante de ladrillo y mortero a poca distancia.

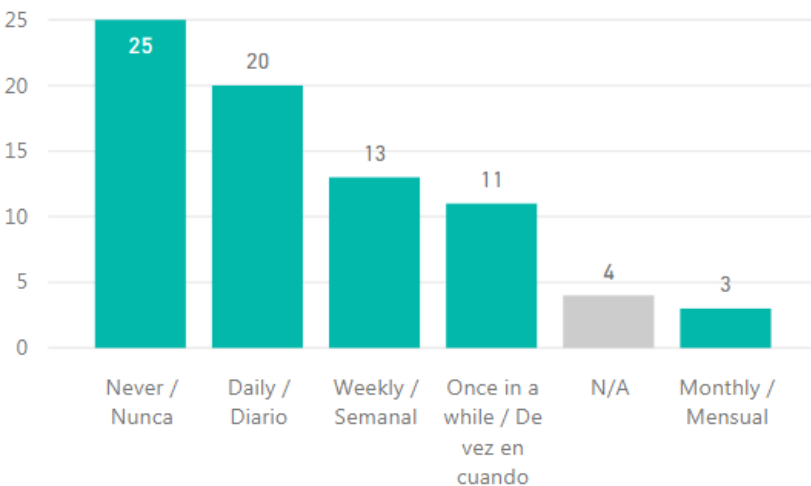
Rate the overall idea of Concept #1



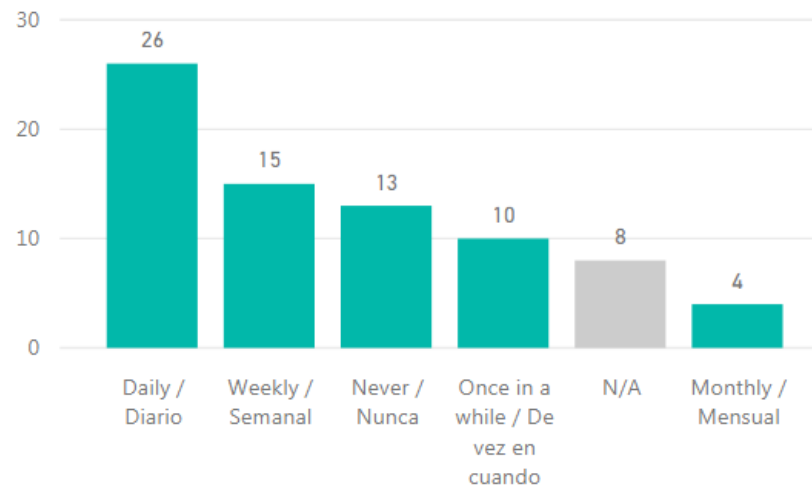
How often would you like this configuration in your district? / ¿Con qué fre...



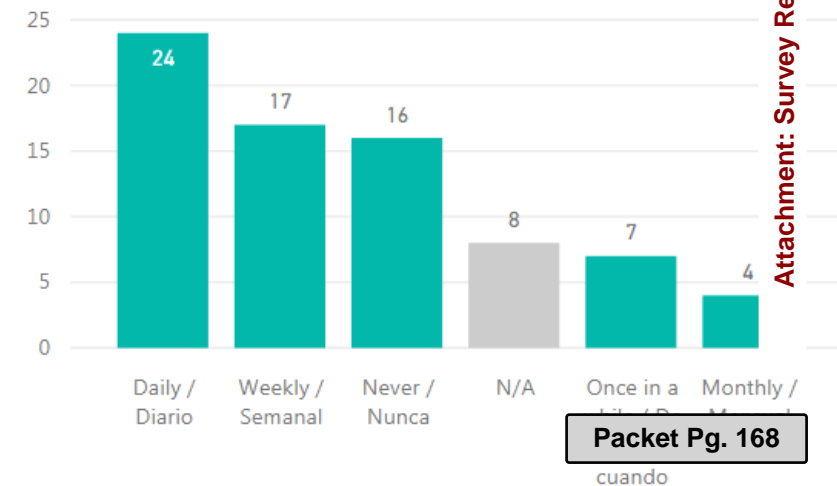
Next to your business / on your business' lot



On a vacant lot



In an underutilized parking lot of an existing business. En un estacionamiento...



Attachment: Survey Responses Presentation (Food Truck Text Amendments)



DEVELOPMENT CENTER

FOOD TRUCKS ON PRIVATE PROPERTY SURVEY 2018

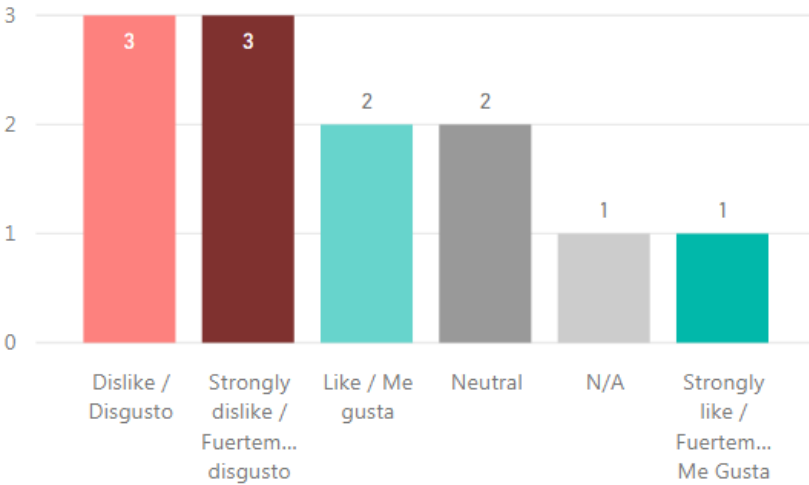
Concept #1 - Many food trucks on one property (a "Food Truck Pod"): A food truck pod on private property may include shared seating and trash receptacles.

Un camión de comida en una propiedad privada puede incluir asientos compartidos y recipientes para basura.

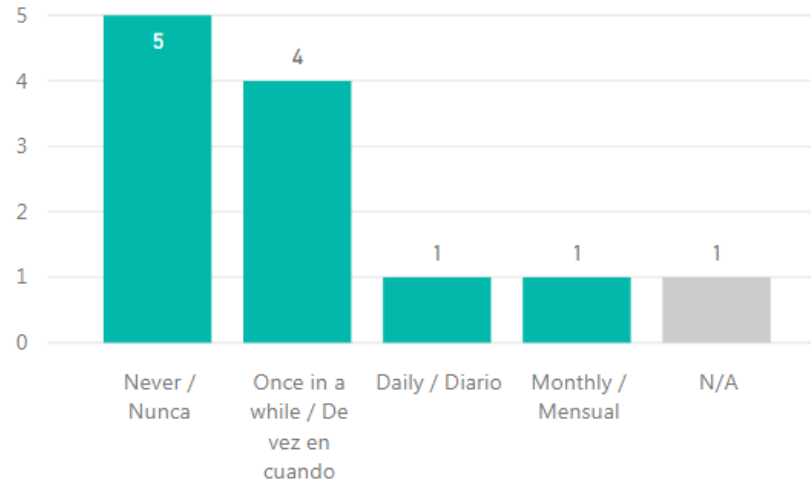
RESTAURANT SURVEY RESPONSES

6.b

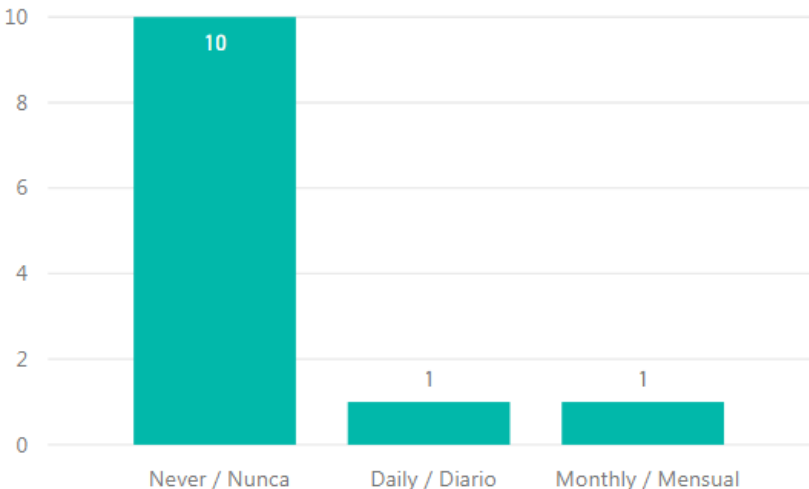
Rate the overall idea of Concept #1



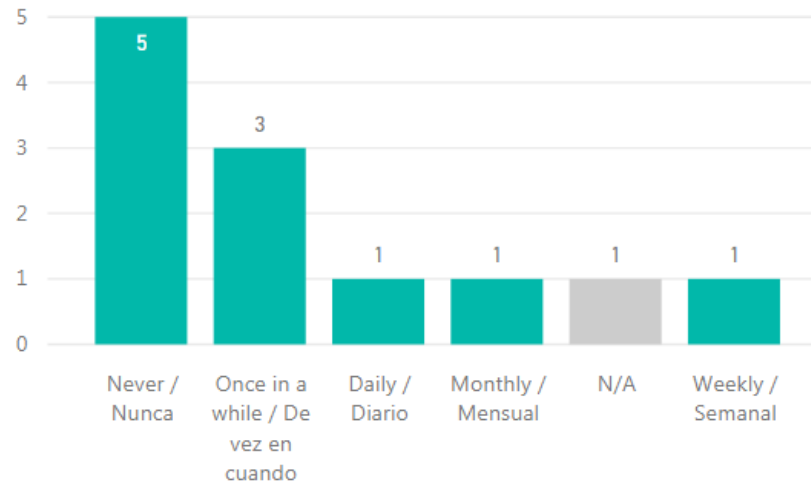
How often would you like this configuration in your district? / ¿Con qué fre...



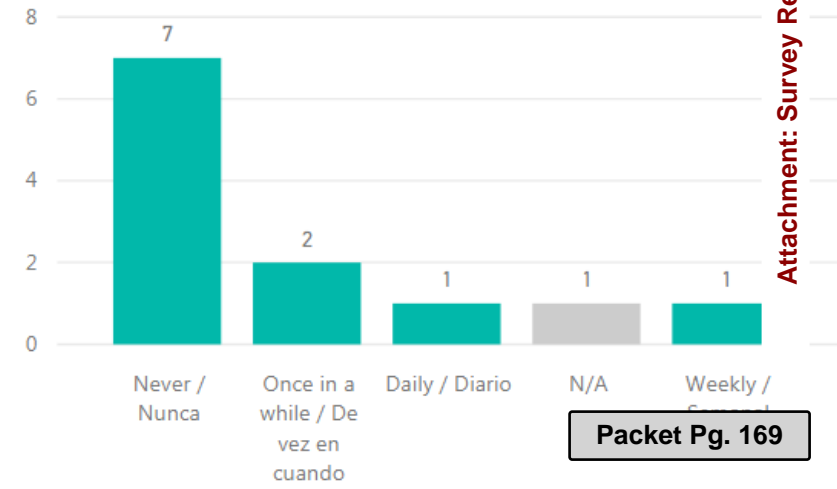
Next to your business / on your business' lot



On a vacant lot



In an underutilized parking lot of an existing business. En un estaciona...



Attachment: Survey Responses Presentation (Food Truck Text Amendments)



CITY OF
GRAND
RAPIDS

DEVELOPMENT CENTER

FOOD TRUCKS ON PRIVATE PROPERTY SURVEY 2018

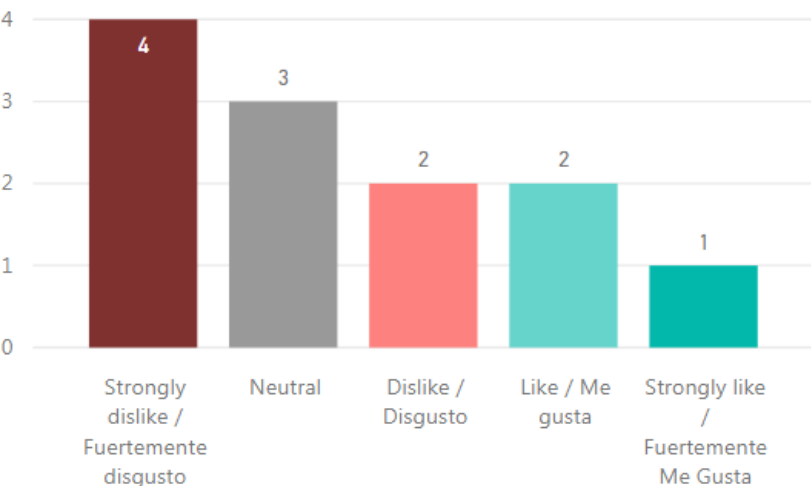
Concept #2 - Food trucks spread around a commercial district: This would be a less intense use than the food truck pod, with only one food truck per parcel. Trucks would be ancillary to an existing building or as a single use on a currently vacant property.

Este sería un uso menos intenso que el camión de alimentos, con solo un camión de alimentos por paquete. Los camiones serían auxiliares de un edificio existente o como uso único en una propiedad actualmente vacante.

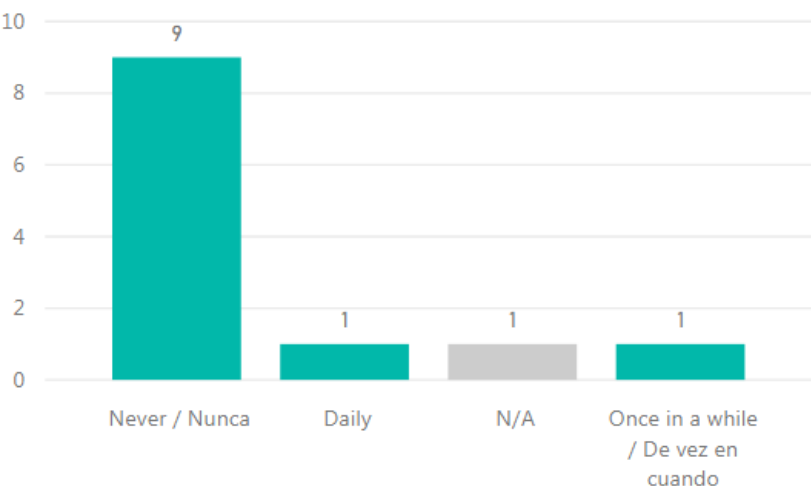
RESTAURANT SURVEY RESPONSES

6.b

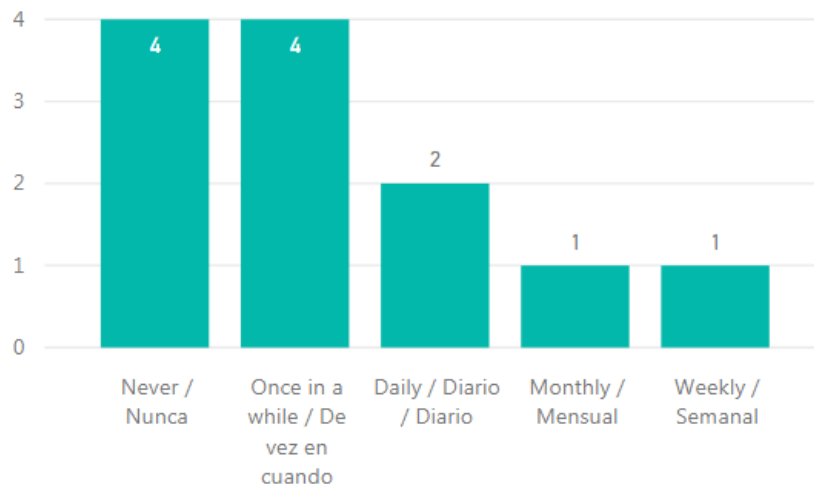
Rate the overall idea of Concept #1



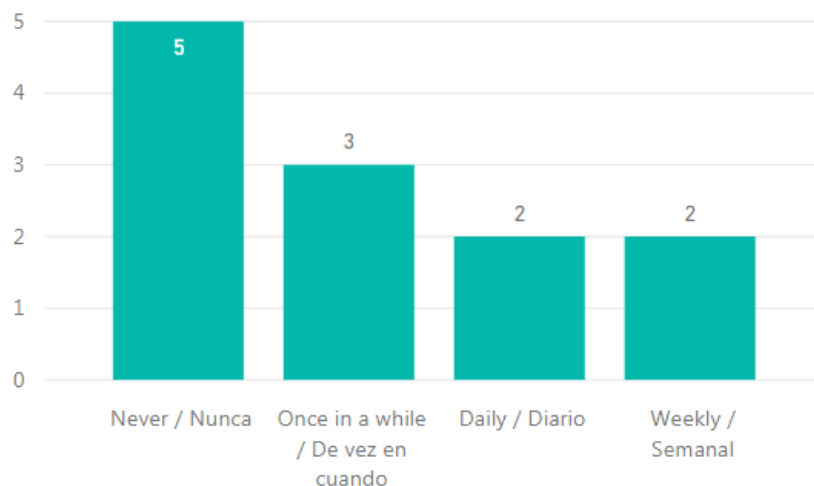
Next to your business / on your business' lot



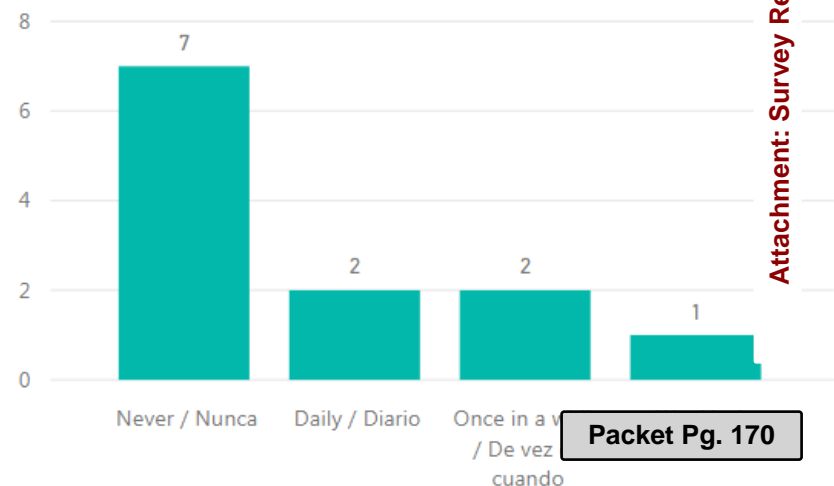
How often would you like this configuration in your district? / ¿Con qué fre...



On a vacant lot



In an underutilized parking lot of an existing business. En un estacion...



Attachment: Survey Responses Presentation (Food Truck Text Amendments)



DEVELOPMENT CENTER

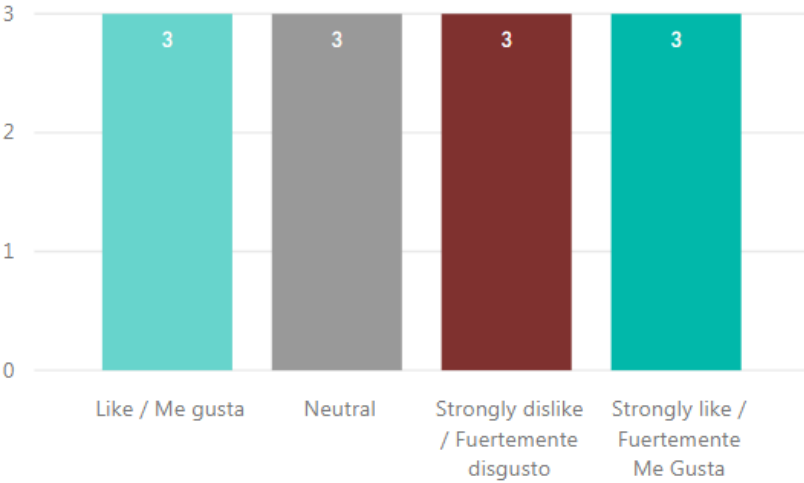
FOOD TRUCKS ON PRIVATE PROPERTY SURVEY 2018

RESTAURANT SURVEY RESPONSES

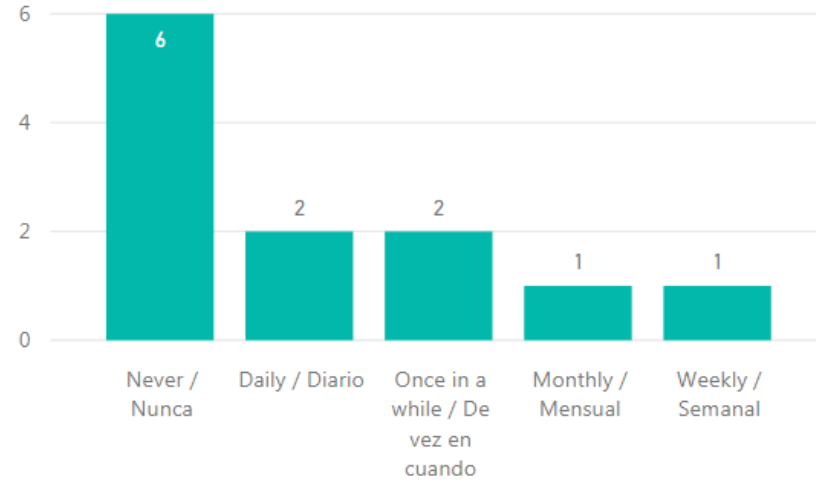
6.b

Concept #3: Food trucks spread around an industrial or office park: This configuration could be multiple or single trucks, located in an area that does not have any brick and mortar restaurants within walking distance.
Esta configuración puede ser de camiones múltiples o simples, ubicados en un área que no tiene ningún restaurante de ladrillo y mortero a poca distancia.

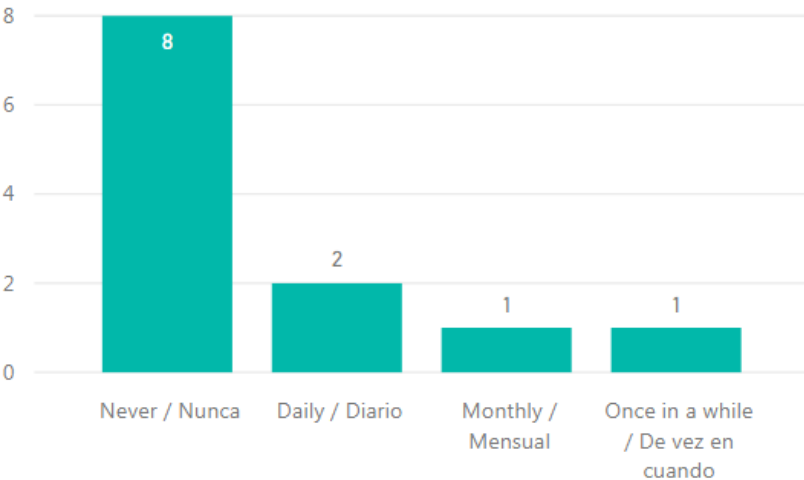
Rate the overall idea of Concept #1



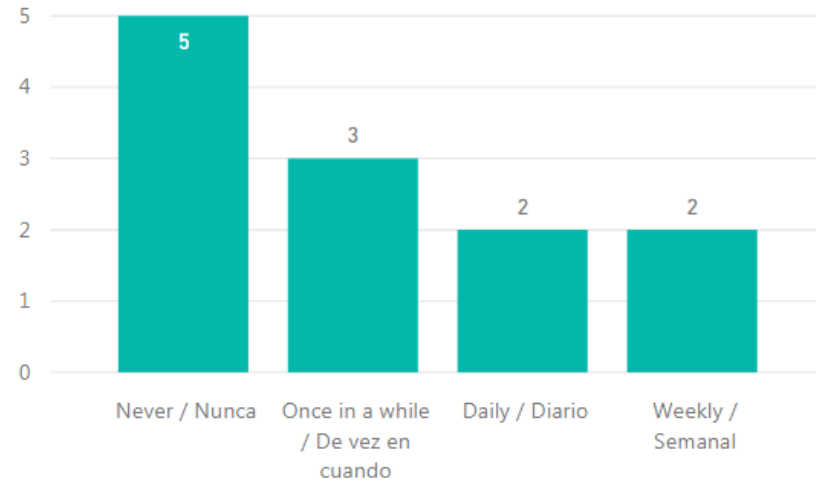
How often would you like this configuration in your district? / ¿Con qué fre...



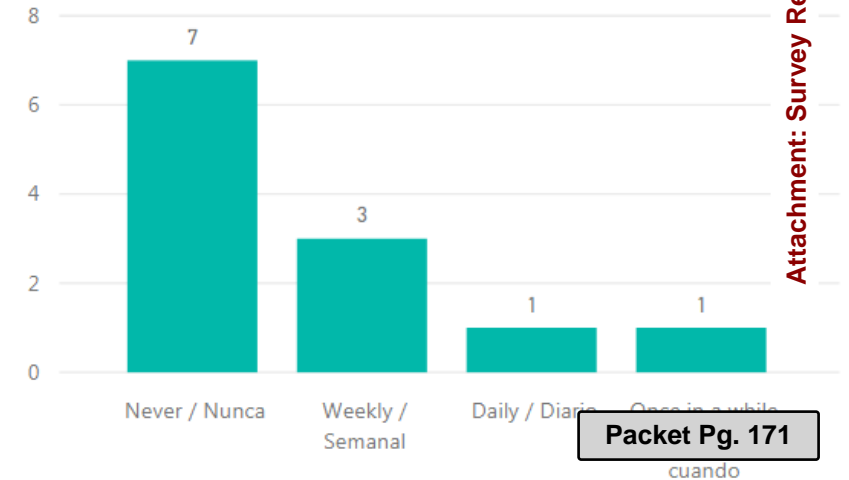
Next to your business / on your business' lot



On a vacant lot



In an underutilized parking lot of an existing business. En un estaciona...



Attachment: Survey Responses Presentation (Food Truck Text Amendments)

Sec. 5.9.05. Alcohol Sales and Consumption.

- A. Purpose. A concentration of alcohol-related uses within a geographic area tend to have particularly detrimental effects on neighborhood character. Accordingly, the use type and type of activities, hours of operation, police resources and the secondary effects resulting from these uses must be taken into consideration during the approval process.
- B. Applicability. Any land use that requires a license from the Michigan Liquor Control Commission (LCC) for the sale or consumption of beer, wine or alcoholic beverages (on- or off-premises, whether packaged, by the bottle, by the glass or otherwise) and any expansion or other changes in that land use, shall require review and approval as specified in Table 5.9.05.B. The Director may submit any Director Review application to the Planning Commission for approval review.
- C. Approval Procedures for the Sales or Service of Alcohol.

Table 5.9.05.B. Approval Procedures for the Sales or Service of Alcohol						
License	Description		Criteria		Review Procedure	
On-Premise Consumption						
Class C, Club, Hotel, Resort, Tavern	New license for a new bar			SLU		
	Expansion of an existing bar	Less than 20% increase in seating capacity and/or sq. ft. of dedicated area		Director Review: meeting criteria		
				SLU: not meeting criteria		
	New license for a new or existing restaurant; or expansion of an existing restaurant with alcohol	Closing time at or before midnight		Director Review: meeting criteria		
SLU: not meeting criteria						
Brewpub, Micro Brewer	New license or expansion		For expansion of production (see Table 5.6.06.B., Alcohol Sale for On-Site Consumption)		SLU	
Entertainment, Dance, After Hours	New license or expansion			SLU		
Outdoor Service (see 5.9.24.)	New outdoor license for a new or existing bar or restaurant	Within public ROW <u>or on private property abutting public ROW,</u> at ground level		Director Review		
		Private property		SLU		
	Expansion of an existing outdoor service area	Within public ROW at ground level		Director Review		
		Private property	Less than 20% increase in seating capacity and/or sq. ft. of dedicated area		Director Review: meeting criteria	
					SLU: not meeting criteria	

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	Automobile rental, short-term	S	S	S	S	P	X	5.9.39.
	Auto supply/accessory sales (new)	X	P	P	X	P	X	5.9.39.G.
	Auto supply/accessory sales (used)	X	X	P	X	S	X	5.9.39.G.
	Car wash	X	X	S	X	P	X	-
	Drive-in or drive-through facility	S	S	S	S	S	X/S	5.9.02.
	Vehicle service or repair	S	S	S	X	P	X	5.9.40.
	Vehicle fuel station (without vehicle repair, may include 1,000 sq. ft. convenience store)	S	S	S	X	P	X	5.9.38.
	Vehicle towing and storage (including auto, RV, boat) - indoor and outdoor	S	S	S	X	S	X	5.9.18.
	Vehicle sale/lease (including auto, RV, boat) indoor showroom	See Section 5.9.39.G. State Licenses						5.9.39.
	Outdoor display	X	X	X	X	S	X	
Entertainment, Hospitality and Recreation	Alcohol sales for on-site consumption (LCC permit)	See Section 5.9.05. Alcohol Sales						5.9.05.
	Arcade, amusement devices, gaming, pool hall	P	S	S	S	P	X	-
	Auditorium, cinema, concert hall, theater, banquet hall	P	S	S	S	S	X	5.9.05. 5.9.07. 5.9.12.
	Bar, tavern, taproom, tasting room	See Section 5.9.05. Alcohol Sales						5.9.05.
	Boat house, marina, boat launch	P	S	X	X	X	X	-
	Bowling alley, skating rink	P	S	S	S	P	X	-
	Casino	S	X	X	X	X	X	—
	Catering business	P	S	S	S	P	X	Exception
	Convention center	P	X	X	X	X	X	-
	Dance club, night club	S	S	X	X	S	X	5.9.05. 5.9.12.
	Dance, entertainment (LCC permit), including after hours (LCC permit)	S	S	S	S	S	X	5.9.05. 5.9.12.
	Entertainment, live (not including regulated uses)	P	S	S	S	S	X	5.9.12.
	Mobile Food Vending	QR	QR	QR	QR	QR	P	5.9.X
	Golf course, country club	X	P	P	P	P	P	-
	Health or athletic club, sports complex (e.g. tennis, swimming, golf,	P	P	S	S	P	X	Exception
	Hookah lounge, cigar lounge	S	S	S	S	S	X	5.9.05. 5.9.12.

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		
	Off-street surface parking (accessory use on same lot)		P	P	P	P	P	P	5.11.11.
Transportation	Off-street surface parking (principal use)		S	S	S	S	P	S	5.11.11.
	Overhead walkway		S	S	X	S	S	X	5.9.25.
	Parking structure		S	P	S	P	S	X	5.9.26.
	Transit center or station		P	S	S	P	S	X	-
	Transit stop		P	P	P	P	P	P	-
Utilities	Electrical substations and private		S	P	P	P	P	P	5.9.11.
	Wireless communication facilities	Co-located	P	P	P	P	P	P	5.9.41.
		Freestanding tower	X	X	X	X	S	X	5.9.41.
P = Permitted Use; <u>QR = Qualified Review</u> ; S = Special Land Use; E = Existing; X = Not Permitted; "-" = Not Applicable; GFA = Gross Floor Area									
*Parcels in the TN-CC Zone District are subject to Section 5.6.06.C.									
**Parcels located in the TOD Zone Districts are subject to Section 5.6.06.D.									
***Parcels located in the TBA Zone District are subject to Sections 5.6.06.E. and 5.6.06.F.									

C. Targeted Commercial Corridors.

1. Purpose. One of the traditional key measures of success of a downtown is its ability to provide continuous mixed-use street frontages with retail uses and eating and drinking facilities occupying the ground floor of buildings on streets that have a well-defined and detailed pedestrian realm. Buildings with frontage on a Targeted Commercial Corridor are intended to accommodate a mix of outdoor activities, such as patios, seating areas, pocket plazas and spacious walkways provide an interesting experiences for the downtown visitor, resident, and worker alike.
2. Affected Streets. In accordance with the recommendations of the GR Forward Downtown & River Action Plan, a "Targeted Commercial Corridor" is established as shown on the Zone Districts Maps. The Targeted Commercial Corridor includes the following streets. However, the Zone District Maps shall be the principal source for the Corridor locations.
 - a. Pearl Street, between Division Avenue and Monroe Avenue.
 - b. Monroe Center, between Monroe Avenue and Division Avenue.
 - c. Ionia Avenue, between Monroe Center and Cherry Street.
 - d. South Division Avenue, between Fulton Street and Wealthy Street.
 - e. Bridge Street, between Seward Avenue and Turner Avenue.

Table 5.7.04.B. Uses: Industrial-Transportation District					
Use Category		Specific Use		Approval	Use or Other
EDUCATIONAL, AUTO-ORIENTED, OFFICE, RETAIL					
Educational Uses	Driver training school		P	—	
	Technical, vocational, and trade and schools		P	—	
Auto-Oriented	Body shop		P	5.9.40.	
	Car wash		P	—	
	Taxi service		P	—	
	Vehicle fuel station (without vehicle repair)		P	5.9.38.	
	Vehicle rental		P	5.9.39.	
	Vehicle service, repair		P	5.9.40.	
	Vehicle supply/accessory sales (new or used)		P	5.9.39.	
	Vehicle wrecking, salvage, storage of inoperable vehicles		S	5.9.18.	
	Vehicle, recreational vehicle or boat storage and towing	Indoor storage	P	—	
		Outdoor storage	S	5.9.31.G.	
Office and Retail	Accessory and professional office, retail, and commercial uses that serve a principal industrial use and do not exceed 25% of the GFA		P	—	
	Flex-office		P	—	
	Mobile Food Vending		P	5.9.X	
INDUSTRIAL, TRANSPORTATION AND UTILITIES					
Industrial	Artisan and creative industry		P	—	
	Assembly, manufacturing, or production of food, textile products, technology, wood products, furniture and fixtures, paper, clay, glass or fabricated metal		P	—	
	Commercial laundry, dry cleaning processing		P	—	
	Commercial production of alcohol, baked goods or similar products		P	—	
	Crematory		S	—	
	Fuel storage		S	—	
	Greenhouse		P	—	
	Heavy construction contractors, contractor's yards, equipment and materials storage		S	5.9.18.	
	Iron, steel or aluminum foundry or fabricating plant and heavyweight casting		S	—	
	Landscaping, nursery services		P	—	
	Manufacturing of alcohol; ammonia; bleaching powder or chlorine; asphalt, including refining; brick, tile or terra cotta; chemicals; concrete or cement products; lampblack; oil cloth or linoleum; paint, oil, shellac, turpentine, lacquer or varnish; petroleum products; plastics; soap; sodium compounds; tar distillation or tar products		S	—	

ARTICLE 9 USE REGULATIONS

Section 5.9.01.	Purpose and Intent.
Section 5.9.02.	Applicability.
Section 5.9.03.	Accessory Dwelling Unit (ADU).
Section 5.9.04.	Adult Foster Care and Adult Day Care.
Section 5.9.05.	Alcohol Sales and Consumption.
Section 5.9.06.	Attached Single-Family and Two-Family Dwellings.
Section 5.9.07.	Auditorium, Theatre and Banquet Hall.
Section 5.9.08.	Bed and Breakfast.
Section 5.9.09.	Child Care Center.
Section 5.9.10.	Drive-In or Drive-Through Facility.
Section 5.9.11.	Electrical Substations and Private Utilities.
Section 5.9.12.	Live Entertainment.
Section 5.9.13.	Helistops and Heliports.
Section 5.9.14.	Home Occupations.
Section 5.9.15.	Reserved.
Section 5.9.16.	Live-Work Unit.
Section 5.9.17.	Manufactured Housing Community.
Section 5.9.18.	Materials Recovery, Recycling, Equipment Wrecking and Salvage.
Section 5.9.19.	Marihuana Facilities.
Section 5.9.20.	Multiple-Family Dwellings.
Section 5.9.21.	Mineral Extraction.
<u>Section 5.9.XX</u>	<u>Mobile Food Vending</u>
Section 5.9.22.	Outdoor Activities (Excluding Vehicle Sale/Lease or Rental).
Section 5.9.23.	Outdoor Recreation Fields.
Section 5.9.24.	Outdoor Seating Areas.
Section 5.9.25.	Overhead Walkways or Other Connections.
Section 5.9.26.	Parking Structures.
Section 5.9.27.	Recycling Collection Stations.
Section 5.9.28.	Regulated Uses.
Section 5.9.29.	Residential Rehabilitation Facility.
Section 5.9.30.	Rooming and Boarding House.
Section 5.9.31.	Self-Storage Facilities.
Section 5.9.32.	Single Room Occupancy (SRO).
Section 5.9.33.	Social or Service Clubs; Motorcycle Clubs.
Section 5.9.34.	Social Service Facilities.
Section 5.9.35.	Temporary Structures and Uses.
Section 5.9.36.	Transitional or Emergency Shelter.
Section 5.9.37.	Reserved.
Section 5.9.38.	Vehicle Fuel Stations (without vehicle service or repair, may include a convenience store or other retail use).
Section 5.9.39.	Vehicle Sales/Leasing and Rental.
Section 5.9.40.	Vehicle Service or Repair.
Section 5.9.41.	Wireless Communication Facilities.
Section 5.9.42.	Zoo.

Sec. 5.9.01. Purpose and Intent.

- A. It is recognized by this Chapter that certain unique uses cannot easily be evaluated in the same manner as other uses because of their potential to adversely affect public health, safety

Table 5.9.02. Use Regulations and Approval Process

Use		Section	Counter Review	Director Review	Qualified Review	Special Land Use
Marihuana Facilities	Grower (Class A, B, and C)	5.9.19.	—	—		IT
	Processor	5.9.19.	—	—		Infused products <15,000 sq ft: TCC, TBA, TOD, C Infused products > 15,000 sq ft: TCC and C Any: IT
	Provisioning center	5.9.19.	—	—		TCC, TBA, TOD, C, NOS, IT
	Safety compliance facility	5.9.19.	—	—		TCC, TBA, TOD, C, NOS, IT
	Secure Transporter	5.9.19.	—	—		IT
Materials recovery, recycling, wrecking and salvage		5.9.18.	—	—		OS, IT, TCC
Multiple-family dwellings		5.9.20.	MDR	CC, TCC, TBA, TOD, C, NOS, IC		LDR
Mineral extraction		5.9.21.	—	IT		LDR, MDR, OS
<u>Mobile Food Vending</u>		<u>5.9.XX</u>		<u>NOS, IT</u>	<u>CC, TCC, TBA, TOD, C</u>	
Outdoor activities (excluding vehicle sales)		5.9.22.	—	CC, TCC, TBA, TOD, C		
Outdoor recreational fields		5.9.23.	—	CC, OS		TCC, TBA, TOD, C, NOS, IC
Outdoor seating areas	On or adjacent to public sidewalk	5.9.24.	—	CC, TCC, TBA, TOD, C		—
	Rooftop, side and rear yard	5.9.24.	—	—		CC, TCC, TBA, TOD, C
Overhead walkways or other connections		5.9.25.	—			CC, TCC, TOD
Parking structures		5.9.26.	—	CC, TCC, TOD, IT		TBA, C
Recycling collection stations		5.9.27.	—	CC, TCC, TBA, TOD, C		LDR, MDR, NOS
Regulated uses		5.9.28.	—	IT		
Residential rehabilitation facility		5.9.29.	—	CC, TCC		LDR, MDR, TBA, TOD, C, NOS

Rooming and boarding house	5.9.30.	—	CC, TCC		LDR, MDR, TBA, TOD, C, NOS
Self-storage facilities	5.9.31.	—	IT		CC, TCC, C
Single room occupancy	5.9.32.	—	CC, TCC, TBA, TOD, C, NOS		MDR
Social or service clubs, motorcycle clubs	5.9.33.	—	CC		TCC, TBA, TOD, C, NOS
Table 5.9.02. Use Regulations and Approval Process					
Use	Section	Counter Review	Director Review	<u>Qualified Review</u>	Special Land Use
Social service facilities	5.9.34.	—	CC, TCC, TBA, C		LDR, MDR, TOD, NOS
Temporary structures and uses	5.9.35.	LDR, MDR, CC, TCC, TBA, TOD, C, NOS	—		—
Transitional or emergency shelter	5.9.36.	—	CC, TCC		MDR, TBA, TOD, C, NOS
Vehicle fuel stations (without vehicle repair)	5.9.38.	—	C, IT		CC, TCC, TBA
Vehicle sales or rental	New vehicles	—	C		—
	Used vehicles	—	—		C
Vehicle service or repair	5.9.40.	—	C, IT		CC, TCC, TBA
Wireless communications facilities	Co-located antennas	—	LDR, MDR, CC, TCC, TBA, TOD, C, NOS, IT, IC, OS		—
	Freestanding towers	—	—		C, IC, IT
Zoo	5.9.42.	See Section 5.7.05.F of Special District - Institutional Campus.			

Sec. 5.9.XX. Mobile Food Vending.

A. Purpose and Applicability.

1. ~~Temporary concession sales~~ Mobile Food Vending can provide employment and small business growth in the City while providing a broad range of food choices to the public. The provisions of this section are intended to provide a proper balance between these uses that allow brick-and-mortar restaurants to thrive while allowing for new food vending opportunities that can add vitality to vacant parking lots and underutilized sites.
2. These provisions shall apply to businesses engaged in the cooking, preparation, and distribution of food or beverage on properties outside of the public right-of-way.
3. This section does not apply to mobile vendors that move from place to place and are in the same general location for up to thirty (30) minutes at a time, or locations under the control of Chapter 46 Downtown Vending of the City Code.

4. ~~Temporary concession sales~~ Mobile Food Vending, including those conducted outdoors, or in stands, trailers, wagons, or vehicles shall be permitted subject to the requirements of this Section.

B. Use and Permits.

1. The use and permit review of Mobile Food Vending shall be done in accordance with Table 5.9.XX.B

Table 5.9.XX.B Approval Procedures for Mobile Food Vending			
Zone District	Review Procedure		
	Temporary Use 89 days or less	Accessory Use 90 days or more	Primary Use 90 days or more
NOS, IT	Temporary Use Permit	Director Review	-
CC, TCC, TBA, TOD, C	Temporary Use Permit	<u>Qualified Review</u>	<u>Qualified Review</u>

2. Any alcohol sales associated with a mobile food vendor shall be reviewed in accordance with Section 5.9.05 of this Chapter.
3. Other Approvals. In addition to satisfying the requirements of this section, evidence of approval from the Kent County Health Department shall be provided for all concession sales. A Transient Merchant License shall be obtained from the Office of the City Clerk, as applicable.
- C. Required Site Information. A site plan shall be submitted with the permit application that includes the information noted below. The Director and/or Planning Commission may request additional information if deemed necessary. For Special Land Use applications, this site plan may substitute for that required by Section 5.12.09.
1. Location and dimensions of any stand, trailer, wagon or vehicle, and any other outdoor activity associated with concession sales;
 2. Site dimensions of any existing buildings on the lot including building setbacks;
 3. Existing public improvements, such as fire hydrants, bus shelters, trees and tree grates and parking meters;
 4. Surface type of the lot (e.g. unimproved/paved);
 5. A parking plan, including traffic circulation patterns;
 6. Site lighting plan;
 7. Signs with scaled elevation drawings;
 8. Location of existing or planned trash receptacles;

9. Location of on-site water, generator, and/or electric utilities that will serve concession vendor(s);
 10. Location of existing or planned sanitary facilities;
 11. Business district map identifying existing restaurants within buildings and any other known concession sales locations within three hundred (300) feet; and
 12. Photographs of the area to be used.
- D. Required ~~Concession Sales Facilities~~ Mobile Food Vending Information. A narrative with elevation drawings shall be submitted that describe/show:
1. The nature of proposed ~~concession~~-sales, include food and/or beverage types;
 2. Vehicle or structure type;
 3. Duration that sales will occur on the site; and
 4. Hours of operation.
- E. Review Standards. The following considerations shall be used by the Planning Commission and the Director in the deliberation and approval of a ~~concession sales request~~ Mobile Food Vending permit for the site and/or vendor(s) in addition to the review standards of Section 5.12.09.
1. Will the use contribute to the vitality and experience of the business district?
 2. Will the use support or detract from existing brick and mortar establishments?
 3. Is there an appropriate separation distance between temporary and permanent uses so as to not impair the long-term viability of nearby businesses?
 4. Will the use add variety to the types of food or beverage offerings in the district or compete with area businesses in close proximity?
 5. Will the proposed stand, trailer, wagon or vehicle contribute to the general aesthetic of the business district and include high quality materials and finishes?
- F. Outdoor Cooking. With the exception of the TN-CC Zone District, outdoor food preparation and cooking is prohibited within two hundred (200) feet of a residential use. The duration requirements of Section 5.9.22.H. shall also be met.
- G. Placement. ~~Concession sales~~ The mobile food vendor shall meet the setback requirements of the Zone District and the customer window shall be accessed directly from the public sidewalk. The intent of the placement is to contribute to the walkability of the business district and generate pedestrian activity. An Administrative Departure may be granted where an alternate placement would achieve this intent.
- H. Parking Area. The area occupied by accessory concession sales shall not exceed twenty (20) percent of any required parking area. Sufficient on-site or district parking shall be provided for each stand, trailer, wagon, or vehicle on a lot, in addition to any other required parking for retail business buildings on the same parcel.

- I. Pedestrian Space. A minimum pedestrian clear space of five (5) feet is required along all public walkways, unless an Administrative Departure is granted in accordance with Section 5.10.08. Pedestrian Access and Circulation.
- J. Public ROW and Clear Vision. ~~Concession s~~Sales shall not be in the public right-of-way or on public property unless otherwise approved, and shall be outside of clear vision areas.
- K. Sanitary Facilities. Sanitary facilities shall be provided if tables and chairs are present for the convenience of guests. An Administrative Departure from this requirement may be granted if documentation is provided for alternative arrangements.
- L. Hours of Operation. Operating hours shall be no later than 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday, unless otherwise approved by the Planning Commission.
- M. Co-Location. Where ~~concession sales~~Mobile Food Vending has ~~have~~ been approved on a lot as a principal use, locating additional ~~concession vendors~~ sales on the same lot is encouraged.
- N. Sound. No amplified outdoor music, sound, or noise shall be permitted. Planned locations for outdoor generators that provide power shall be identified. Use of generators may be prohibited if it is anticipated that they may create a nuisance to neighbors due to noise, exhaust or vibration.
- O. Revocation. Any approved stand, trailer, wagon, or vehicle on a property for the purposes of ~~concession sales~~Mobile Food Vending shall remain in continuous operation so long as the premises is occupied. If the business closes, ceases to operate, or fails to keep regular business hours, then the temporary use permit may be revoked by the Director, or by the Planning commission for Special Land Uses in accordance with the provision of Section 5.12.09.I. If the approval is revised, the stand, trailer, wagon or vehicle shall be immediately removed from the property.

Sec. 5.9.35. Temporary Structures and Uses.**A. Purpose, Applicability, Applications, Permits.**

1. This Section allows for the establishment of certain temporary uses or special events of limited duration, provided that the uses comply with the requirements of this Section and are discontinued upon the expiration of an approved time period. Any extension of the time period shall only be granted upon a finding that the need for the extension is due to circumstances beyond the immediate control of the applicant and applied for in writing prior to the expiration of the temporary use permit
2. Application. The Director may issue a permit for temporary structures and uses based upon receipt of a permit fee as applicable and a complete application, including:
 - a. A site plan, showing building locations, use areas, assigned parking areas and other relevant information;
 - b. A written statement demonstrating compliance with the requirements of this Section;
 - c. Written permission of the owner(s) for the activity on that property; and
 - d. Any materials required by this Section for specific uses, structures, activities, and events.
3. Permits.
 - a. Encroachment Permit. Any structures or activities planning to use of public rights-of-way shall require an encroachment permit from the City's Engineering Department.
 - b. The temporary structures and uses permit shall be in addition to other licenses, permits or approvals otherwise required by any governmental entity.
 - c. A building permit shall be required where the temporary use includes a tent exceeding two hundred (200) square feet.
 - d. Permit and inspection fees shall be set by resolution of the City Commission.
4. Conditions of Approval. The Director may attach conditions to the permit that would minimize disturbance to and compatibility with the area and surrounding land uses, and/or protect the public health, safety and welfare.
5. Performance Guarantee. The Director may require a performance guarantee meeting the requirements of Section 5.14.04 to insure compliance with this Chapter and all other applicable City ordinances, standards, rules and regulations.
6. Table 5.9.35.A shall also be used to govern the requirements for temporary structures and uses.

Table 5.9.35.A. Temporary Structures and Uses			
Structure or Use	Section	Duration	Permit Required
Construction-related temporary structures	5.9.35.C.	1 year	Building and Temporary Use Permits
Temporary housing	5.9.35.D.	3 months	Building and Temporary Use Permits
Temporary storage in a portable commercial shipping container	5.9.35.E.	30 days per calendar year	None
Temporary portable residential storage containers		30 days, 3 times in 12 months	None
Temporary structures (as part of an institutional use)	5.9.35.F.	2 years	Building and Temporary Use Permit
Grand openings, parking lot sales, sidewalk sales and clearance sales	5.9.35.G.	14 days, 2 times in 12 months	Temporary Use Permit
Assembly and fundraising activities	5.9.35.H.	4 days, 4 times in 12 months	Temporary Use Permit
Outdoor seasonal sales	5.9.35.I. 5.9.35.J.	45 days, 2 times in 12 months	Temporary Use Permit
Farmer's markets		See 5.9.35.I.2.	
Concession sales		200 consecutive days in 12 months	Temporary Use Permit/Special Land Use
Temporary surface parking lots	5.9.35.K.	2 years	Temporary Use Permit
Garage sales	5.9.35.L.	3 days, 2 times in 12 months	None

ARTICLE 12 APPLICATION AND REVIEW PROCEDURES

Section 5.12.01.	Purpose and Intent.
Section 5.12.02.	Summary of Authorities and Review Procedures, Effect of Decisions.
Section 5.12.03.	Optional Director Pre-Application Meeting.
Section 5.12.04.	General Application Requirements.
Section 5.12.05.	Public Notification.
Section 5.12.06.	Neighborhood Meeting.
Section 5.12.07.	Planning Commission Pre-Hearing Conference.
Section 5.12.08.	Site Plan Review.
Section 5.12.09.	Special Land Uses.
Section 5.12.10.	Zoning Ordinance Text and Map Amendments.
Section 5.12.11.	Conditional Rezoning.
Section 5.12.12.	Planned Redevelopment District (PRD) Review, Approval and Amendment.
Section 5.12.13.	Site Condominiums.
Section 5.12.14.	Optional Plan Review (OPR) Procedures.
Section 5.12.15.	Master Plan Amendment.
Section 5.12.16.	Administrative Approvals: Administrative Departures, Director Review and Counter Review, <u>Qualified Review</u> , State University Plan Approvals.

Sec. 5.12.01. Purpose and Intent.

- A. Fairness and Equity. Provide a clear and comprehensible development review process that is fair and equitable to all interests including applicants, affected neighbors, and the City;
- B. Orderly Review Process. Establish an orderly review process for all proposed projects involving construction of a building or other structure, any site improvements or alterations or a modification in the use of land within the city that is consistent with this Chapter;
- C. Compliance with Chapter. Ensure that land, parcels, and lots are appropriately developed so that their use and operation complies with all applicable requirements of this Chapter;
- D. Adequate Infrastructure. Provide adequate and efficient facilities and/or infrastructure, land, rights-of-way, and easements so as not to burden the fiscal resources of the City. These provisions include the construction of buildings and utilities, streets and sidewalks, and landscaping;
- E. Open Spaces. Provide functional open spaces, landscape buffers and other elements which contribute to creating an attractive, healthy and sustainable environment within City of Grand Rapids; and
- F. Provide for Health, Safety, and General Welfare. Advance development in compliance with this Article that shall be generally harmonious with surrounding properties and shall not endanger the health, safety, and general welfare of existing, prospective, or future owners, users, surrounding and adjoining properties, and the public.

Sec. 5.12.02. Summary of Authorities and Review Procedures, Effect of Decisions.

A. Table 5.12.02.A. summarizes the review procedures and approval authorities that have roles in the procedures set forth in this Article.

Table 5.12.02.A. Review Procedures and Decision-Making Bodies					
PH = Public Hearing Required PHO = Public Hearing Optional M = Public Meeting Required	R = Review and Recommend D = Approving Authority A = Authority for Appeal		CC = City Commission PC = Planning Commission BZA = Board of Zoning Appeals		
Review Procedure	Section	CC	PC	BZA	Director
Site Plan Review	5.12.08.	-	M, D PHO	-	R
Special Land Use	5.12.09.	-	PH, D	A ¹	R
Zoning Ordinance Text Amendment	5.12.10.	PHO, D	PH, R	-	R
Zoning Ordinance Map Amendment (Rezoning) or Change in Neighborhood Designation	5.12.10.	PHO, D	PH, R	-	R
Planned Unit/Redevelopment District	5.12.12.	PHO, D	PH, R	-	R
Site Condominiums	5.12.13.	PHO, D	PH, R	-	R
Conditional Rezoning	5.12.11.	PHO, D	PH, R	-	R
Master Plan Amendment	5.12.15.	PHO, R	PH, D	-	-
Optional Plan Review	5.12.14.	-	PH, D	A	R
Administrative Departure	5.12.16.	-	-	A	D
Counter Review	5.12.16.	-	-	A	D
Director Review	5.12.16.	-	-	A	D
<u>Qualified Review</u>	<u>5.12.16</u>	<u>-</u>	<u>PHO, D</u>	<u>A</u>	<u>D</u>
State University Plan Approvals ²	5.12.16.				A
Similar Use Determination	5.4.04.	-	-	A/D	D
¹ Conditions of approval cannot be appealed to the Board of Zoning Appeals.					
² Further approvals and reviews may be required by the written memorandum of understanding or other written document adopted by the City Commission.					

B. Effect of Decisions.

- Any application required to be reviewed under this Chapter shall be approved, approved with conditions, or denied by the approving authority based on the applicable review criteria for each decision. Where applicable, the minutes of a recommending or approving authority shall state the reasons for their decisions in the minutes and provide a written record of the decision to the applicant within a reasonable time following the recommendation or decision.
- Prior to reaching a decision, if a required reviewing authority determines that an application does not meet the applicable review criteria as provided in the applicable

6. Compatibility. Whether the proposed amendment would result in development that is compatible with existing and proposed uses surrounding the subject property, and the proposed design considerations and land uses are appropriate for the land and neighborhood; and
7. Efficient and Orderly Development. Whether the proposed land use amendment helps ensure efficient, logical, and orderly development within the city.

Sec. 5.12.16. Administrative Approvals: Administrative Departures, Director Review and Counter Review, and Qualified Use Review.

A. Administrative Departures.

1. Purpose.
 - a. Administrative Departures are provided to permit development of individual lots or properties that generally fall within the requirements of the Zone District, but, due to site characteristics or other related conditions, a limited degree of flexibility to meet the spirit and purpose of this Chapter is appropriate.
 - b. It is not intended to be a general waiver or lessening of regulations. Rather, the procedure permits a site-specific plan that is equal to or better than the strict application of a design standard. It is not intended as a substitute for a variance or as a means for relief from requirements of this Chapter.
2. Applicability. Only those Administrative Departures that are specifically noted in this Chapter may be requested and approved.
3. Application Procedure. Requests for Administrative Departures shall be submitted with the applicable application and shall include the following:
 - a. Information and materials, as listed in the application form, in sufficient detail to indicate the nature and necessity of the request, and a scaled drawing, if appropriate. Requested Administrative Departures shall be separately listed and clearly noted on the proposed plan.
 - b. The applicable fee established by resolution of the City Commission.
4. Review Standards. The Director shall consider whether the proposed alternative meets the following standards.
 - a. Zoning Ordinance. The proposed Departure is consistent with the purpose and intent of the Zone District, and the specific requirements and conditions of the Administrative Departure approval criteria.
 - b. Neighborhood. The proposed Departure will be compatible with adjacent properties and the neighborhood.
 - c. Environment. The proposed Departure will retain as many natural features of the landscape as possible.
 - d. Public Facilities. The proposed Departure will not place a burden on existing infrastructure and services, and

- e. Other. The Departure request is necessitated by a condition of the site or structure, and not as a means to reduce costs or inconvenience.
 - 5. Decision.
 - a. The Director may approve, approve with conditions, or deny the request.
 - b. If the Director determines that the extent of the requested Departure(s) requires additional community review and input, the Director may refer the application to the Planning Commission as an Optional Plan Review. The fee for the Administrative Departure shall then be applied to the Optional Plan Review application.
 - 6. Prior to Other Approval. Decisions on Administrative Departures shall be made prior to consideration of other approval required by this Chapter.
 - 7. Appeal. A decision regarding an Administrative Departure may be appealed to the Board of Zoning Appeals. Individual conditions imposed as part of an Administrative Departure approval cannot be separately appealed
- B. Director Review Procedures.
- 1. Purpose. The Director Review process is intended to provide a streamlined review process for eligible projects to determine compliance with this Chapter.
 - 2. Applicability. A project requires Director Review under the following circumstances.
 - a. Review of a site plan under LUDS and building/construction permits for a project previously reviewed and approved by the Planning Commission, Board of Zoning Appeals, or City Commission.
 - b. If desired by an applicant, as an advance review of a site plan or any component thereof, prior to submission for a LUDS permit. This review is only for general compliance and does not confer any approvals by the Director related to the LUDS permit.
 - c. Essential services, electrical substations, private utilities and similar uses.
 - d. Uses and structures permitted in Article 7 Special Districts for the SD-OS District and SD-IC District.
 - e. Uses listed as Director Review in Article 9 Use Regulations, unless referred to the Planning Commission for Site Plan Review.
 - f. Uses listed as Limited Use in Article 5 Residential Zone Districts or Article 9 Use Regulations, unless referred to the Planning Commission for public hearing.
 - f.g. Minor change to a PRD Planned Redevelopment District or former PUD Planned Unit Development, as listed in Section 5.12.12.I.1.
 - g.h. Minor modifications to a Planned Sign Program, as provided in Section 5.15.08.F.
 - h.i. Any proposed project that is regulated by this Chapter but does not qualify for a Counter Review and is not subject to other reviews.

~~i.j.~~ Any proposed development on one (1) acre or more in a TN-TBA, TOD, or C Zone District, except as provided in Section 5.12.08.B.2.

~~j.k.~~ As otherwise required by this Chapter.

3. Application and Review Procedures.

- a. An application package shall be filed with the Planning Department pursuant to Section 5.12.04.A.
- b. Site plans shall be reviewed for conformance with Section 5.12.08.E. Applications for Director Review shall be reviewed by the following officials for compliance with all applicable laws, rules, regulations, permit and license requirements, the Master Plan, other adopted City plans, policies and procedures, including but not limited to the following, as applicable.
 - i. Director. Zoning and overall design as the project relates to adjacent properties for compliance with provisions of this Chapter.
 - ii. City Engineer. Feasibility for utility service and streets for compliance with City ordinances and infrastructure policies.
 - iii. Traffic Engineer. Traffic flow and parking within the project, access to existing public roads and clear vision areas for compliance with City traffic safety policies.
 - iv. Stormwater Engineer. Drainage and stormwater management requirements.
 - v. Fire Chief. Access for fire vehicles and location of fire hydrants for compliance with the fire and building codes.
 - vi. Parks and Recreation Director. Adequacy of public recreation facilities for compliance with City recreational plans.

4. Director Decision.

- a. The Director shall have the option of requiring any plan to undergo a Site Plan Review under the provisions of Section 5.12.08. even where deemed eligible for a Director Review if the scale or effect of the project is deemed to be significant enough to warrant the review of the Planning Commission.
- b. The Director may impose condition(s) of approval that meet the Review Standards of Section 5.12.02.B.3. The Director may refer to Section 5.2.20. Infrastructure and Service Needs for additional conditions as warranted.
- c. Permits shall not be issued for any building or site activity until the Director Review is completed.
- d. Upon receipt of a complete application, the findings of the Director Review shall be sent to the applicant in writing within fourteen (14) days of the final determination.
- e. Director Review decisions may be appealed to the Board of Zoning Appeals.

5. Effective Date. Projects approved through Director Review shall have immediate effect.

6. Duration of Approval.

- a. A Director Review approval shall be valid for a period of one (1) year, in which time a LUDS and/or building permit shall be obtained and the first phase of construction substantially commenced.
- b. Upon written request prior to expiration of the approval, one (1) extension of up to six (6) months may be granted if the Director finds that the extension is warranted due to circumstances beyond the control of the applicant.
- c. If no action is taken to finalize construction after the one (1) year approval period, or as extended, plan approval shall expire when applicable LUDS and/or building permits expire.

7. Amendments. In the event of any proposed change(s) to an approved Final Site Plan, the applicant shall notify the Director. Documentation detailing the proposed change(s) and the conditions necessitating the changes shall be provided. If significant changes are proposed, the Director may require submission of a new application.

C. Counter Review Procedures.

1. Purpose. Certain site or building activities are considered minor improvements that do not warrant Director Review or Site Plan Review. These activities shall be considered Counter Reviews and are reviewed by the Planning Department for compliance with this Chapter. Counter reviews allow a more efficient review process and may also be used to identify projects that require a greater level of review.
2. Applicability. The following activities shall be subject to Counter Review and permits are required as provided for in this Chapter.
 - a. Single-Family and Two-Family Lots and Dwellings:
 - i. Construction of a new dwelling.
 - ii. Addition to an existing dwelling.
 - iii. Interior remodel of an existing dwelling.
 - iv. Construction of or alteration to a detached accessory building or structure.
 - v. Installation or alteration of a swimming pool, spa, hot tub or similar use.
 - vi. Construction or alteration of a deck.
 - vii. Installation or alteration of a fence.
 - b. Multiple-Family and Non-Residential Lots, Buildings or Structures:
 - i. Interior remodel of an existing building.
 - ii. Change in use that does not result in substantial site or building alterations.
 - iii. Construction of or alteration to a detached accessory building or structure.
 - iv. Installation or alteration of a swimming pool, spa, hot tub or similar use.

- v. Construction or alteration of a deck.
 - vi. Installation or alteration of a fence.
3. Review Criteria and Decision. The submitted plans shall comply with the requirements of the Zone District in which the project is located. If all requirements are met the application shall be approved.
 4. Effective Date.
 - a. Projects approved through Counter Review shall have immediate effect.
 - b. Approvals shall be valid for a period of one (1) year, in which time a LUDS and/or building permit shall be obtained and substantial progress on the first phase of construction is demonstrated.
 - c. Upon written request prior to the expiration of the approval, one (1) extension of up to six (6) months may be granted if the Director finds that the extension is warranted due to circumstances beyond the control of the applicant.
 - d. If no action is taken to finalize construction after the one (1) year approval period, or as extended, plan approval shall expire when applicable LUDS and/or building permits expire.

D. Qualified Review Approvals

1. Purpose. This Section provides procedures and standards for uses of land or structures that, because of their relationship to surrounding uses and structures, may require additional consideration in relation to the welfare of adjacent properties, the neighborhood, and the community. The regulations and standards herein are designed to allow practical latitude for the applicant, but applicant but maintain adequate provision for the protection of the health, safety, convenience, and general welfare of the community.
2. Applicability. Only those- Qualified Reviews that are specifically noted in this Chapter may be requested and approved.
3. Review Procedures
 - a. Notice of Filing. Upon receipt of a complete application, mailed notice of receipt of a Qualified Review application shall be mailed consistent with the requirements of Section 5.12.05. The notice shall state the nature of the use and provide option for affected persons to request a formal public hearing within fourteen (14) days of the receipt of the request.
 - b. No Request for Public Hearing. If no request for public hearing is received, the Qualified Review request shall be processed pursuant to the Director Review procedures under Section 5.12.16. A quarterly report of Qualified Review requests processed under Director Review shall be provided to the Planning Commission.
 - c. Request for Public Hearing. If a request for public hearing is received, the Qualified Review request shall be processed consistent with the Special Land Use procedures under Section 5.12.09. Notice of public hearing shall be provided consistent with the requirements of Section 5.12.05.

4. Review Standards. The Director or Planning Commission shall only approve an application for a Qualified Review that meets the following standards.

a. Master Plan/Zoning Ordinance. The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the Zone District.

b. The Site Plan Review Standards of Section 5.12.08.E.

c. Neighborhood Effects.

i. The proposed use would be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties, and the natural environment.

ii. Potentially adverse effects arising from the proposed use on the neighborhood and adjacent properties would be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers or setbacks.

iii. The proposed use would not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, smoke, odors, glare, visual clutter, and electrical or electromagnetic interference.

iv. The proposed use would not adversely affect the walkability of the neighborhood, impair pedestrian circulation patterns, disrupt the continuity of the urban street wall or otherwise hinder the creation of a pedestrian-oriented environment.

d. Environment. The building and site area required for the proposed use will retain as many natural features of the landscape as practicable, particularly where the natural features assist in preserving the general character of the neighborhood.

e. Public Facilities.

i. Adequate public or private infrastructure and services already exist or would be provided at no additional cost, and will safeguard the health, safety, and general welfare of the public.

ii. The proposed use would not be detrimental to the financial stability and economic welfare of the City.

iii. The proposed use would comply with all other applicable City ordinances and policies and all applicable State laws.

f. Sale and/or Consumption of Alcohol. Alcohol-related uses tend to have a particularly detrimental effect on neighborhoods where there is a concentration of these uses. Any Limited Use that includes sale and/or consumption of alcohol shall require Special Land Use consideration. ~~be automatically referred to Public Hearing.~~

D.E. State University Plan Approvals.

1. Purpose. State universities created pursuant to the constitution and laws of the State of Michigan are unique entities, the boards of which are charged with operating the universities to carry out their respective educational missions for the benefit of the people of this State. It is the policy of the City to collaborate with and support state universities in the development of state university-owned property. The City also recognizes development of state university-owned property can affect residential neighborhoods in its

MICHIGAN ZONING ENABLING ACT OR ZONING ACT
Public Act 110 of 2006, as amended, or any successor acts.

MID-BLOCK PATHWAY

A paved pathway dedicated to pedestrians and separated from vehicles that extend entirely through a block from a street to a parallel street or alley.

MID-BUILDING PATHWAY

A pathway, dedicated to pedestrians, intended to provide safe, well-lit, and convenient access through buildings from the public sidewalk to the rear or side of a building. Mid-building pathways may coincide with mid-block pathways.

MIXED-USE

The development of a lot, tract or parcel of land, or building(s) with two (2) or more primary land use components, such as residential and commercial uses, that are grouped into a visually compatible and functional land use arrangement. Mixed-uses may be vertically or horizontally integrated within a building or development site.

MLCC or LCC

Michigan Liquor Control Commission, including any successor agency.

MOBILE FOOD VENDING

Any business serving or offering for sale and/or beverage from a mobile food unit which means for purposes of this ordinance a self-contained, fully enclosed unit including trailers.

MOTORCYCLE CLUB

A building, room or other facility which is used as a meeting or gathering place for five (5) or more motorcyclists along with their motorcycles.

MUNICIPALITY

The City of Grand Rapids.

N. Definitions—N.

NATIVE VEGETATION, TREES, OR LANDSCAPE

Plant species that are native to southwestern Michigan and characteristic of a pre-settlement landscape.

NEIGHBORHOOD CLASSIFICATION

One of three (3) areas within the city that share similar development characteristics, as established in the Master Plan and Pattern Workbook, including: Traditional Neighborhood, Mid-20th Century Neighborhood, and Modern Neighborhood, within which are individual Zone Districts, Permitted Uses, Special Land Uses, and development requirements.

NONCONFORMING, NONCONFORMITY

1. **NONCONFORMING BUILDING, NONCONFORMING STRUCTURE.** A building or structure, or portion thereof, lawfully existing at the effective date of this Chapter or amendments thereto, which does not conform to the provisions of this Chapter.
2. **NONCONFORMING BUILDING ELEMENT.** Portions of the physical parts of buildings or structures lawfully existing at the effective date of this Chapter or amendments thereto, but which no longer conform to the provisions of this Chapter. Building elements may

far is that the impact of grow operations tends to be limited so long as they are enclosed. Odor impacts tend to be limited because of the odor mitigation regulations. The major impact with provisioning centers tends to be traffic, which tends to fall off once the industry is established and as more open. There doesn't seem to be a particular impact with respect to crime or odor. There may be a possible impact to property values; property values going up. Based on information from Colorado, recreational provisioning centers have had a slight bump in residential property values. The commercial property market goes crazy at the beginning and then dies off. Mr. Bartley related that he has not had conversations with Planning Commissions.

Mr. Bartley also commented on timing, relating that the Planning Commission will potentially be considering their first request in May.

Mr. Van Strien cautioned Planning Commissioners on being approached/having private conversations with any applicants and particularly people in the marijuana industry. He shared his recent experience of an attempted contact. Mr. Bartley added that, in some cases if they think a Commissioner will be opposed, they may try to initiate contact as a means to get that Commissioner recused. Mr. Bartley also recommended Planning Commissioners not discuss any Planning Commission matters outside of the regular meetings.

- Agenda items were briefly reviewed.

B. Conflict of Interest

None expressed.

V. Public Hearings beginning 1:00 p.m. or soon thereafter in the Public Hearing Room, 2nd Floor

A. (1:00 p.m.) Food Trucks/Concession Sales Text Amendments

Applicant:	Planning Director
Requesting:	Consideration of Zoning Ordinance text amendments to modify the use requirements and zoning approval process for food trucks/concession sales on private property in mixed-use and industrial Zone Districts; and for text amendments intended to clarify existing regulations and the zoning approval process for outdoor restaurant seating with alcohol service.
Requirements:	<p>Article 6 Mixed-Use Commercial Zone Districts</p> <p>Article 9 Use Regulations</p> <p>Article 12 Application and Review Procedures</p> <p>5.6.06.B. Uses of Land</p> <p>5.9.02. Applicability</p> <p>5.9.05 Alcohol Sales and Consumption</p> <p>5.9.24. Outdoor Seating Areas</p> <p>5.9.35. Temporary Structures and Uses</p> <p>5.12.10. Zoning Ordinance Text and Map Amendments</p>
Case Number:	PC-ZON-2019-0014
Staff Assigned:	Kristin Turkelson kturkelson@grcity.us

Type of Case: Zone Change
Effective Date: City Commission Approval

Ms. Turkelson presented the proposed text amendments specific to mobile food vending/food trucks and outdoor seating requirements.

Ms. Turkelson recalled that the proposed food truck amendments were presented for discussion at a recent Planning Commission lunch meeting. The staff report provides some background as to how they got to this point. There was a lot of conversation in 2016 around embracing food trucks. DGRI took the lead on that and when coming together for discussion with the Fire Dept., Clerk's Office, Mobile GR, and other departments they decided that in the best interest of the community, to move forward quickly, that it should be split up. There was a pilot ordinance that dealt with the licensing aspect of mobile vending/food trucks. That has been in play for approximately 2 years and the City Commission recently adopted that as a final ordinance. However, the concept of food trucks on private property was split off and considered separately. From the Planning Department's perspective, they felt there was a lot of engagement that was necessary with the business associations and, because of the complications, they didn't want to slow down the licensing aspect. The consideration today is what they would refer to as phase 2 of the food truck discussion. Ms. Turkelson clarified that during this discussion she will interchange mobile food vending with food trucks. The Ordinance uses the term mobile vending because it is broader, with things other than food trucks that could be regulated through the zoning.

Ms. Turkelson explained that they gathered quite a bit of background understanding how other communities are regulating food trucks. The US Chamber of Commerce published a Food Truck Nation report. They did a lot of work to understand why food trucks are more popular in some areas and not so much in others. When the Ordinance regulating food trucks was originally written, it was modeled after the City of Portland. It was intended to promote a pod concept, which is what they thought would be of interest to the community and food truck vendors. What they are finding is that is not the case. There are few examples of either a pod concept, such as at the GRAM, or individual food truck vendors that have come forward to request Special Land Use. Ms. Turkelson related that staff receives a number of calls every year about the potential of operating a food truck at a particular location. The answer is almost always that they need to apply for a Special Land Use permit and then the process is explained. Most of the truck vendors feel that is too burdensome both in the cost, a \$2,015 application fee, and the process isn't something they are used to. Therefore, putting together the application and waiting the 45 days is typically not of interest. Consequently, if food trucks are located on private property most are unfortunately not operating legally and waiting to see if they get caught or they are going to other communities. The ordinance is much more permissive of food trucks downtown on public streets.

Ms. Turkelson explained that when the US Chamber looked at examples around the country the focus was on cost and the number of times an applicant had to go in for approval. There weren't necessarily model ordinances that were researched. The focus was more on the issues of concern to a food truck operator and why they choose to operate in some communities and not others. The resulting report was included in the Planning Commission's packet. Ms. Turkelson explained however that she would focus on the proposed amendments vs. the Food Truck Nation report.

Ms. Turkelson explained that staff reviewed the report, reached out to a number of the CID Boards, and issued a survey seeking input on what is important to the community for food truck operations in the City. Based on the feedback and results, Ms. Turkelson doesn't feel there is one way that was really desired to operate or regulate food trucks. What kept coming back to her was that it was a tailored approach that was desired. There were some areas of the City very open to having food trucks operating and they didn't have concerns. There were other CID Boards or business associations that felt very differently. They wanted an opportunity for input and the Special Land Use process to have a say on where they could go, whether it was appropriate, and consider concerns about competition and proximity.

Ms. Turkelson related that what they came up with is being called a Qualified Review Process. The actual ordinance amendment is somewhat involved as there were a number of sections that had to be amended as a result. Mobile Food Vending has been taken out of Article 9 under the temporary use permit section and made its own use regulation in Article 9. By doing that it provided more flexibility to consider a permanent use and temporary uses. The NOS and IT Districts are far more permissive. It is a permitted use and would require staff level approval with a variety of regulations they would have to adhere to. Those regulations were carried over because they are working; hours of operation, site plan submission, parking, generator noise, etc. There is a review process that remains in play but it takes out the Special Land Use. The idea was that where you have a large employment section, that may be more separated from traditional restaurants, that food truck operators can come to them to service their needs. In other commercial zone districts, such as TCC and TBA, a Qualified Review Process is proposed. A food truck operator or property owner can apply for up to 90 days under the temporary review. The 90-day time frame is a number that should be discussed. As written, a food truck operator could operate at any given location within the City. After the 90 days they would have to leave or find a new location. If they want to remain in the same location for more than 90 days it would initiate the Qualified Review Process where they have to file an application. The Planning Department would issue a Notice of Filing to all properties within 300 ft. If a noticed party has great concerns or wants more information, they can request a public hearing. At that point the process would stop and the request would be re-noticed for a public hearing before the Planning Commission. If the noticed parties express no concerns, or offer support, then it would proceed through the administrative review process. This is a new process for Grand Rapids and it is also being considered for Accessory Dwelling Unit requests. Ms. Turkelson feels it provides the tailored approach desired by some of the business associations. Where it is a concern, or they desire a case by case review, they can make that request for any food truck wishing to locate at a property beyond 90 days. The amendment also removes the need to have a relationship between the food truck operator and the business on the site they propose to locate. Where there is a developed property or an active use there would be potential for locating a food truck.

Ms. Turkelson hopes that this accomplishes what they heard from the community and tailors the approach for those desiring the case by case review and makes it more permissive where there could be business associations that are open and not concerned about food trucks as more of a permanent use on a property.

Ms. Turkelson added that if a food truck wishes to serve alcohol that would automatically trigger Special Land Use review.

Ms. Turkelson explained the proposed amendments specific to outdoor service establishments or sidewalk cafes. What they were finding were discrepancies between various ordinance sections and wanted to make sure there was consistency. In general, most of the ordinance sections say that where a sidewalk café or outdoor service area is on public property/right-of-way, or immediately adjacent to, then it could be reviewed at a Director Review level. However, the alcohol section, Article 9 for alcohol service in association with outdoor service area, made more of a final distinction between public and private property and was not consistent. Staff is proposing an amendment to Article 9 to say if it is on public property, or on private property abutting public right-of-way at ground level, it is Director Review. For the most part, staff has been processing that way but it is difficult when there are inconsistencies in the Ordinance.

Ms. Turkelson asked that the Planning Commission give consideration, and potentially direction to staff, on allowing the temporary enclosure of outdoor seating in the off-season. She explained that Maru Sushi went before the Board of Zoning Appeals last week with a request to enclose a canopy over their outdoor seating during winter months to basically extend the use of the space. In that particular case, Historic Preservation is also a factor. From a zoning perspective, there are a couple of sections in the Ordinance that prohibits any sort of plasticized temporary canopy structures and canopies cannot be enclosed. Because of the way the Ordinance is currently written, Maru Sushi was not able to proceed at a zoning level to have a completely enclosed canopy around their outdoor seating area and it required a variance. Unfortunately for Maru Sushi, they were not granted the variance. Ms. Turkelson explained that it got her thinking about whether an exception would be appropriate to allow for the temporary use of an enclosed canopy system for outdoor seating, with the understanding that at a certain date/spring the enclosure would be removed. All other applicable ordinances would have to be adhered to as well. Ms. Turkelson related that she had an opportunity to speak with the manufacturer in the Maru Sushi case and learned a bit more. Ms. Turkelson used the example of metal siding. Previously the Ordinance prohibited metal siding. After learning more from Eikenhout they realized not all metal siding is the same and it was possible to craft a provision that allowed for the use of higher quality metal siding rather than prohibiting it altogether. Ms. Turkelson had a similar conversation with the manufacturer of the enclosed canopy system. She posed the question to the Planning Commission; specific to outdoor seating, could the temporary enclosure systems be allowed if guidelines are set. The manufacturer felt it would be possible to impose guidelines, including requiring a minimum amount of transparency. Ms. Turkelson posed the question of the milky/cloudy transparency material and the manufacturer indicated that there is also a specification for that material to ensure it is higher quality and you can actually see in, more similar to glass.

Ms. Turkelson felt this was an appropriate consideration today given the proposed amendments for outdoor seating. She would not anticipate the Commission taking action on it today but she would appreciate their feedback as to whether there is an interest in pursuing it as a possibility.

Ms. Turkelson invited questions on the proposed amendments.

Mr. Treur asked, with respect to the food truck amendments and the 90-day period, if they could be away for a time and then come back.

Ms. Turkelson explained that her intent with the language was that it would be 90 days in any 12-month period.

Mr. Rozeboom recalled Ms. Turkelson suggested the 90 days was a debatable number. He asked the pros and cons with regard to the length of that duration.

Ms. Turkelson replied that 90 days is basically summer in Michigan so it may feel more like a permanent use on a property rather than event based; does it border on more of a permanent use because of the seasonality in Michigan? There has been significant concern expressed, in general but not in Grand Rapids, about what impacts a food truck has on existing restaurant operations. The concern is if you have, for example, a hot dog restaurant and a hot dog food truck parks right across the street for 90 days. Could that be viewed as competition and draw from the restaurant? How long is too long? From a zoning perspective they don't have the ability to say a food truck serving the same type of food as a nearby brick and mortar restaurant can't locate in near proximity. Therefore, it is possible that there could be a food truck in closer proximity than a brick and mortar establishment might be comfortable with.

Ms. Collier wished for further clarification on Mr. Treur's question about the 90 days. Her understanding is they could be on a site for 90 days and then reapply and come back.

Ms. Turkelson explained that they would have to wait nine months to re-occupy that same site. If they began on June 1 they would have to wait until June 1 of the following year to operate at that same location. It would be parcel specific.

Mr. Brame asked what would happen if they were there for 40 days and left for 10.

Ms. Turkelson replied that from an administrative standpoint they would be issuing a 90-day window permit. If they were there for 40 days, off for 10, they could come back for an additional 40 days. It would be difficult for staff administratively to keep bouncing that permit around.

Mr. Davis explained that he has concern about unintended consequences and negative effects on business. At the same time the intent is to find ways this can amplify and support good business and public use of spaces. He asked if the 9-month requirement prevents this industry from exploring opportunities during non-summer months. He doesn't believe there are a lot of winter food trucks but for those looking to do something in the off season this would prevent them from being able to test those waters.

Ms. Turkelson didn't believe that to be the case. It isn't that a food truck operator would be limited to operating in the City for 90 days, it is 90 days for a specific property to have a food truck on it on a temporary basis. They could go to another location.

Mr. Van Strien added that they would also have the option of requesting longer than 90 days and if no one objects then they could be there longer.

Mr. Van Strien invited public comment.

Rock Dandeneau, President of the Grand Rapids Food Truck Association, related that they receive at least nine calls a day during summer months to have a truck come and park on a property. They try to explain to them what they know. Mr. Dandeneau doesn't feel the public is very well educated in understanding how it works. They think that a truck can just show up. He believes these amendments may help. It is always the property owner asking them; they aren't actually searching to go to those properties to vend. Mr. Dandeneau related that many of them have started in trucks and have gone to brick and mortar, which is what they like to call success. They also support the local businesses in their endeavors. They don't want to park next to a restaurant. It really isn't beneficial to each other and the clientele is different, which they've found out in Grand Rapids. Mr. Dandeneau related that they appreciate the consideration that is being given to mobile vending. It will help many of their businesses. They started out being very festival focused in Grand Rapids and have turned more into a catering focus. Many of the trucks like to focus on catering for businesses for second and third shifts. Industrial zones will call for a quick fix so they don't have to have a cafeteria built into their establishment. However, he doesn't believe they understand they can't just call a food truck to come and park outside your business. The vending zones have helped with some of those but the vending zones are outside of the strict industrial areas.

Ana Jose related that she is a program manager for the Hispanic Chamber of Commerce. Also present was a food truck owner. They are present today to offer their support for the proposed amendments. It will help the community and those that don't have tens of thousands of dollars to start a business in a storefront. This will give more people an opportunity and really make a difference.

Lauren D'Angelo related that she is the owner of Patty Matters food truck. She is also Vice President of the Grand Rapids Food Truck Association. Ms. D'Angelo stated that they started their business about three years ago and they are the only full-time/year-round food truck so operating in the winter time would be awesome. The use of private land and being able to find a gas station where it might be a good fit for them to park, or a corner lot someplace at a busy intersection where there aren't any nearby restaurants, are opportunities they've been waiting to try. Ms. D'Angelo related that they are aware of the laws and regulations so they haven't been doing that but they will likely be one of the first to jump on board to test it out if it is approved. They want to make food trucking viable for anyone that wants to open one. It is a bit lower cost to start than a restaurant and being able to move from location to location will give them an opportunity to test what a good area is to operate a food truck. Many of the areas they have tried, they have been followed by fellow food truckers. A lot of the places they go do rotations of trucks. Ms. D'Angelo asked if the 90 days is per location or per truck.

Ms. Turkelson replied per location.

Ms. D'Angelo asked if someone could have five different food trucks come in on a rotation of sorts for a period of 90 days. After that it would be noticed for public input.

Ms. Turkelson clarified that if one or more food trucks wanted to go beyond the 90 days at a particular property then they would make application to remain as a permanent/primary use. At that point staff would send out the notice to all properties within 300 ft.

Ms. D'Angelo asked if that is the operator's responsibility or the property owner.

Ms. Turkelson replied that the Planning Department would send out the notices. Either the land owner or food truck operator would be responsible to make the application. The Planning Commission would issue the notifications; Notice of Filing. There will be a form or some other method to track input and if a public hearing is requested then the Planning Department would reissue the notification for a Special Land Use public hearing.

Brad Brussow, Prestige Products, related that they manufacture the enclosed canopy structures and install them from California to Maine. They have been in business for 30 years and 80-90% of their work is for restaurants. If they have the ability to do so, a casual sit-down restaurant is putting a patio in. People enjoy getting outside. The unfortunate thing in Michigan is you may have 50-60 days that you can actually sit outside. Installing covers and enclosures is something other cities have been addressing. Chicago recently approved canopies and enclosures that are required to be removed in May. Most are permitted from mid to late October through May. They are temporary structures. On a sidewalk, the canopy also has to come off. Mr. Brussow stated that it adds vitality because people are sitting outside, talking to people, and enjoying the neighborhoods. Mr. Brussow encouraged the Planning Commission to consider allowing the temporary enclosures. He related that their first installation was in approximately 1999 at the Flat River Grill in Lowell. They have recovered that twice, the walls, since the original installation. They are taken down in the spring and reinstalled in the fall. The material has an approximate 8-year life span. The frame is still there and it is just recovered. There are other systems that are roll-down. Those are a little looser and flop a bit in the wind. Mr. Brussow was amenable to working with staff on the different products that are available.

Mr. Van Strien advised that the Commission won't be able to take action today. He appreciates their willingness to work with staff to help craft some language. Mr. Van Strien has a sense that the Commission is likely amenable to some Ordinance amendments to allow for that.

Ms. Turkelson asked the Planning Commission if everything should come down in the spring, including the canopy, and go back to the umbrella style or, if they use that system, could they leave the canopy up if they wish?

Mr. Van Strien feels that being able to keep a canopy up, if it is a certain quality, makes sense. There are plenty of summer nights you can't sit outside without it.

Mr. Brussow added that for hundreds of years the canopy and café sidewalk seating has been very popular. He shared that that was how they got approval in Lowell. At that time Lowell said no, because it is a historical area, but what they found in photographic evidence was that the historic building that had occupied the site used to have a canopy café.

Ms. Turkelson referred the Planning Commission to the Use Table noting that it breaks out the NOS District and it talks about the temporary uses of 89 days or less and 90 days or more. Ms. Turkelson clarified that if there is no existing primary use of a property, then the permanent installation of food trucks is not permitted. The intent is to encourage office or industrial property to be used as zoned.

Ms. Turkelson also clarified that the intent was that it would be 90 days within a 12-month period. She wasn't explicit in the proposed language and, should the Planning Commission be amenable, that will be clarified before moving it forward to the City Commission.

Ms. Joseph asked if it could be 90 days within a calendar year.

Ms. Turkelson replied that it could go by calendar year but staff has found calendar years more restrictive. If someone comes in December 1, they would be permitted for 30 days and then would have to re-apply. It is more challenging to track for staff.

Ms. Joseph referred to packet page 103/page 16.24 under Article 16 - Definitions and asked if the sentence following the title Mobile Food Vending should include *serving or offering for sale food and/or beverage...*

Ms. Turkelson agreed and noted the necessary correction.

Ms. Joseph recalled from the report that was included in the packet that there was language about trucks having to be connected to a kitchen somewhere. She asked if that is a requirement.

Mr. Turkelson replied no. Tying it to a brick and mortar business within the City felt like it went against the purpose and intent of what they've heard to date.

Mr. Rozeboom suggested that the Qualified Review Process hinges on the ability to communicate with neighbors. He recalled that they were previously exploring different community engagement opportunities and asked if any decisions have been made on that.

Ms. Turkelson replied that what used to be the Urban Core Collective is now Develop with Us. The discussions on the community engagement are ongoing. They are presenting to the Economic Development Project Team next month. Mr. Bartley clarified that Develop with Us is the joint committee of the UCC and City staff. UCC is still operating. The presentation next month will be to the Economic Development Project Team to talk about enhancing community engagement, which includes signs on the property and several other methods. Ms. Turkelson added that they hadn't talked about signs just for a Notice of Filing; they would be intended if a public hearing is scheduled.

Mr. Van Strien asked the cost of making an application for greater than 90 days but not to the point where there is a public hearing.

Ms. Turkelson replied that it would be Director Review, which is approximately \$1,100. They don't have all of the logistics in place yet but her thought is that they would require the full Special Land Use fee, \$2,100, up front and reimburse the difference between the Director Review and the Special Land Use, if a public hearing is not required.

Mr. Van Strien felt it was odd for them to have to write that check.

Ms. Turkelson replied that, if it is a concern, they could charge just the \$1,100 Director Review price and if an objection or request for public hearing is received then staff could refrain from noticing for the public hearing until the applicant brought in the difference between the two.

Ms. Behler felt that made more sense. It would give the applicant the option of abandoning the request and not proceeding with a public hearing.

Ms. Turkelson agreed. It would also avoid the reimbursement process for staff. Ms. Turkelson expressed her appreciation for that feedback. At this point she doesn't see any impediment to structuring it that way.

Ms. Joseph understands that the concept is based on a property by property basis and it would allow for a property to have food trucks rotating. Her understanding of the Ordinance however is that the food truck is the applicant.

Ms. Turkelson clarified that the applicant could be the property owner or the food truck vendor. It is parcel specific and doesn't hinder the same food truck from applying for a temporary use permit at another location.

Mr. Treur asked if the threshold for going from Qualified Review to Special Land Use public hearing would be just one person requesting the hearing.

Ms. Turkelson replied yes.

Mr. Van Strien asked if there is any requirement that they attend the public hearing and give testimony.

Ms. Turkelson replied no.

Mr. Treur expressed concern that one person could end up costing the applicant an additional \$1,000.

Mr. Davis asked if they have to cite rationale related to the review standards.

Ms. Turkelson replied that staff can continue to work with the City Attorney's Office on that. However, the way they read the State Enabling Legislation is that if objection or request for a hearing is received from a person who has received the Notice of Filing then a public hearing will be scheduled. Ms. Turkelson doesn't know that they could be more restrictive in terms of setting standards for who has standing to make that request and who doesn't.

Mr. Davis asked if it is only those that receive notice that are allowed to request it.

Ms. Turkelson replied that they are waiting for an opinion from the City Attorney's Office on that. The way it was initially interpreted is that it would need to be a person within the 300' notification radius. They are also hoping that City staff has the ability to make the request also, which they do for all other processes; the ability to bump the Director Review to the Planning Commission. Ms. Turkelson indicated that she is more concerned that that would eliminate the

ability of neighborhood associations or business associations from making the request. Staff continues to work through that but at this point it appears that only those within the 300' notification range have the ability to request a hearing.

Mr. Van Strien asked how the language they are considering will be interpreted if they don't yet know if the Qualified Review is limited to the people within 300'.

Ms. Turkelson asked if that would change the Commission's view of the proposed Ordinance amendments.

Mr. Van Strien indicated that he would support making it more restrictive on who can request the public hearing. Mr. Treur agreed. He would like to see a higher bar to have to cross before it becomes a Qualified Review. It would be nice if it wasn't triggered by just one person. It could be a vendetta or a competitive food truck that wants to cause someone else additional work.

Ms. Turkelson felt that setting a number for how many it would take to make the request would be problematic.

Mr. Van Strien expressed his support for making these changes but he wants it to work the way it is intended to work. Others agreed. Mr. Van Strien also suggested they may be overthinking it. 90 days may be enough time to establish yourself and prove you won't have detrimental impacts. At that point would it really matter if they had to come for a public hearing. Mr. Van Strien doesn't like the ease of one person being able to shut someone down or pushing them into a higher standard than others. Mr. Treur added that the Ordinance could be amended in the future once they have some experience with it.

Ms. Turkelson expressed her understanding that, if possible, the Commission would like standards set for what qualifies as a reasonable objection or request and/or set a standard for how many people it would take to make an objection or request to move it to the Special Land Use process. She clarified that she isn't certain either will be possible.

Mr. Van Strien feels that factor of this new category will be problematic for all of the use types that fall under it; ADUs, etc. Therefore, for staff and the Attorney's Office to try to figure out how it will work is important.

Ms. Collier asked if an exception could be made for a neighborhood organization that falls outside of the 300'.

Ms. Turkelson replied that is staff's goal; that either an affiliated group or anyone impacted should be able to make that request for a public hearing.

Ms. Behler suggested being mindful of the language because a Restaurant Association or broader competitive association could claim to be an impacted group and trigger that public hearing.

Ms. Turkelson recalled direction from former Assistant City Attorney Tom Forshee that there are guidelines as to what qualifies as legal standing; who has the right/standing. There are court

cases that define who has standing to appeal a Board of Zoning Appeals decision and staff would look to mirror that.

Mr. Davis provided a positive example of the West Grand Neighborhood Organization working pretty well with the West Leonard Business Association. They are able to have conversations privately before reaching a public venue where they have to interfere or potentially disagree. That isn't always the case. If allowing for neighborhood associations to weigh in, he would want to make sure the business association is given that same consideration. At the same time that could be a slippery slope but he feels if allowing for one to make that request, they should both be afforded that right.

Ms. Turkelson agreed. If a business is located within a recognized authority, whether a business or neighborhood association or CID board, that any of those authorities would have the ability to request a hearing.

Mr. Rozeboom asked why automatic Qualified Review is proposed for the City Center District vs. Director Review.

Ms. Turkelson asked if his thought was to treat it like the NOS or IT Districts.

Mr. Rozeboom agreed.

Ms. Turkelson replied that she hadn't considered that. She was treating all business zone districts alike, understanding that there is sometimes tension between brick and mortar and mobile vending. The Food Truck Association worked hard on zones and established specific zones in the downtown. This feels like it is in line with that as they still have to be within those recognized zones by the Ordinance when on public property and public streets. Would allowing them to locate on private property disincentivize them from utilizing the public streets or the pods? This may be a more conservative approach. If found to be too restrictive or to have negative impacts it could be amended.

Mr. Van Strien recalled that there was a lot of push back from the downtown restaurants with respect to food trucks.

Ms. Turkelson also confirmed that the existing pods/uses can continue.

Mr. Treur appreciates cleaning up the outdoor seating language. He also likes the idea of exploring the temporary canopy enclosures for outdoor seating. Anything that may add vibrancy to the street and allow for longer use of outdoor seating is a win situation.

Mr. Davis appreciates staff's willingness to educate themselves and help the Commission understand the quality of materials that would be desirable if making that amendment.

Mr. Treur added that he likes the idea of having standards for high quality materials, transparency, etc. He also supports the idea of the canopy remaining in place even after the temporary sidewalls would come down.

Ms. Turkelson clarified that the canopy is already permitted. It is the enclosure that is in question.

Mr. Treur **MOVED, NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Commission approve the proposed Text Amendments to the Zoning Ordinance, with modifications as identified during discussion, for the following reasons:

1. The proposed amendments are consistent with the purpose and intent of the Master Plan and Zoning Ordinance, because the amendments are intended to expand opportunities for culinary creatives, promote vibrant places and support the City's placemaking objectives for commercial districts.
2. The proposed amendments will enhance the functionality or character of the future development in the City because the amendments promote culinary entrepreneurship, small business development, placemaking and city building.
3. The proposed amendments will protect the health, safety, morals, and general welfare of the public because the amendments will allow for a more refined and tailored approach to the review process for mobile food vendors by providing an opportunity for public input where it is desired and streamlining the review process for locations where mobile vending is desired and supported by the neighborhood/business districts.
4. The proposed amendments regarding outdoor seating with the service of alcohol are needed to correct errors or omissions in the original text and provide consistency between Ordinance sections.
5. The proposed amendments will address a community need in physical or economic conditions or development practices because there has been an expressed desire to support culinary entrepreneurship within the City and these amendments will facilitate that objective.
6. The proposed amendments will not result in the creation of significant nonconformities in the City because the amendments are intended to revise the zoning review process for permitted mobile food vendors and will not affect existing use regulations. Therefore, the proposed amendments will not impact any existing and legally permitted vendors.

SUPPORTED by Mr. Davis. **MOTION CARRIED UNANIMOUSLY.**

RESULT:	RECOMMENDED TO CITY COMMISSION [UNANIMOUS]
MOVER:	Rick Treur, Board Member
SECONDER:	James Davis, Member
YEAS:	Rozeboom, Collier, Behler, Davis, Van Strien, Brame, Treur, Joseph
ABSENT:	Paul Greenwald

Mr. Van Strien temporarily excused himself from the meeting. Mr. Rozeboom called the next agenda item.



Grand Rapids Food Trucks

Zoning Update

April 1, 2019



Timeline

February 2016:
Mayor Bliss addressed
food truck policy
evaluation

September
2016:
Pilot Ordinance for
food trucks on public
property took effect

May 2018:
Resolution to extend
Pilot Ordinance from
Sep. 2018 to Sep.
2019

February 2019:
Planning Commission
public Hearing

October 2018:
Research and public
engagement for
private property policy

April 2018:
City Commission
Zoning Ordinance
consideration

August 2016:
Pilot Ordinance for
food trucks on public
property approved

March 2018:
Year One Performance
Report - Pilot
Ordinance Success

July 2018:
Shift focus from
public to private
property

January 2019:
Year Two Performance
Report - Pilot
Ordinance Success

P H A S E 1

P H A S E 2



Current Permitting Process

Use	Special Event	Ancillary	Primary
Special Event Permit	Temporary Use on Public Property	Temporary Use on private property	Outdoor Food Preparation and Cooking Permanent use on private property
Department			
Office of Special Events	Planning	Planning	
Permit and Procedure			
<ul style="list-style-type: none"> Walk in permit for parks Hood meter in any food truck opportunity area for all day use Pay the meter for desired duration 	<ul style="list-style-type: none"> Must be accessory to an allowed use on the same lot or associated with a fundraising or assembly activity Administrative review Less than a week to process May operate for 14 days, two times in 12 months 	<ul style="list-style-type: none"> Hearing before the Planning Commission Six to eight weeks to process Use is permanent unless abandoned or revoked May operate for no more than 200 days in a calendar year 	
Cost			
\$35 for parks or cost of meters	\$77	\$2,015	

TOP CITIES FOR FOOD TRUCK OPERATORS



Indicators:

- Clearest & easiest steps to obtain permits
- Procedures to obtain permit
- Cost of operation
- Complying with restrictions

Food Truck Index

U.S. Chamber of Commerce Foundation

Modeled after the World Bank "Doing Business" indicators

Phase Two Engagement Efforts

- Presentations:
 - Corridor Improvement Districts
 - Neighborhood Business Alliance
 - Grand Rapids Chamber of Commerce
 - Grand Rapids Hispanic Chamber of Commerce
 - Urban Core Collective
 - Neighborhood business associations representatives
- Survey
- Planning Commission Public Hearing

Trocas de Comida en Propiedad Privada

Distrito de Negocios: _____ Tipo de Negocio: _____

Favor de responder las siguientes preguntas de las Trocas de Comida en Propiedad Privada y regrese la encuesta para el Octubre. Gracias!

Correo: City of Grand Rapids Planning Department, 1120 Monroe Ave. NW, Grand Rapids MI 49503
 Correo Electrónico: planning@grcity.us La encuesta también está disponible en línea: <https://tinyurl.com/grfoodtm>

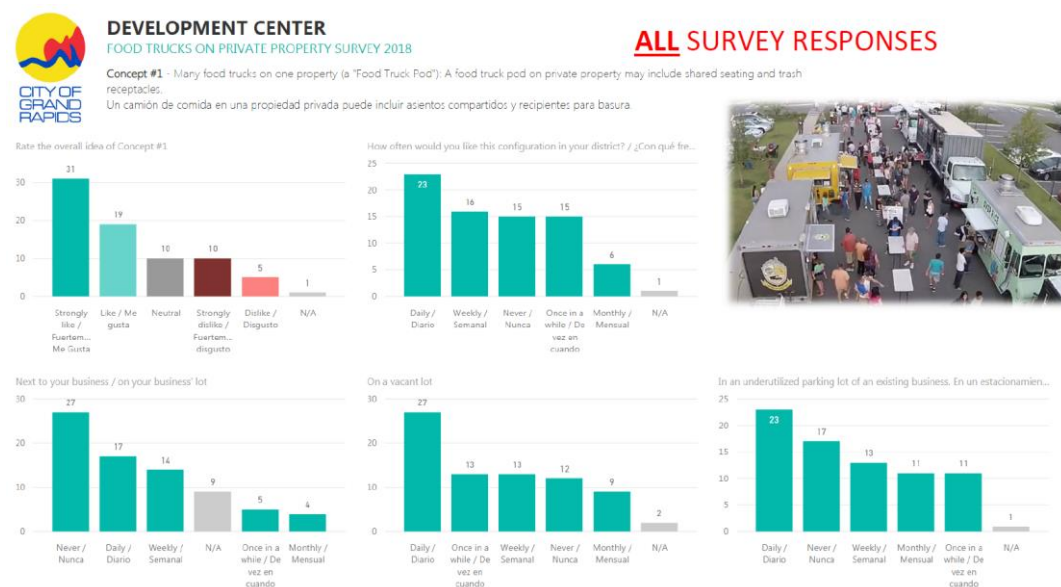



	Muchas trocas de comida en una propiedad (a "food truck pod")	Trocas de comida repartidos por un distrito comercial	Trocas de comida repartidas por un parque industrial o de oficina
1. Califica esta idea en general	Mala 1 2 3 4 5 Buena	Mala 1 2 3 4 5 Buena	Mala 1 2 3 4 5 Buena
2. Que tan seguido quisiera las trocas de comida en su distrito?	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre
3. En un estacionamiento inutilizado de negocios existentes	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre
4. Un terreno vacío	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre
5. Al lado de su negocio/ en su negocio?	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre	Nunca 1 2 3 4 5 Siempre

Comentarios adicionales:

Gracias por participar! Si se quiere mantener en contacto favor de poner su información debajo.

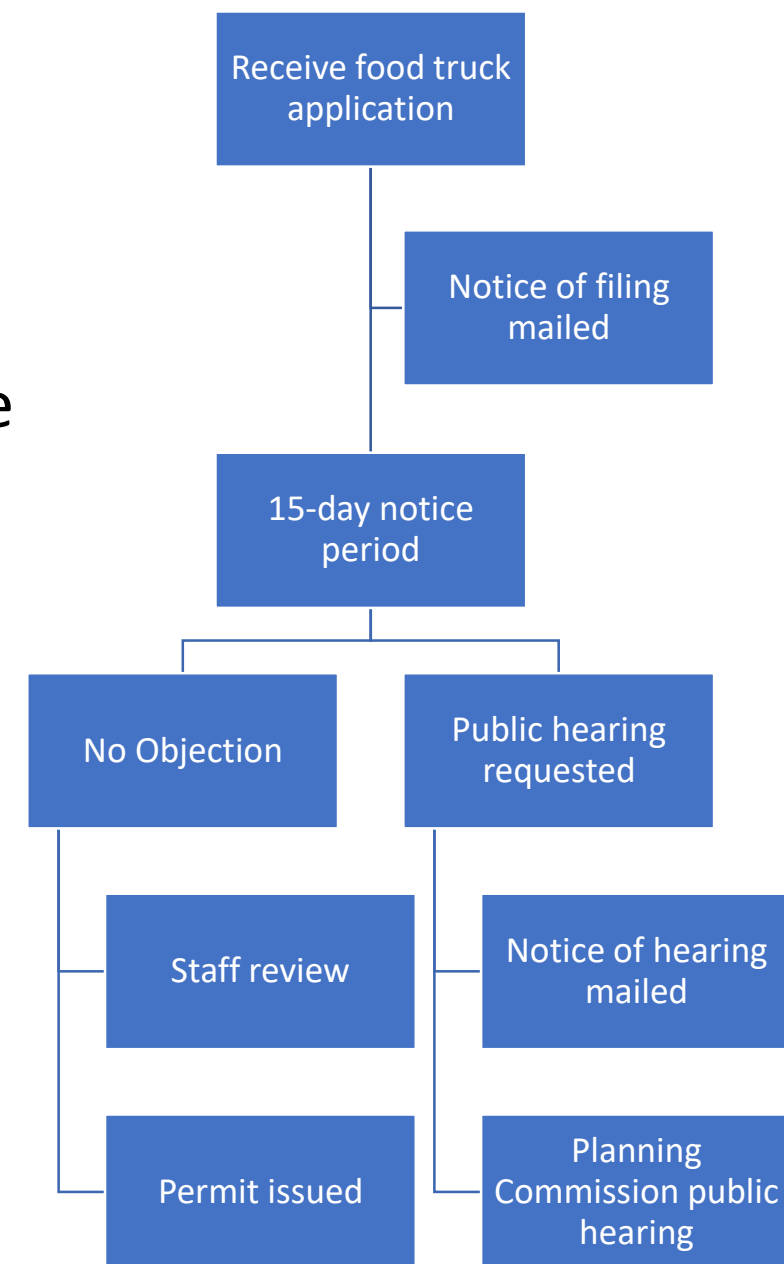
Nombre: _____ Correo Electrónico: _____ Telefono: _____



Proposed Permitted Process

- Food Truck = Mobile Food Vendor
- Administrative / staff review in the NOS and IT Zone Districts
- Qualified Review in all the other mixed-commercial Zone Districts

Ancillary Use		Primary Use
Less than 90 days	More than 90 days	Any duration
Temporary Use Permit	Qualified Review	Qualified Review
Staff review	Notice of filing to neighbors within 300 feet	Notice of filing to neighbors within 300 feet
	Neighbor request for public hearing = Planning Commission Review	Neighbor request for public hearing = Planning Commission Review
	No neighbor request for public hearing = staff review	No neighbor request for public hearing = staff review



MW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Sara VanderWerff, City Comptroller
Comptroller's Office

SUBJECT: Conference Travel Request- Sara Vander Werff

This request is for authorization for Sara Vander Werff to travel to Chicago, IL for a conference - The Essentials-Targeting Your Career in Public Finance, April 24-26, 2019.

This will enhance my knowledge of tax, securities, state law, and structuring concepts inherent to public finance, helping me hone my understanding of municipal finance.

Please see the attached regarding the conference. There is budget authority available in the Comptroller Department for this travel.

Thank you.

attachment

Prepared by Jackie Frey

CORRECT IN FORM

DEPARTMENT OF LAW

The Essentials

Targeting Your Career in Public Finance

The Essentials offers a comprehensive overview of the core areas of public finance. First-time bond lawyers and other market participants receive a straightforward introduction to core laws relevant to the practice, and attendees with multiple years of experience gain the broad expertise necessary for a full, sound practice in public finance.



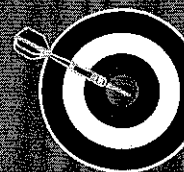
Benefits of Attending

- ▶ Bolster your knowledge of tax, securities, state law, and structuring concepts inherent in public finance.
- ▶ Receive comprehensive, up-to-date resource materials to facilitate your day-to-day practice.
- ▶ Connect with top professionals, peers, issuers, and other public finance market participants.
- ▶ Earn up to 15 hours of CLE credit, including ethics credit.

Who Should Attend The Essentials?

Are
you?

- ▶ A bond lawyer wanting a more comprehensive understanding of the practice?
- ▶ A lawyer in your first few years in the field?
- ▶ An issuer or industry professional wanting to hone your understanding of municipal finance?
- ▶ A paralegal looking to deepen your understanding of municipal finance law?
- ▶ A lawyer seeking a general understanding of public finance?



If your answer to any of these questions is "yes," The Essentials is the conference for YOU! It's specifically designed to cover all core elements of public finance law and practice. It is ideal for attorneys, paralegals, government officials and employees, broker-dealers, financial advisors, trustees, and other market participants.

This conference is open to anyone, so you do not need to be a NABL member to attend. Repeat attendees are strongly encouraged to sign up. In fact, repeat participants report substantial benefit from attending multiple years of the conference.



Chair

Rod Kanter

Bradley Arant Boult Cummings LLP
Birmingham, AL



Vice Chair

Barbara Jane League

Orrick Herrington & Sutcliffe LLP
Houston, TX

NABLU
PRESENTS THE ESSENTIALS



NABLU Presents

The Essentials

Targeting Your Career in Public Finance

April 24-26, 2019 | Chicago, IL
The Westin Chicago River North

Fax completed form to (202) 637-0217
email to registration@nabl.org
or mail to: National Association of Bond Lawyers
601 13th Street, N.W., Suite 800 S., Washington, DC 20005

Registration Fees

(NABL membership is by individual, not by firm.)

☐ \$725.00 Member rate (Join NABL and save over \$150 on the registration fee.)

☐ \$1,325.00 Non-member rate

☐ \$725.00 Federal/State/Local Government

☐ \$200.00 - Fundamentals of Municipal Bond Law Book

(Discounted price for attendees only. The book will be shipped after Essentials).

Registration Information: Print or type the information requested below. One form per person.

Full Name _____

First Name on Badge (as you would like it to appear) _____

Law Firm/Company/Employer _____

Address _____

City, State, Zip _____

Telephone, Email _____

Date admitted to practice _____

List your Continuing Legal Education State/s & CLE Number/s _____

List Special Dietary and/or Accessibility Needs _____

Method of Payment:

☐ Check: Please make check payable to:
NATIONAL ASSOCIATION OF BOND LAWYERS
Enclosed is the registration fee of \$ _____

Or Charge My: ☐ AMEX ☐ Visa ☐ MasterCard ☐ Discover
Credit Card Account Number _____

Expiration Date _____

Name on Credit Card _____

Signature _____

Session Preferences:

Review the sessions below and select ONE per time slot.

Thursday, April 25

10:15am to 11:30am - Target Sessions 1

- ☐ Avoiding Private Activity - Tax
- ☐ Bank Direct Purchases - Securities
- ☐ Deal Gone Bad - General
- ☐ The Role of Underwriter's Counsel - Securities
- ☐ Underwriting: Behind the Scenes - Securities

Optional Bonus Sessions

- ☐ Achieving Success at Your Practice - Large Firm (12pm - 1pm)
- ☐ Achieving Success at Your Practice - Small Firm & S Practice (12pm - 1pm)
- ☐ Issuer's Counsel Session (11:30am-1:00pm)

1:15pm - 2:30pm - Target Sessions 2

- ☐ Arbitrage and Rebate - Tax
- ☐ Ethics for Bond Attorneys 101 - General
- ☐ Qualified 501(c)3 Bonds - Tax
- ☐ State Law Issues - Ethics
- ☐ The Role of Underwriter's Counsel - Securities

2:45pm - 4:00pm - Target Sessions 3

- ☐ Bank Direct Purchases - Securities
- ☐ IRS Issues and Enforcement - Tax
- ☐ Practical Due Diligence/Drafting the Disclosure Document - Securities
- ☐ Qualified Small Issue and Exempt Facility Bonds - Tax
- ☐ Refunding and Reissuance - Tax

4:15pm - 5:30pm - Target Sessions 4

- ☐ Avoiding Private Activity (Real World Examples) - Tax
- ☐ Closing Logistics - General
- ☐ Conduit Issues and Issuers - General
- ☐ Leases and Non-Traditional Financings - General
- ☐ Underwriting: Behind the Scenes - Securities

Friday, April 26

8:15am - 9:30am - Target Sessions 5

- ☐ Closing Logistics - General
- ☐ Ethics for Bond Attorneys 101 - General
- ☐ Practical Due Diligence/Drafting the Disclosure Document - Securities
- ☐ Refunding and Reissuance (Real World Examples) - Tax
- ☐ State Law Issues (Real World Examples) - General

9:45am - 11:00am - Target Sessions 6

- ☐ Arbitrage and Rebate (Real World Examples) - Tax
- ☐ Deal Gone Bad - General
- ☐ IRS Issues and Enforcement - Tax
- ☐ Qualified 501(c)3 bonds - Tax

For Office Use Only:

Member ID: _____ Check #: _____

MW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Sara VanderWerff, City Comptroller
Comptroller's Office

SUBJECT: **Resolution approving an Amendment to City Commission Policy Number 100-02 Use of Public Funds By Elected Officials For Travel and Other Expenses**

In March 1993, the City Commission approved a resolution authorizing the adoption the last amendment to this travel policy. The Policy needs to be updated for compliance with Internal Revenue Service (IRS) Regulations and guidelines. The other changes being made at this time are mainly scrivener's corrections for punctuation and spelling.

We ask for the City Commission's approval to make the travel policy changes including:

1. Definitions.

2. Update to the per diem at the standard published rate.

3. Clarification of eligibility of meal per diem.

Staff recommends modifications consistent with IRS Regulations and guidelines.

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution approving an amendment to City Commission Policy Number 100-02 Use of Public Funds By Elected Officials For Travel and Other Expenses.

WHEREAS,

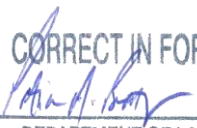
1. The Committee of the Whole approved City Commission Policy 100-02 on March 15, 1993, which provides guidelines for use of public funds by elected officials for travel and other expenses, and

2. City staff now recommends modifications consistent with IRS Regulations and guidelines;


RESOLVED:

That the attached City Commission policy 100-02 Use of Public Funds by Elected Officials is adopted as amended.

Prepared by Jackie Frey

CORRECT IN FORM

DEPARTMENT OF LAW

CITY COMMISSION POLICY

GRAND RAPIDS  MICHIGAN	NUMBER: 100-02	HISTORY	
	DATE: April 30, 1963	FILE #	DATE
	FILE NUMBER: 13621	14288	11/19/63
	DEPARTMENT: EXECUTIVE	21159	04/22/69
		25428	12/05/72
		27345	09/24/74
		29545	10/07/75
		33149	06/27/78
		36342	06/10/80
		49511	02/23/88
		57442	03/15/93

SUBJECT: USE OF PUBLIC FUNDS BY ELECTED OFFICIALS FOR TRAVEL AND OTHER EXPENSES

PURPOSE: To formalize the standard procedures for attendance of elected officials at conventions, conferences, regional meetings, training programs, and other official travel in which the cost is borne by the City. This policy also establishes guidelines for payment of local business expenses and use of City-owned vehicles.

POLICY:

A. Definitions.

1. Applicable Published Rates. The published rate schedule shall be determined by the Comptroller's office in accordance with IRS guidelines and published on the Comptroller's intranet site for reference.
2. Official Work Station. The official work station of an elected official shall be the address of that office.
3. Per Diem. A flat rate paid in lieu of travel reimbursements for people on overnight stays only.
4. Reasonable period of time. Actions that take place within the times specified in the following list will be treated as taking place within a reasonable period of time. (a) You receive an advance within 10 days of the time you have an expense. (b) You adequately account for expenses within 10 days after they were paid or incurred.

CITY COMMISSION POLICY

NUMBER: 100-02

Page 2 of 5

5. Travel status. The elected official must travel “away from home” in the pursuit of City business on a temporary basis. “Away from home” requires travel overnight, or long enough to require substantial “sleep or rest.”

B. Standards of Travel

1. Elected officials are encouraged to attend and participate in national, state, regional, and local meetings of organizations representing local government, appropriate to the office, including participation in the policy and program committees, e.g. National League of Cities, Michigan Municipal League, U.S. Conference of Mayors, and Government Finance Officers Association. The Mayor and each City Commissioner will normally attend only one national convention/conference a year. Additional travel to conventions/conferences will be considered by the City Commission based on a written request submitted by the elected official. Such request will specify the date(s), location, estimated cost to be incurred, and an explanation of the benefits to be derived by the City of Grand Rapids.
2. Authorization to attend any such conferences or meetings shall be formally requested by and granted to a specific elected official by motion at any meeting of the Committee of the Whole some reasonable time prior to the date of the meeting.
3. No elected official is authorized to attend, at City expense, any conventions/conferences occurring subsequent to an election which certifies a person other than the incumbent. Exceptions to this rule will only be granted by resolution of the City Commission acting on a written request of the elected official.
4. Conduct of Delegates. The conduct of elected officials attending conferences, training programs, etc., or conducting official business out-of-town is a reflection of the standard of City government in Grand Rapids. The fact that the City is bearing a major portion of the expense is recognition of the principle that the benefits accrue to the City as well as to the individual. Therefore, elected officials will obtain a maximum amount of beneficial training and information and at all times exhibit conduct that reflects positively on the City.
5. All elected officials are required to provide a report on knowledge acquired or information obtained within thirty (30) days of the trip. The report may be delivered orally or in writing at any City Commission or Committee of the Whole meeting.

CITY COMMISSION POLICY

NUMBER: 100-02

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C. Advances, Expenses, and Reimbursements for Official Travel:

1. Advances. In the use of City funds, elected officials are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business. Elected officials may receive an advance from the City for estimated out-of-pocket expenses on an exception basis if requested within a reasonable period of time. Unexpended advances must be promptly reported to the City Comptroller and deposited with the City Treasurer within ten (10) working days after the return of the official. If reports are not filed and funds are not promptly deposited, the City Comptroller shall notify the official. If reports are not filed and funds are not deposited within an additional ten (10) working days, the City Comptroller shall notify the City Commission (Fiscal Committee – “Comptroller Report”). Failure to comply within the time specified may result in the denial of travel advance privileges in the future.
2. Transportation Expenses. The expense of traveling by public carrier will be allowed on the basis of actual cost. However, transportation expense in excess of the cost of tourist or coach airfare (round trip), will not be allowed unless justification is given in writing and the approval of the City Commission is obtained before leaving on the trip. Transportation to conferences/conventions shall be arranged such that no more than three members of the City Commission travel as a group on a public conveyance. If travel is by private automobile, to a point less than 500 miles, the official shall be paid at the mileage rate authorized in the general City employee bargaining unit contract. For distances in excess of 500 miles, the official shall be paid the equivalent of tourist or coach airfare (round trip). City funds shall not be used and officials will not be reimbursed for lodging and meals for the extra travel time required when driving out of state. Parking and local transportation expenses shall also be allowed on the basis of actual cost.
3. Hotel Expenses. Only hotel or motel expenses in the convention or conference city metropolitan area will be allowed. The maximum expense for lodging will be the single occupancy standard room rate per day. Officials shall seek a cash advance or submit a bill for reimbursement to cover hotel expense. Elected officials choosing lodging based on personal preference are responsible for paying any additional costs incurred. Reimbursement will not be made for personal items such as non-business-related long-distance telephone calls, valet service, laundry, entertainment, etc.
4. Registration Fees. Registration fees will be on the basis of actual registration charge. When preregistration is required, the fee may be charged to the City providing that approval has been obtained for the trip.

CITY COMMISSION POLICY

NUMBER: 100-02

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5. Per Diem and Reimbursable travel expenses. The per diem allowance may be authorized by the Commission when an elected official is on travel status. The per diem allowance will be held to include all charges for meals and incidental expenses. It may be established when it is to the mutual benefit of the elected official and the City. The applicable published rate represents the maximum approved reimbursement rates for authorized travel. Personal expenses, including alcoholic beverages, are not reimbursable. An elected official is not eligible for reimbursement of meal or lodging costs that are:

- Purchased within the official work station.
- Purchased within the elected official's city of residence.
- Furnished without charge.
- Included in the conference registration fee.
- Purchased for guests, unless incurred as a Local Business Expense by the Mayor as hereinafter provided.

All receipts supporting reimbursable travel expenses must have the following elements clearly printed to be acceptable:

- Date expense incurred
- Amounts
- Vendor name and city
- Itemized purchases (credit card receipt is not enough)
- General description of the items.

Meals. Reimbursement for the actual cost of meals cannot exceed the applicable maximum published per diem rate, including tax and gratuities, except for Conference attendance when supported by program literature and a receipt.

When the duration of travel includes a partial day, the following schedule determines eligibility for meal per diem:

<u>Reimbursable Meal</u>	<u>Travel begins before</u>	<u>Travel extends past</u>
Breakfast	6:00 a.m.	8:30 a.m.
<u>Lunch</u>	<u>11:30 a.m.</u>	<u>2:00 p.m.</u>
<u>Dinner</u>	<u>5:30 p.m.</u>	<u>7:00 p.m.</u>

If an elected official is eligible for reimbursement of more than one meal in a day, the amount expended for particular meals in the day is left to the elected official's discretion. Reimbursement is limited to the combined total of the applicable published meal rates of the eligible meals.

CITY COMMISSION POLICY

NUMBER: 100-02

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6. Statement and Evidence of Travel Expense. All travel expenses shall be submitted on a form prescribed by the Comptroller's office within a reasonable time. This form will be filled out completely and submitted to the City Comptroller's Office for processing. All expense account forms shall be filed on an individual basis only.

Receipts for the hotel bill, registration fee and transportation expense shall also accompany the original of the expense account form and forwarded to the City Comptroller within a reasonable time for auditing and payment. Receipts and per diems not provided or requested within a reasonable period of time may not be reimbursed or may be denied.

7. Comptroller's Report. Each month, the Comptroller shall file a report with the City Commission, showing the total amount of expenditure for each elected official for the previous month.
8. Exceptions. If warranted by unusual circumstances or conditions, exceptions to the foregoing standards and rules may be allowed upon the approval of a majority of the City Commission.


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E. Use of City-Owned Cars

1. The Mayor may for business and personal use be permanently assigned a medium-priced automobile. Other elected officials may use City automobiles only for official travel.
2. Other elected officials may use City vehicles for in-state conventions, conferences, seminars, training programs, and other City-related business trips.

CITY COMMISSION POLICY

GRAND		HISTORY	
<div><div><div><div>GRAND</div><div>RAPIDS</div></div><div></div><div>MICHIGAN</div></div></div>	NUMBER: <u>100-02</u>	<div><div>HISTORY</div><div>FILE #<div>DATE</div></div></div>	
	DATE: April 30, 1963	14288	11/19/63
			2115904/29
	FILE NUMBER: <u>13621</u>		
			2542812/02
			2734509/24
	DEPARTMENT: <u>EXECUTIVE</u>		
		3314906/28	
		3634206/10	
		4951102/28	
		5744203/13	

Comptroller - Amendment to City Commission Policy)

SUBJECT: USE OF PUBLIC FUNDS BY ELECTED OFFICIALS FOR TRAVEL AND OTHER EXPENSES

PURPOSE: To formalize the standard procedures for attendance of elected officials at conventions, conferences, regional meetings, training programs, and other official travel in which the cost is borne by the City. This policy also establishes guidelines for payment of local business expenses and use of City-owned vehicles.

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Attachment: redline_cc_travel_policy (Comptroller - Amendment to City Commission Policy)

4. Reasonable period of time. Actions that take place within the times specified in the following list will be treated as taking place within a reasonable period of time. (a) You receive an advance within 10 days of the time you have an expense. (b) You adequately account for expenses within 10 days after they were paid or incurred.

CITY COMMISSION POLICY

NUMBER: 100-02

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2. Authorization to attend any such conferences or meetings shall be formally requested by and granted to a specific elected official by motion at any meeting of the Committee of the Whole some reasonable time prior to the date of the meeting.

CITY COMMISSION POLICY

NUMBER: 100-02

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CITY COMMISSION POLICY

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~~CITY COMMISSION POLICY~~

NUMBER: 100-02

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CITY COMMISSION POLICY

NUMBER: 100-02

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CITY COMMISSION POLICY

NUMBER: 100-02

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~~2. 6. Per Diem. Allowances for meals together with all other miscellaneous expenses, including local transportation and parking, are set for 1988 at \$50.00 per day or any fraction of a day exceeding 12 hours. This per diem will be adjusted annually on January 1, based on the latest available 12 month change in the Consumer Price Index (CPI). Per diem shall be paid on the basis of a statement of time spent out of the City. However, City funds shall not be used, and elected officials shall not be reimbursed for expenses incurred due to the extra time required when exercising the option of using their personal cars.~~

Statement and Evidence of Travel Expense. Within ten (10) working days after the return of the official, all ~~all~~ travel expenses shall be itemized submitted on the special ~~the special~~ form titled: "City of Grand Rapids Expense Account." ~~prescribed by the Comptroller's office within a reasonable time.~~ This form will be filled out completely, ~~in duplicate,~~ and submitted to the City Comptroller's Office for processing. All expense account forms shall be filed on an individual basis only.

Receipts for the hotel bill, registration fee and transportation expense shall also accompany the original of the expense account form. ~~Both copies will be and~~ forwarded to the City Comptroller for auditing and payment within a reasonable time. Receipts and per diems not provided or requested within a reasonable period of time may not be reimbursed or may be denied.

7. Comptroller's Report. ~~At the end of each~~ Each month, the Comptroller shall file a report with the City Commission, showing the total amount of expenditure for each elected official for ~~that~~ the previous month.

~~CITY COMMISSION POLICY~~

NUMBER: 100-02

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8. Exceptions. If warranted by unusual circumstances or conditions, exceptions to the foregoing standards and rules may be allowed upon the approval of a majority of the City Commission.

D. Local Business Expense

1. The Mayor is authorized to incur any legitimate business-related expenses including the expenses of appropriate guests. Expenses requiring reimbursement shall be reported on a regular travel expense account form, together with a notation of the ~~number~~names of persons ~~and~~, the purpose involved, and the appropriate receipts. The completed expense account form must be received by the Comptroller's Office no later than ten working days after the meeting or activity.

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2. Other elected officials may use City vehicles for in-state conventions, conferences, seminars, training programs, and other City-related business trips.

MW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Kara Wood, Managing Director
Economic Development Department

SUBJECT: **Resolution establishing an Obsolete Property Rehabilitation District, pursuant to PA 146 of 2000, for 739 4th Street, LLC at 739 4th Street NW**

The attached resolution approves the establishment of an Obsolete Property Rehabilitation District, pursuant to PA 146 of 2000, for 739 4th Street, LLC (the "Developer") for a project located at 739 4th Street NW (the "Property"). A public hearing was held on the request on March 26, 2019.

The Property currently contains a 6,700 square foot church building and surface parking lot. The proposed project includes converting the church building into seven residential apartments and first-floor office space, as well as construction of a building addition containing six new residential apartments units. The Property is located in a low-density residential district; however, the Planning Commission approved a request for Special Land Use for the property to permit the project to be constructed as proposed. The Property is qualifying for the OPRA program by virtue of having been determined to be functionally obsolete by the City Assessor. The Developer has also submitted a Brownfield Plan Amendment for the project which has been recommended to the City Commission by the Brownfield Redevelopment Authority.

The subsequent agenda item contains a resolution scheduling a public hearing to consider an application for an Obsolete Property Rehabilitation Exemption Certificate for the project, and provides additional details on the project as well as project tax projections.

KLW/cb

Attachment

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution establishing an Obsolete Property Rehabilitation District, pursuant to PA 146 of 2000, for 739 4th Street, LLC at 739 4th Street NW.

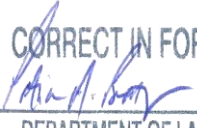
WHEREAS:

1. 739 4th Street, LLC has filed a request with the City of Grand Rapids for the establishment of an Obsolete Property Rehabilitation District, pursuant to PA 146 of 2000, at 739 4th Street NW; and
2. Before acting upon said request, a public hearing was held on March 26, 2019, in accordance with Section 3(3) of PA 146 of 2000; therefore

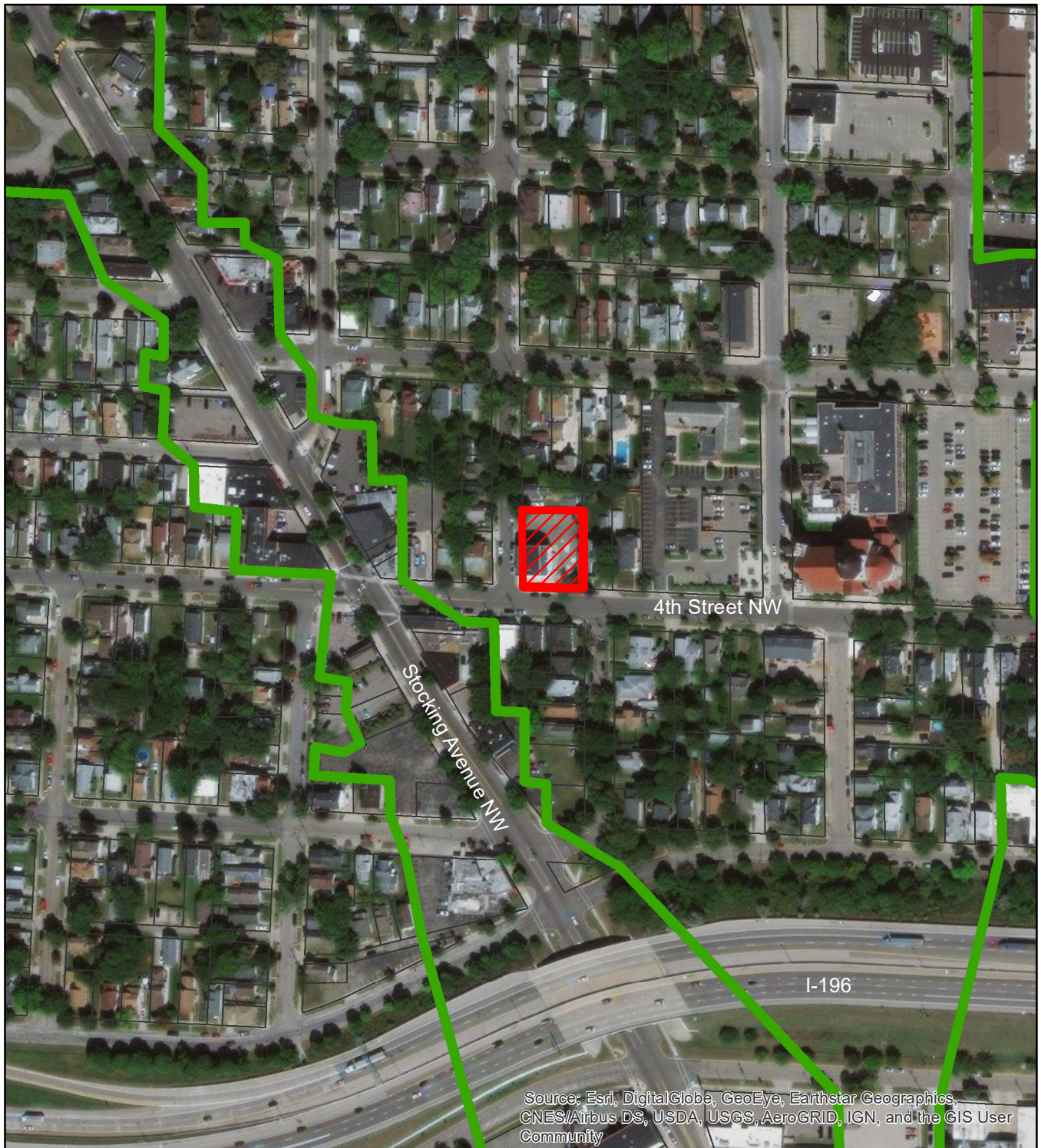
RESOLVED:

1. That based upon the facts and information submitted, the City Commission does hereby establish an Obsolete Property Rehabilitation District at 739 4th Street NW (PPN 41-13-24-310-004); and
2. That based upon the facts and information submitted, the City Commission does also hereby find and determine that the above-mentioned property is Obsolete Property as defined in Section 2(h) of PA 146 of 2000.

Prepared by Regina Pell and Christian Borg

CORRECT IN FORM

DEPARTMENT OF LAW

739 4th Street, LLC Proposed Brownfield / OPRA Project



Attachment: 739 4th - Map (Establishing OPRA District - 739 4th Street NW)



739 4th Street NW



WestSide CID

Economic Development Department
February 2019





CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole
LIAISON: Mark Washington, City Manager

FROM: Kara Wood, Managing Director
Economic Development Department

SUBJECT: **Resolution approving a ten-year Obsolete Property Rehabilitation Exemption Certificate, pursuant to PA 146 of 2000, for 739 4th Street, LLC at 739 4th Street NW**

Attached is a resolution approving an application for a ten-year Obsolete Property Rehabilitation Exemption Certificate, pursuant to PA 146 of 2000, for 739 4th Street, LLC (the "Applicant") for a project located at 739 4th Street NW (the "Property"). The previous agenda item contains information to consider the establishment of an Obsolete Property Rehabilitation District for the project.

The Property currently contains a 6,700 square foot church building and surface parking lot. The proposed project includes converting the church building into seven residential apartments and first-floor office space, as well as construction of a building addition containing six new residential apartments units. The Property is located in a low-density residential district; however, the Planning Commission approved a request for Special Land Use for the property to permit the project to be constructed as proposed.

The Property qualifies for the OPRA program by virtue of having been determined to be functionally obsolete by the City Assessor. The determination notes that the building suffers from design deficiencies, inadequate plumbing and mechanical systems, and inefficient doors and windows.

Total investment in the project is estimated at \$2.34 million, including \$2.1 million in hard construction costs. Five new permanent jobs are anticipated in connection with the project with average wages of \$21.63 per hour. Staff estimates that the residents of the apartments could generate approximately \$3,880 in new City income taxes annually, the first year of which will be contributed to the City's Affordable Housing Community Fund. The table below contains details of the proposed residential units provided by the Developer, which are not restricted by household income.

Number of Units	Est. Household Affordability	Est. Monthly Rent	Bedrooms
10	120% AMI	\$1,350	1
3	120% AMI	\$1,550	2

The project as proposed is permitted pursuant to the Planning Commission approval, and the project is in accordance with the City's Master Plan. There are no environmental concerns at the Property and the applicant is current on all of its tax liabilities to the City. The project was presented to the West Grand Neighborhood Organization (WGNO) on October 15, 2018; the WGNO is supportive of the project. A public hearing on the Obsolete Property Rehabilitation Exemption Certificate was held before the City Commission on March 26, 2019.

PROJECT PROJECTIONS		
	Total Amount	City of Grand Rapids Portion
Investment – Real Property	\$2,100,000	
Investment – Personal Property	\$0	
Existing Jobs Retained	0	
New Jobs	5	
Average Hourly Wage	\$21.63	
Total New Taxes Generated	\$33,215	\$5,743
Taxes Abated per year	\$21,141	\$4,747
Taxes Paid per year	\$12,074	\$996
New City Income Taxes per year		\$6,130

KW/cb

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution approving a ten-year Obsolete Property Rehabilitation Exemption Certificate, pursuant to PA 146 of 2000, for 739 4th Street, LLC at 739 4th Street NW.


WHEREAS, 739 4th Street, LLC has filed an application with the City of Grand Rapids for an Obsolete Property Rehabilitation Exemption Certificate under PA 146 of 2000; therefore

RESOLVED:

1. That the local unit is a Qualified Local Governmental Unit; and
2. That the Obsolete Property Rehabilitation District was legally established by the City Commission April 9, 2019 after a public hearing held on March 26, 2019 as provided by Section 3 of PA 146 of 2000; and
3. That the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under PA 146 of 2000 and under PA 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the unit; and
4. That the application is being approved after a public hearing held on March 26, 2019, as provided by Section 4(2) of PA 146 of 2000; and
5. That the applicant is not delinquent in any taxes related to the facility and that the application is for Obsolete Property as defined in Section 2(h) of PA 146 of 2000; and
6. That all of the items required as attachments for the Application for an Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant; and
7. That the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and
8. That the application relates to a rehabilitation project that, when completed, constitutes a rehabilitated facility within the meaning of PA 146 of 2000 and that it is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under PA 146 of 2000 to establish such a district; and
9. That upon completion of the rehabilitation facility it is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, create employment and revitalize urban areas; and

10. That the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by Section 2(l) of PA 146 of 2000; and
11. That the date of completion of the 739 4th Street, LLC facility located at 739 4th Street NW, the subject of the Obsolete Property Rehabilitation Exemption Certificate, shall be December 31, 2019; and
12. That the cost of the real property improvement is estimated at \$2,100,000; and
13. That the State Equalized Value (SEV) of the real property, excluding land subject to the obsolete property for the tax year is tentatively \$109,300 and the taxable value is tentatively \$109,300; and
14. That the certificate for 739 4th Street, LLC is approved for a period of ten (10) years, pursuant to PA 146 of 2000, based on the jobs created, increase in commercial activity, increased revenue due to the increased value of the SEV as currently projected, and the economic value to the community as stated in the hearings; and
15. That the term of the exemption will not be extended beyond the term approved by this resolution; and
16. That upon approval as to form by the City Attorney, the Mayor is authorized to sign the Memorandum of Understanding for 739 4th Street, LLC.

Prepared by Regina Pell and Christian Borg

CORRECT IN FORM

DEPARTMENT OF LAW



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole

LIAISON: Mark Washington, City Manager

FROM: Kara Wood, Managing Director
Economic Development Department

SUBJECT: **Resolution approving a Brownfield Plan Amendment for 739 4th Street, LLC for a project located at 739 4th Street NW**

Attached is a resolution approving a Brownfield Plan Amendment filed by 739 4th Street, LLC (the "Developer") for the property located at 739 4th Street NW (the "Property"). The Property qualifies for the Brownfield Redevelopment program as a "facility" due to the presence of numerous contaminants in the soil at concentrations exceeding the current General Residential Cleanup Criteria. The Developer has also submitted an application for a 10-year Obsolete Property Rehabilitation (OPRA) Exemption Certificate.

The Property currently contains a 6,700 square foot church building and surface parking lot. The proposed project includes converting the church building into seven residential apartments and first-floor office space, as well as construction of a building addition containing six new residential apartments units. The Property is located in a low-density residential district; however, the Planning Commission approved a request for Special Land Use for the property to permit the project to be constructed as proposed.

Total investment in the project is estimated at \$2.34 million, including \$2.1 million in hard construction costs. Five new permanent jobs are anticipated in connection with the project with average wages of \$21.63 per hour. Staff estimates that the residents of the apartments could generate approximately \$3,880 in new City income taxes annually, the first year of which will be contributed to the City's Affordable Housing Community Fund. The table below contains details of the proposed residential units provided by the Developer, which are not restricted by household income.

Number of Units	Est. Household Affordability	Est. Monthly Rent	Bedrooms
10	120% AMI	\$1,350	1
3	120% AMI	\$1,550	2

The application requests reimbursement of up to \$148,900 of brownfield eligible activities, including environmental site assessment, demolition, lead and asbestos abatement, site preparation and public infrastructure improvements. Reimbursement of eligible costs is anticipated to occur over a period of 12 years, with five additional years of capture for the Local Brownfield Revolving Fund.

The project as proposed is permitted pursuant to the Planning Commission approval, and the project is in accordance with the City's Master Plan. There are no significant environmental concerns at the Property and the applicant is current on all of its tax liabilities to the City. The project was presented to the West Grand Neighborhood Organization (WGNO) on October 15, 2018; the WGNO is supportive of the project. The project was reviewed by the Economic Development Project Team on February 12, 2019. The Brownfield Redevelopment Authority approved and recommended the Brownfield Plan Amendment at its meeting on February 20, 2019. A public hearing on the Brownfield Plan Amendment was held before the City Commission on March 26, 2019.

PROJECT PROJECTIONS		
	Total Amount	City of Grand Rapids Portion
Investment – Real Property	\$2,100,000	
Investment – Personal Property	\$0	
Existing Jobs Retained	0	
New Jobs	5	
Average Hourly Wage	\$21.63	
Total New Taxes Generated	\$33,215	\$5,743
Taxes Abated per year	\$21,141	\$4,747
Taxes Paid per year	\$12,074	\$996
New City Income Taxes per year		\$6,130

KW/cb

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution approving an amendment to the Brownfield Plan of the City of Grand Rapids Brownfield Redevelopment Authority for the 739 4th Street, LLC Redevelopment Project.

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 an amendment to the Plan for the 739 4th Street, LLC redevelopment project (the "Project") described therein (the "Amendment"); and
3. The City Commission has held a public hearing on the Amendment after notice in accordance with the requirements of Act 381; therefore

RESOLVED:

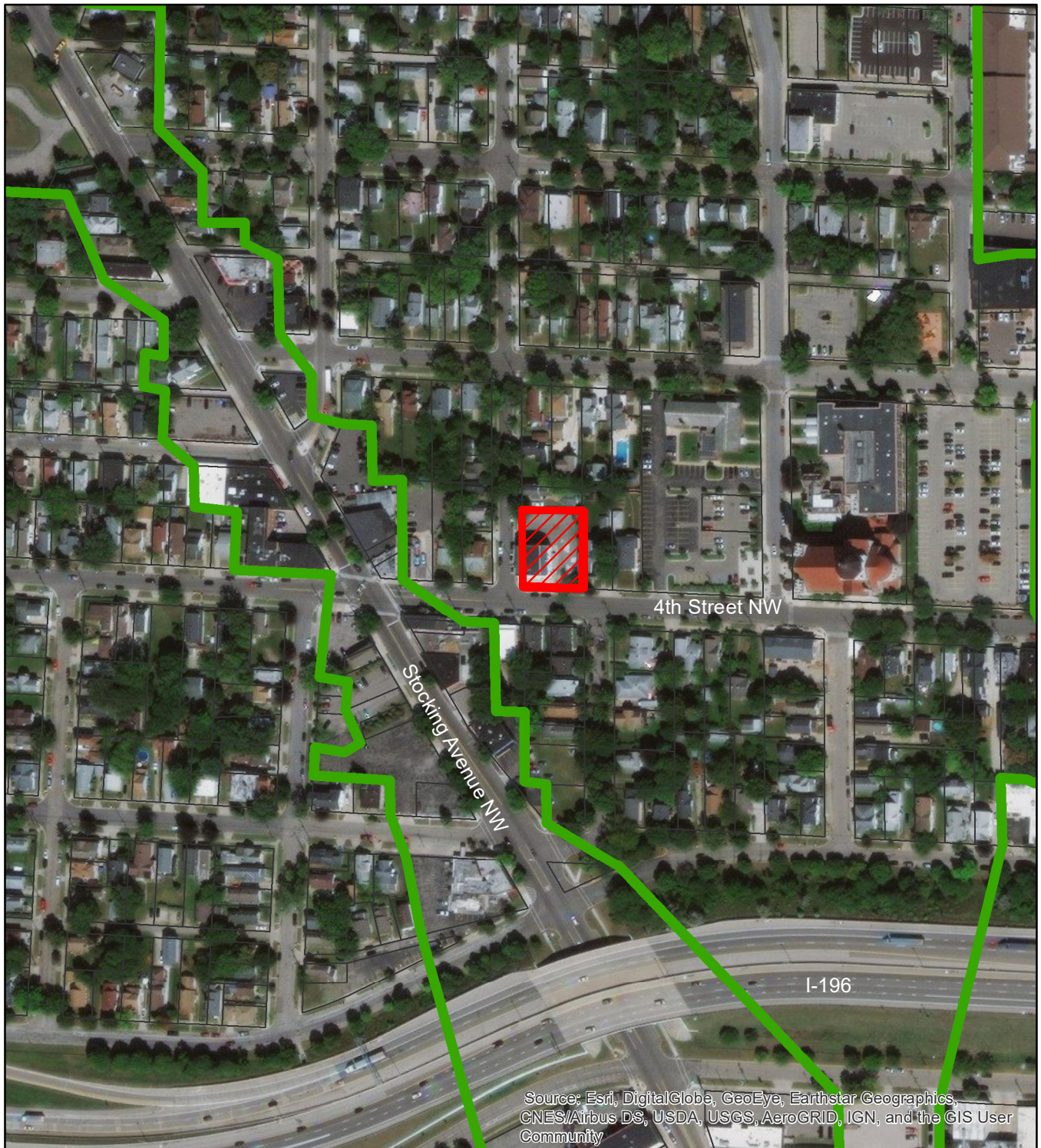
1. That the Amendment constitutes a public purpose under Act 381; and
2. That the Amendment meets all the requirements of Section 13(1) of Act 381; and
3. That the proposed method of financing the costs of the eligible activities, as identified in the Amendment and defined in Act 381, is feasible and 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 in the form presented is approved; and
7. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

Prepared by Regina Pell and Christian Borg and Richard A. Wendt

CORRECT IN FORM

DEPARTMENT OF LAW

739 4th Street, LLC Proposed Brownfield / OPRA Project



Attachment: 739 4th - Map (Approving Brownfield Plan Amendment - 739 4th Street NW)



739 4th Street NW



WestSide CID

Economic Development Department
February 2019



**AMENDMENT TO THE CITY OF GRAND RAPIDS BROWNFIELD
REDEVELOPMENT AUTHORITY BROWNFIELD PLAN FOR THE
739 4TH STREET, LLC REDEVELOPMENT PROJECT**

February 20, 2019

Introduction

739 4th Street, LLC ("739 4th Street") is proposing to redevelop the existing two and a half-story former church building located at 739 4th Street NW (the "Property") into a mixed-use building that will contain office space and market rate residential units (the "Project"). The Project will include rehabilitation of the existing church building into approximately 1,000 sf of office space on the ground level, four (4) one-bedroom market rate apartments and three (3) two-bedroom market rate apartments that will occupy the remaining square footage on the ground level and the second and third floors (approximately 5,700 sf). In addition, the Project will include construction of a new approximately 3,600 sf two-story residential addition along McReynolds Ave. that will contain an additional six (6) one-bedroom units. Site improvements will include repair of the existing sidewalks, street and surface parking lot, and new landscaping.

Total capital investment is expected to be approximately \$2.8 million and the Project is expected to commence in early 2019 with completion by early 2020.

Basis of Eligibility

The Property is approximately .3 acres. The Property is a "facility" as defined by Part 201 of Michigan's Natural Resources and Environmental Protection Act (NREPA), Act 451 of 1994, as amended, due to the presence of arsenic, chromium (total), mercury, zinc, fluoranthene and phenanthrene in the soil at concentrations that exceed current GRCC. The Property is subsequently considered "eligible property" under Act 381 of 1996, as amended. A summary of the environmental conditions is included as Exhibit D.

Required Elements of Brownfield Plan

1. A description of costs intended to be paid for with the tax increment revenues. (MCLA 125.2663(1)(a))

739 4th Street will seek tax increment financing from available local taxes, school operating taxes and state education tax millage for eligible activities at the Property, including baseline environmental activities, demolition, lead and asbestos abatement, site preparation, infrastructure improvements, a 15% contingency, brownfield plan amendment and work plan preparation and development and an Authority administrative fee, totaling \$148,900.

Table 1 below presents estimated costs of the eligible activities for this project which qualify for reimbursement from tax increment financing.

Table 1 – Eligible Activities	
Task	Cost Estimate
1. Baseline Environmental Assessment	\$14,000
2. Demolition	\$40,000
3. Lead and Asbestos Abatement	\$19,000
4. Site Preparation	\$30,000
5. Infrastructure Improvements	\$17,000
<i>Eligible Activity Sub-total</i>	<i>\$120,000</i>
6. Contingency 15% (excluding BEA costs)	\$15,900
7. Brownfield Plan/Work Plan Preparation and Development	\$10,000
8. Prepaid Brownfield Authority Administrative Fee	\$3,000
TOTAL	\$148,900

2. A brief summary of the eligible activities that are proposed for each eligible property. (MCLA 125.2663(1)(b))

"Eligible Activities" are defined in the Brownfield Redevelopment Financing Act, Act 381 of 1996, as amended (the "Act") as meaning one or more of the following: (i) baseline environmental assessment activities; (ii) due care activities; and (iii) additional response activities; (iv) reasonable cost of developing and preparing brownfield plans, combined brownfield plans, and work plans. In addition, in qualified local governmental units such as the City of Grand Rapids, the Act includes the following additional activities under the definition of "eligible activities": (A) infrastructure improvements that directly benefit eligible property; (B) demolition of structures that is not response activity under Part 201 of NREPA; (C) lead or asbestos abatement; and (D) site preparation that is not a response activity under Part 201 of NREPA.

The cost of eligible activities is estimated in Table 1 above and includes the following:

1. Baseline Environmental Assessment Activities. Baseline Environmental Assessment Activities are required as part of the due diligence process for acquiring the Property.
2. Demolition. Demolition will include selective interior, exterior and site demolition of the existing church building and lot in order to prepare the Property for redevelopment.

3. Lead and Asbestos Abatement. Due to the age of the Property, it is expected that prior to demolition, lead and asbestos containing materials will be encountered and will need to be properly removed and disposed of prior to redevelopment. The anticipated cost will include a survey, removal and proper disposal costs.
4. Site Preparation. Site Preparation activities will include grading, land balancing and shoring of the site during the construction process for construction of the new building addition.
5. Infrastructure Improvements. Infrastructure improvements will include repair of existing sidewalks and street repair associated with utility work for the Project, all to be conducted in the public right-of-way.
6. Contingency. A 15% contingency is included to cover unexpected cost overruns encountered during redevelopment.
7. Brownfield Plan/Work Plan Preparation and Development. Costs incurred to prepare and develop this Brownfield Plan Amendment and proposed Act 381 Work Plan, as required per the Act.
8. Prepaid Brownfield Plan Administrative Fee. The Authority will be charging a prepaid administrative fee to 739 4th Street for the administration of this Plan Amendment. The cost will be reimbursed to 739 4th Street along with the other eligible activities.

3. An estimate of the captured taxable value and tax increment revenues for each year of the Plan from each parcel of eligible property and in the aggregate. (MCLA 125.2663(1)(c))

An estimate of real property tax capture for tax increment financing is attached as Exhibit B.

4. The method by which the costs of the Plan will be financed, including a description of any advances made or anticipated to be made for the costs of the Plan from the City. (MCLA 125.2663(1)(d))

The cost of the Eligible Activities included in the Plan Amendment will initially be paid for by 739 4th Street and they will seek reimbursement through available local and school property tax increment during the term of the Plan Amendment.

5. The maximum amount of the note or bonded indebtedness to be incurred, if any. (MCLA 125.2663(1)(3))

Bonds will not be issued for the Project.

6. The duration of the Plan, which shall not exceed the lesser of (1) the period required to pay for the eligible activities from tax increment revenues plus the

period of capture authorized for the local site remediation revolving fund or (2) 30 years. (MCLA 125.2663(1)(f)&(22)).

The duration of the Brownfield Plan Amendment for the Project is estimated to be 17 years. It is estimated that redevelopment of the Property will be completed by early 2020 and that it will take up to 13 years to recapture the Eligible Activities through tax increment revenues, plus capture for the Local Brownfield Revolving Fund (the "LBRF"), if available. Therefore, the first year of tax increment capture will be 2020 and the Plan Amendment will remain in place until 739 4th Street is fully reimbursed, or termination of the Development and Reimbursement Agreement, whichever is sooner, and the Authority has completed capture for the LBRF, subject to the maximum duration provided for in MCL 125.2663(22). The Authority intends to capture funds to fund the LBRF with tax increment revenue capture from the last five years of the Plan Amendment.

7. An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in which the Property is located. (MCLA 125.2663(1)(g))

An estimate of real property tax capture is attached as Exhibit B.

8. A legal description of each parcel of eligible property to which the Plan applies, a map showing the location and dimensions of each eligible property, a statement of the characteristics that qualify the property as eligible property, and a statement of whether personal property is included as a part of the eligible property. (MCLA 125.2663(1)(h))

- a. See legal description at Exhibit A.
- b. See location and site map at Exhibit C.
- c. Characteristics of Property: The Property was historically operated for residential purposes. Residential homes were located on the southern end of the site from 1888 to 1895. In the early 1900's the western end home was demolished and a community hall was constructed by the St. Hedwig Roman Catholic Benevolent Society. The Society operated the hall from the early 1900's through the mid-1960's. The eastern home remained until it was demolished in 1967. A United Auto Workers hall and American Seating Local 135 occupied the property from the 1960's through the early 1990's. The Property was acquired by Eliazar and Mary Alonzo in 1994 and was later transferred to Centro De Verdad and Ecclesiastical Corporation in 2007 and subsequently operated by Centro De La Verdad Church from the late 1990's through the present before being listed for sale.
- d. Personal property: New personal property is included as part of the "Eligible Property" to the extent it is taxable.

9. An estimate of the number of persons residing on each eligible property to which the Plan applies and the number of families or individuals to be displaced, if any. (MCL 125.2663(1)(i))

There are no persons currently residing on this Property and, therefore, no families or individuals will be displaced.

10. A plan for establishing priority for the relocation of persons displaced by implementation of the Plan, if applicable. (MCLA 125.2663(1)(j))

This section is inapplicable to this site as there are no persons residing on this Property.

11. Provision for the costs of relocating persons displaced by implementation of the Plan, and financial assistance and reimbursement of expenses, if any. (MCLA 125.2663(1)(k))

This section is inapplicable to this site as there are no persons residing on this Property.

12. A strategy for compliance with the Michigan Relocation Assistance Act, if applicable (MCLA 125.2663(1)(l))

This section is inapplicable to this site as there are no persons residing on this Property.

13. A description of the proposed use of the local site remediation revolving fund. (MCLA 125.2663(1)(m))

The revolving fund will not be used for the Project but may be used for other brownfield projects within the City.

14. Other material that the Authority or the City Council considers pertinent. (MCLA 125.2663(1)(n))

The Project will greatly improve the use of the Property by replacing a currently vacant and obsolete building with residential apartments and will bring new residents to the City, promoting additional spending and income taxes within the City limits. In addition, the Project will increase density of the area with new office and residential space.

Exhibit A**Property Description**

Property Address: 739 4th Street
Grand Rapids, MI 49504

Tax Parcel No.: 41-13-24-310-004

Legal Description: S 127 ½ FT OF LOTS 36 & 37* CUMING & FERRY S
ADDITION

Exhibit B

TIF Table

Estimated Taxable Value (TV) Increase Rate: 0.75% per year		OPRA Abatement Period											
Plan Year	1	2	3	4	5	6	7	8	9	10	11	12	
Calendar Year	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Base Taxable Value	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Estimated New TV - Church	\$ -	\$ 630,000	\$ 634,725	\$ 639,485	\$ 644,282	\$ 649,114	\$ 653,982	\$ 658,887	\$ 663,829	\$ 668,807	\$ 673,823	\$ 678,877	
Incremental Difference (New TV - Base TV)	\$ -	\$ 630,000	\$ 634,725	\$ 639,485	\$ 644,282	\$ 649,114	\$ 653,982	\$ 658,887	\$ 663,829	\$ 668,807	\$ 673,823	\$ 678,877	

School Capture	Millage Rate												
State Education Tax (SET)	6.0000	\$ -	\$ 2,218	\$ 2,232	\$ 2,246	\$ 2,261	\$ 2,275	\$ 2,290	\$ 3,953	\$ 3,983	\$ 4,013	\$ 4,043	\$ 4,073
School Operating Tax	18.0000	\$ -	\$ 6,654	\$ 6,696	\$ 6,739	\$ 6,782	\$ 6,826	\$ 6,870	\$ 11,860	\$ 11,949	\$ 12,039	\$ 12,129	\$ 12,220
School Total	24.0000	\$ -	\$ 8,872	\$ 8,928	\$ 8,985	\$ 9,043	\$ 9,101	\$ 9,159	\$ 15,813	\$ 15,932	\$ 16,051	\$ 16,172	\$ 16,293

Local Capture	Millage Rate												
City General Op	2.7595	\$ -	\$ 302	\$ 302	\$ 302	\$ 302	\$ 302	\$ 302	\$ 302	\$ 302	\$ 302	\$ 302	\$ 1,873
City Capital Res	1.2500	\$ -	\$ 137	\$ 137	\$ 137	\$ 137	\$ 137	\$ 137	\$ 137	\$ 137	\$ 137	\$ 137	\$ 849
City Library Op	2.0235	\$ -	\$ 221	\$ 221	\$ 221	\$ 221	\$ 221	\$ 221	\$ 221	\$ 221	\$ 221	\$ 221	\$ 1,374
City Library Capital	0.3713	\$ -	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 252
City Promo & Adv	0.0102	\$ -	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 7
City Refuse	1.6000	\$ -	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 1,086
City Parks (expires 2021)	0.9565	\$ -	\$ 105	\$ 105	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Kent ISD Gen Ed	0.0890	\$ -	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 60
Kent ISD Spec Ed	3.6788	\$ -	\$ 402	\$ 402	\$ 402	\$ 402	\$ 402	\$ 402	\$ 402	\$ 402	\$ 402	\$ 402	\$ 2,497
Kent ISD Voc Ed	0.9823	\$ -	\$ 107	\$ 107	\$ 107	\$ 107	\$ 107	\$ 107	\$ 107	\$ 107	\$ 107	\$ 107	\$ 667
Kent ISD Local (expires 2026)	0.8964	\$ -	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ -	\$ -	\$ -	\$ -
GR Comm College	1.7716	\$ -	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 194	\$ 1,203
Interurban Trans	1.4658	\$ -	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 160	\$ 995
Kent County Operating	4.2803	\$ -	\$ 468	\$ 468	\$ 468	\$ 468	\$ 468	\$ 468	\$ 468	\$ 468	\$ 468	\$ 468	\$ 2,906
Kent County Jail	0.7828	\$ -	\$ 86	\$ 86	\$ 86	\$ 86	\$ 86	\$ 86	\$ 86	\$ 86	\$ 86	\$ 86	\$ 531
Kent County Vet	0.0495	\$ -	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 34
Kent County Senior	0.4958	\$ -	\$ 54	\$ 54	\$ 54	\$ 54	\$ 54	\$ 54	\$ 54	\$ 54	\$ 54	\$ 54	\$ 337
Zoo/Museum	0.4363	\$ -	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 296
County Early Childhood	0.2500	\$ -	\$ 27	\$ 27	\$ 27	\$ 27	\$ 27	\$ 27	\$ 27	\$ 27	\$ 27	\$ 27	\$ 170
Local Total	24.1496	\$ -	\$ 2,640	\$ 2,640	\$ 2,535	\$ 2,535	\$ 2,535	\$ 2,535	\$ 2,535	\$ 2,437	\$ 2,437	\$ 2,437	\$ 15,137

Non-Capturable Millages	Millage Rate												
School Debt	4.3000	\$ -	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 2,919
Total Non-Capturable Taxes	4.3000	\$ -	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 470	\$ 2,919

Total Tax Increment Revenue (TIR) Available for Capture \$ - \$ 11,511 \$ 11,568 \$ 11,520 \$ 11,578 \$ 11,636 \$ 11,694 \$ 18,348 \$ 18,369 \$ 18,488 \$ 18,609 \$ 31,430

Footnotes:

Assumes millage rate remains the same with the exception of the Parks millage which will term out in 2021, and the Kent ISD Local, which will term out in 2026.
Assumes 10yrOPRA Abatement with frozen value of \$109,300 and brownfield base TV of \$0

Tax Increment Revenue Capture Estimates
739 4th Street
Grand Rapids, Michigan
February 20, 2019

11.b

Estimated Taxable Value (TV) Increase Rate:

Plan Year	13	14	15	16	17	TOTAL
Calendar Year	2031	2032	2033	2034	2035	
Base Taxable Value	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Estimated New TV - Church	\$ 683,969	\$ 689,098	\$ 694,267	\$ 699,474	\$ 704,720	\$ -
Incremental Difference (New TV - Base TV)	\$ 683,969	\$ 689,098	\$ 694,267	\$ 699,474	\$ 704,720	\$ -

School Capture	Millage Rate												
State Education Tax (SET)	6.0000	\$	4,104	\$	4,135	\$	4,166	\$	4,197	\$	4,228	\$	54,417
School Operating Tax	18.0000	\$	12,311	\$	12,404	\$	12,497	\$	12,591	\$	12,685	\$	163,250
School Total	24.0000	\$	16,415	\$	16,538	\$	16,662	\$	16,787	\$	16,913	\$	217,667

Local Capture	Millage Rate												
City General Op	2.7595	\$	1,887	\$	1,902	\$	1,916	\$	1,930	\$	1,945	\$	14,469
City Capital Res	1.2500	\$	855	\$	861	\$	868	\$	874	\$	881	\$	6,554
City Library Op	2.0235	\$	1,384	\$	1,394	\$	1,405	\$	1,415	\$	1,426	\$	10,610
City Library Capital	0.3713	\$	254	\$	256	\$	258	\$	260	\$	262	\$	1,947
City Promo & Adv	0.0102	\$	7	\$	7	\$	7	\$	7	\$	7	\$	53
City Refuse	1.6000	\$	1,094	\$	1,103	\$	1,111	\$	1,119	\$	1,128	\$	8,389
City Parks (expires 2021)	0.9565	\$	-	\$	-	\$	-	\$	-	\$	-	\$	209
Kent ISD Gen Ed	0.0890	\$	61	\$	61	\$	62	\$	62	\$	63	\$	467
Kent ISD Spec Ed	3.6788	\$	2,516	\$	2,535	\$	2,554	\$	2,573	\$	2,593	\$	19,289
Kent ISD Voc Ed	0.9823	\$	672	\$	677	\$	682	\$	687	\$	692	\$	5,151
Kent ISD Local (expires 2026)	0.8964	\$	-	\$	-	\$	-	\$	-	\$	-	\$	686
GR Comm College	1.7716	\$	1,212	\$	1,221	\$	1,230	\$	1,239	\$	1,248	\$	9,289
Interurban Trans	1.4658	\$	1,003	\$	1,010	\$	1,018	\$	1,025	\$	1,033	\$	7,686
Kent County Operating	4.2803	\$	2,928	\$	2,950	\$	2,972	\$	2,994	\$	3,016	\$	22,443
Kent County Jail	0.7828	\$	535	\$	539	\$	543	\$	548	\$	552	\$	4,105
Kent County Vet	0.0495	\$	34	\$	34	\$	34	\$	35	\$	35	\$	260
Kent County Senior	0.4958	\$	339	\$	342	\$	344	\$	347	\$	349	\$	2,600
Zoo/Museum	0.4363	\$	298	\$	301	\$	303	\$	305	\$	307	\$	2,288
County Early Childhood	0.2500	\$	171	\$	172	\$	174	\$	175	\$	176	\$	1,311
Local Total	24.1496	\$	15,250	\$	15,365	\$	15,480	\$	15,596	\$	15,713	\$	117,806

Non-Capturable Millages	Millage Rate												
School Debt	4.3000	\$	2,941	\$	2,963	\$	2,985	\$	3,008	\$	3,030	\$	22,547
Total Non-Capturable Taxes	4.3000	\$	2,941	\$	2,963	\$	2,985	\$	3,008	\$	3,030	\$	22,547

Total Tax Increment Revenue (TIR) Available for Capture \$ 31,665 \$ 31,903 \$ 32,142 \$ 32,383 \$ 32,626 \$ 335,472

Footnotes:

Assumes millage rate remains the same with the exception of the Parks millage
Kent ISD Local, which will term out in 2026.
Assumes 10yrOPRA Abatement with frozen value of \$109,300 and brownfield t

Attachment: 739 4th Street - Brownfield Plan Amendment (Approving Brownfield Plan Amendment - 739

Tax Increment Financing Reimbursement Table
739 4th Street
Grand Rapids, Michigan
February 20, 2019

11.b

Developer Maximum Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	82.6%	\$ 120,498		\$ 120,498
Local	17.1%	\$ 25,402	\$ 3,000	\$ 28,402
TOTAL				\$ 148,900
MDEQ	9.4%	\$ 14,000	0	\$ 14,000
MSF	90.6%	\$ 131,900	\$ 3,000	\$ 134,900

Estimated Total
Years of Plan: 17

Estimated Capture
Administrative Fees
State Revolving Fund
LSRRF

	2019	OPRA Abatement Period											
		2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Total State Incremental Revenue	\$ -	\$ 8,872	\$ 8,928	\$ 8,985	\$ 9,043	\$ 9,101	\$ 9,159	\$ 15,813	\$ 15,932	\$ 16,051	\$ 16,172	\$ 16,293	
State Brownfield Revolving Fund (50% of SET)	\$ -	\$ (1,109)	\$ (1,116)	\$ (1,123)	\$ (1,130)	\$ (1,138)	\$ (1,145)	\$ (1,977)	\$ (1,991)	\$ (2,006)	\$ (2,021)	\$ (2,037)	
State TIR Available for Reimbursement	\$ -	\$ 7,763	\$ 7,812	\$ 7,862	\$ 7,913	\$ 7,963	\$ 8,014	\$ 13,837	\$ 13,940	\$ 14,045	\$ 14,150	\$ 14,256	
Total Local Incremental Revenue	\$ -	\$ 2,640	\$ 2,640	\$ 2,535	\$ 2,535	\$ 2,535	\$ 2,535	\$ 2,535	\$ 2,437	\$ 2,437	\$ 2,437	\$ 15,137	
BRA Administrative Fee (10%)	\$ -	\$ (1,151)	\$ (1,157)	\$ (1,152)	\$ (1,158)	\$ (1,164)	\$ (1,169)	\$ (1,835)	\$ (1,837)	\$ (1,849)	\$ (1,861)	\$ (3,143)	
Local TIR Available for Reimbursement	\$ -	\$ 1,488	\$ 1,483	\$ 1,383	\$ 1,377	\$ 1,371	\$ 1,366	\$ 700	\$ 600	\$ 588	\$ 576	\$ 11,994	
Total State & Local TIR Available	\$ -	\$ 9,251	\$ 9,295	\$ 9,245	\$ 9,290	\$ 9,335	\$ 9,380	\$ 14,537	\$ 14,541	\$ 14,633	\$ 14,726	\$ 26,250	

DEVELOPER	Beginning Balance	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
DEVELOPER Reimbursement Balance	\$ 148,900	\$ 148,900	\$ 139,649	\$ 130,354	\$ 121,109	\$ 111,819	\$ 102,484	\$ 93,104	\$ 78,567	\$ 64,027	\$ 49,394	\$ 34,667	\$ 8,417

MSF Non-Environmental Costs	\$ 131,900	\$ 131,900	\$ 131,900	\$ 123,537	\$ 115,133	\$ 106,775	\$ 98,377	\$ 89,938	\$ 81,458	\$ 68,316	\$ 55,171	\$ 41,942	\$ 28,629
State Tax Reimbursement		\$ -	\$ 7,018	\$ 7,063	\$ 7,108	\$ 7,153	\$ 7,199	\$ 7,245	\$ 12,509	\$ 12,603	\$ 12,697	\$ 12,792	\$ 12,888
Local Tax Reimbursement		\$ -	\$ 1,346	\$ 1,340	\$ 1,250	\$ 1,245	\$ 1,240	\$ 1,235	\$ 633	\$ 543	\$ 532	\$ 521	\$ 10,843
Total MSF Reimbursement Balance	\$ 131,900	\$ 123,537	\$ 115,133	\$ 106,775	\$ 98,377	\$ 89,938	\$ 81,458	\$ 68,316	\$ 55,171	\$ 41,942	\$ 28,629	\$ 4,897	

MDEQ Environmental Costs	\$ 14,000	\$ 14,000	\$ 14,000	\$ 13,112	\$ 12,220	\$ 11,333	\$ 10,442	\$ 9,546	\$ 8,646	\$ 7,251	\$ 5,856	\$ 4,452	\$ 3,039
State Tax Reimbursement			\$ 745	\$ 750	\$ 754	\$ 759	\$ 764	\$ 769	\$ 1,328	\$ 1,338	\$ 1,348	\$ 1,358	\$ 1,368
Local Tax Reimbursement		\$ -	\$ 143	\$ 142	\$ 133	\$ 132	\$ 132	\$ 131	\$ 67	\$ 58	\$ 56	\$ 55	\$ 1,151
Total MDEQ Reimbursement Balance	\$ 14,000	\$ 13,112	\$ 12,220	\$ 11,333	\$ 10,442	\$ 9,546	\$ 8,646	\$ 7,251	\$ 5,856	\$ 4,452	\$ 3,039	\$ 520	

Local Only Costs	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
Local Tax Reimbursement		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local Only Reimbursement Balance	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
Total Annual Developer Reimbursement	\$ -	\$ 9,251	\$ 9,295	\$ 9,245	\$ 9,290	\$ 9,335	\$ 9,380	\$ 14,537	\$ 14,541	\$ 14,633	\$ 14,726	\$ 26,250	

LOCAL SITE REMEDIATION FUND

LSRRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total LSRRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Up to five years of capture for LSRRF Deposits after eligible activities are reimbursed. May be taken from DEQ & Local TIR only.

Footnotes:

(1) Assumes taxable value increases based on proposed build out, plus 0.75% annual increases for inflation thereafter.

(2) Assumes Millage Rates remain constant with Parks millage expiring in 2021 and Kent ISD Local expiring in 2026.

Assumes 10yOPRA Abatement with frozen value of \$109,300 and brownfield base TV of \$0

Attachment: 739 4th Street - Brownfield Plan Amendment (Approving Brownfield Plan Amendment - 739

Tax Increment Financing Reimbursement Table
739 4th Street
Grand Rapids, Michigan
February 20, 2019

11.b

\$ 285,109
\$ 28,511
\$ 20,913
\$ 73,025

	2031	2032	2033	2034	2035	TOTAL
Total State Incremental Revenue	\$ 16,415	\$ 16,538	\$ -	\$ -	\$ -	\$ 167,304
State Brownfield Revolving Fund (50% of SET)	\$ (2,052)	\$ (2,067)	\$ -	\$ -	\$ -	\$ (20,913)
State TIR Available for Reimbursement	\$ 14,363	\$ 14,471	\$ -	\$ -	\$ -	\$ 146,391
 Total Local Incremental Revenue	\$ 15,250	\$ 15,365	\$ 15,480	\$ 15,596	\$ 15,713	\$ 117,806
BRA Administrative Fee (10%)	\$ (3,167)	\$ (3,190)	\$ (1,548)	\$ (1,560)	\$ (1,571)	\$ (28,511)
Local TIR Available for Reimbursement	\$ 12,084	\$ 12,174	\$ 13,932	\$ 14,036	\$ 14,142	\$ 89,295
 Total State & Local TIR Available	\$ 26,447	\$ 26,645	\$ 13,932	\$ 14,036	\$ 14,142	\$ 235,685
DEVELOPER						
DEVELOPER Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<hr/>						
MSF Non-Environmental Costs	\$ 4,897	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Reimbursement	\$ 2,660	\$ -	\$ -	\$ -	\$ -	\$ 108,936
Local Tax Reimbursement	\$ 2,238	\$ -	\$ -	\$ -	\$ -	\$ 22,964
Total MSF Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
 MDEQ Environmental Costs	\$ 520	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Reimbursement	\$ 282	\$ -	\$ -	\$ -	\$ -	\$ 11,563
Local Tax Reimbursement	\$ 237	\$ -	\$ -	\$ -	\$ -	\$ 2,437
Total MDEQ Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
 Local Only Costs	\$ 3,000	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ 3,000	\$ -	\$ -	\$ -	\$ -	\$ 3,000
Total Local Only Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
 Total Annual Developer Reimbursement	\$ 8,417	\$ -	\$ -	\$ -	\$ -	\$ -
LOCAL SITE REMEDIATION FUND						
LSRRF Deposits *	\$ 18,030	\$ 12,885	\$ 13,932	\$ 14,036	\$ 14,142	\$ 73,025
State Tax Capture	\$ 11,421	\$ 711	\$ -	\$ -	\$ -	\$ 12,132
Local Tax Capture	\$ 6,609	\$ 12,174	\$ 13,932	\$ 14,036	\$ 14,142	\$ 60,893
Total LSRRF Capture						

* Up to five years of capture for LSRRF Deposits

Footnotes:

(1) Assumes taxable value increases base inflation thereafter.

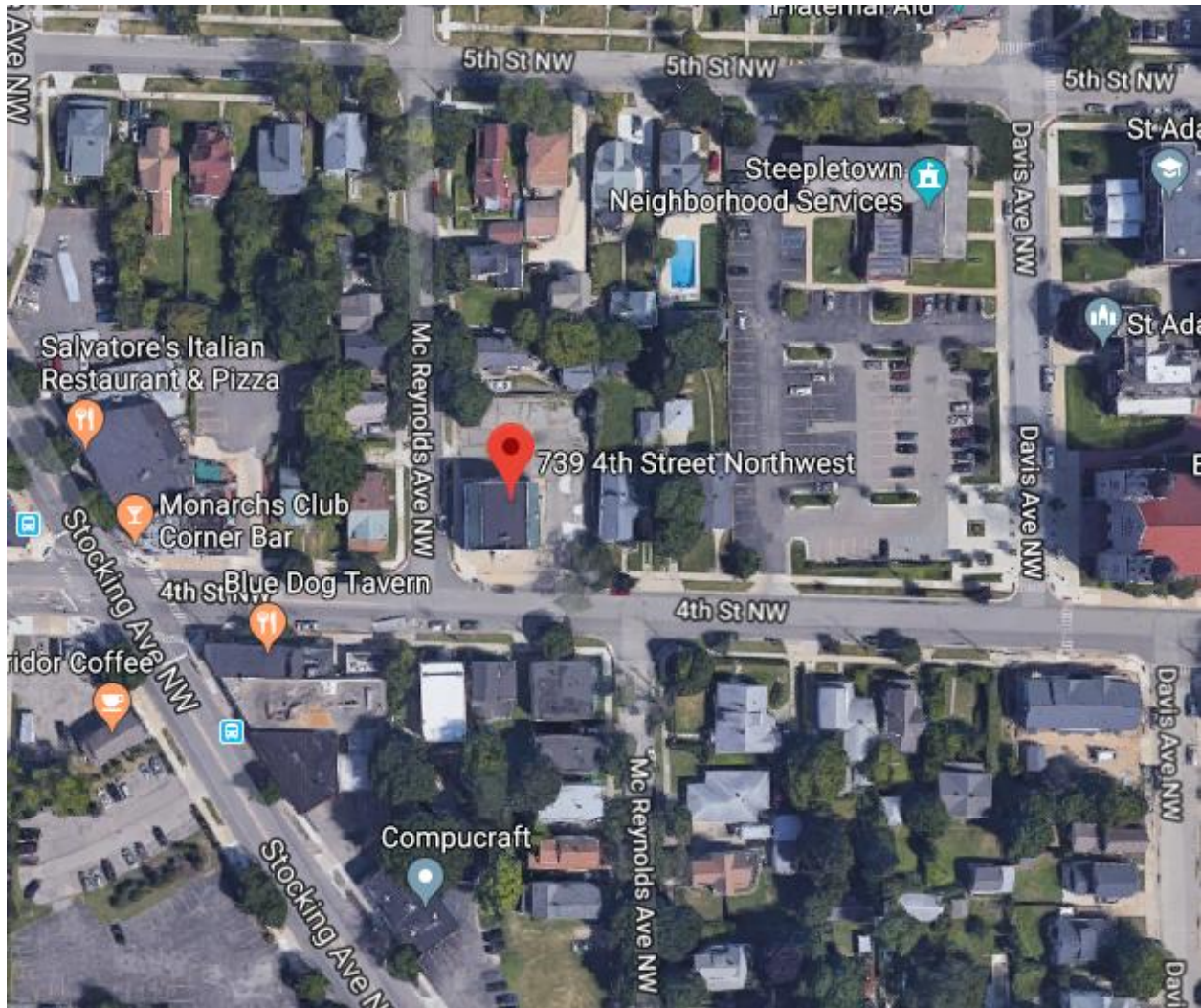
(2) Assumes Millage Rates remain constant expiring in 2026.

Assumes 10yrOPRA Abatement with frozen value

Attachment: 739 4th Street - Brownfield Plan Amendment (Approving Brownfield Plan Amendment - 739

Exhibit C

Site Location and Maps



Attachment: 739 4th Street - Brownfield Plan Amendment (Approving Brownfield Plan Amendment - 739 4th Street NW)





Exhibit D
Facility Confirmation

DIXON ENVIRONMENTAL CONSULTING, INC., PROJECT NUMBER 18-08-008C

**BASELINE ENVIRONMENTAL ASSESSMENT
CONDUCTED PURSUANT TO SECTION 20126(1)(c)
OF 1994 PA 451, PART 201, AS AMENDED, AND THE
RULES PROMULGATED THEREUNDER**

**COMMERCIAL PROPERTY
739 FOURTH STREET, NW
GRAND RAPIDS, MICHIGAN**

Prepared For:

739 4th Street, LLC and
O Connor Development, LLC
3025 Midland Drive, SE
Grand Rapids, Michigan 49506

Metric Structures LLC
145 Honeycreek Avenue, SE
Ada, Michigan 49301

Prepared by:

Dixon Environmental Consulting, Inc.
1560 North Taylor Avenue
Grand Rapids, Michigan 49505

December 11, 2018

1560 North Taylor Avenue ♦ Grand Rapids, Michigan 49505 ♦ Tel.: (616) 742-5511

Attachment: 739 4th Street - Brownfield Plan Amendment (Approving Brownfield Plan Amendment - 739 4th Street NW)

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APPENDICES

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Appendix C: Phase II Environmental Site Assessment completed by Dixon Environmental Consulting, Inc. on November 28, 2018

**Baseline Environmental Assessment
Conducted Pursuant to Section 20126(1)(c)
of 1994 PA 451, Part 201, as amended,
and the Rules promulgated thereunder**

1.0 Introduction and Discussion

Dixon Environmental Consulting, Inc. (DEC) has prepared this Baseline Environmental Assessment (BEA) for the Commercial Property located at 739 Fourth Street, NW, Grand Rapids, Kent County, Michigan (hereafter referred as subject site or subject property). The tax parcel identification number for the 0.29-acre subject site was identified as 41-13-24-310-004. The subject site was improved with a commercial building structure and an asphalt paved parking area. The Property Description is included in Section 2.1 and in Appendix A. A Project Location Map, and a Site Vicinity Diagram and a Ground Penetrating Radar Limits/Sample Detail Diagram depicting various details of the subject site and the surrounding area are included as Figures 1, 2 and 3, respectively.

1.1 Owner/Operator Information

739 4th Street, LLC, the prospective owner and operator, intends to acquire the subject site on or near December 20, 2018. The mailing address for 739 4th Street, LLC is 3025 Midland Drive, SE, Grand Rapids, Michigan 49506. Mr. Matthew S. O Connor is the Manager of 739 4th Street, LLC.

O Connor Development, LLC, a prospective operator, intends to commence operations at the subject site on or near June 1, 2019. The mailing address for O Connor Development, LLC is 3025 Midland Drive, SE, Grand Rapids, Michigan 49506. Mr. Matthew S. O Connor is the Manager of O Connor Development, LLC.

Metric Structures LLC, an additional prospective owner, intends to commence operations at the subject site on or near June 1, 2019. The mailing address for Metric Structures LLC is 145 Honeycreek Avenue, SE, Ada, Michigan 49301. Ms. Jacqueline Ehmann is the Manager of Metric Structures LLC.

1.2 Intended Use of Property

739 4th Street, LLC intends to redevelop the subject site for mixed, residential and office use with an associated paved parking area. Upon completion of the development activities, O Connor Development, LLC and Metric Structures LLC will operate as property managers at the subject site.

1.3 Phase I Environmental Assessment (ESA) Executive Summary

DEC completed a Phase I Environmental Site Assessment (ESA) for the subject site on October 22, 2018. Based on the information reviewed, the subject site was historically

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operated for residential purposes. Two houses were depicted on the southern portion of the subject site in 1888 and 1895. In the early 1900's (c. 1904), the western residential house was demolished and a community hall was constructed by the St. Hedwig Roman Catholic Benevolent Society. The St. Hedwig Roman Catholic Benevolent Society operated the community hall at the subject site from the early 1900's through the mid-1960's. The eastern portion of the subject site was operated for residential purposes until the house was demolished in 1967. A United Auto Works (UAW) hall, American Seating Local 135, later occupied the subject site from the mid-1960's through the early 1990's.

The subject site was acquired by Eliazar and Mary Alonzo under a Land Contract in November 1994. A Warranty Deed commemorating the transaction was later recorded in April 2007. The ownership of the subject site was transferred to the current ownership entity, Centro De Verdad and Ecclesiastical Corporation, in December 2007. The subject site was subsequently operated as the Centro De La Verdad Church (Center of the Truth Church) from the late 1990's through the present.

The Phase I ESA revealed no evidence of recognized environmental conditions (RECs) in connection with the subject site, except:

Based on the tax assessment information, the building structure at the subject site was formerly heated using fuel oil. The use of fuel oil was subsequently discontinued and the building was connected to the available natural gas distribution system. Heating fuel oil was typically stored in an aboveground storage tank (AST) or underground storage tank (UST) located adjacent to the residential building structure. DEC could not determine the historical container system type or location for the heating fuel oil storage at the subject site. The material threat of a heating fuel oil release and/or the presence of a heating fuel oil UST at the subject site was identified as an REC.

Based on the development activities, the potential exists for urban fill material to be present at the subject site in significant quantities. Urban fill material was utilized at various sites in the Grand Rapids area to fill voids, level former recessed building locations and to balance the topography of a property. Historical fill material in the urban Grand Rapids area commonly consisted of used foundry sand, cinders, slag, coal residue and other miscellaneous materials that may contain hazardous substances. During the site reconnaissance, DEC observed coal and cinder fragments in the unpaved area along the eastern property boundary. The urban fill material at the subject site was identified as an REC.

Regarding developments in the surrounding area, DEC identified 67 sites within the ASTM Approximate Minimum Search Distance (AMSD) criteria. DEC also reviewed historical

**Baseline Environmental Assessment
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resources to determine if the former land uses of the adjoining properties represented an environmental concern to the subject site. Based on the information reviewed, the AMSD sites and adjoining properties do not appear to represent an environmental concern to the subject site in regard to contaminant migration (soil, groundwater or vapor). A brief description and summary of the AMSD criteria are included in the EDR Radius Map Report (Appendix B of the Phase I ESA). The Phase I ESA is included as Appendix B of this BEA.

1.4 Any exceptions to, or deletions from, the All Appropriate Inquiry Rule 40 CFR 312 or ASTM Standard Practice E 1527-13

One limitation was identified during the Phase I ESA.

A judicial record search of environmental lien or Activity and Use Limitations (AUL) search/review was not conducted as a part of the Phase I ESA process.

An independent review of reasonably ascertainable title information was conducted at the Kent County Register of Deeds. Based on the title review, no liens, encumbrances, restrictions or AULs pertaining to environmental issues were associated with the subject site. DEC also reviewed the most recent MDEQ Perfected Lien List. The review did not identify the subject site on the MDEQ Perfected Lien List.

Based on the review of title information and the Perfected Lien List, DEC does not consider the lack of a judicial environmental lien or AUL search/review to be a significant limitation that would alter the conclusions of the Phase I ESA. There were no additional exceptions to, or deletions from, the All Appropriate Inquiry Rule 40 CFR 312 or ASTM Standard Practice E 1527-13.

1.5 Data Gaps

DEC utilized standard historical sources (aerial photographs, fire insurance maps, tax assessing files, recorded land title records, USGS topographic maps, local street directories and zoning records) to establish historical uses at the subject property. The following items identify and explain the data gaps encountered in the Phase I ESA:

Data failure occurred for site specific historical information prior to 1888.

DEC does not consider the data failure to represent a significant limitation which would alter the conclusions of the BEA.

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1.6 Sampling Completed, Purpose and Methods

Soil sampling activities were conducted by DEC in November 2018. The sampling activities were conducted to assess the surficial soil conditions and to determine whether the subject site qualified as a facility as defined in Part 201 of the Natural Resources and Environmental Protection Act (NREPA), Michigan Public Act 451 of 1994, as amended (Part 201). A facility is defined in Section 324.20101(1)(s) as any area, place, or property where a hazardous substance in excess of the concentrations that satisfy the cleanup criteria for unrestricted residential use has been released, deposited, disposed of, or otherwise comes to be located. The term facility does not include any area, place, or property at which response activities have been completed which satisfy the cleanup criteria for the residential category provided for in Sections 324.20120a(1)(a) and (17) or at which corrective action has been completed under Part 213 which satisfies the cleanup criteria for unrestricted residential use.

During the subsurface investigation, six shallow soil borings were conducted on the subject site. One soil sample was collected from each boring. No groundwater samples were collected from the soil borings. The soil samples were chemically analyzed for Polynuclear Aromatic Hydrocarbons (PNAs) and/or certain inorganic metallic constituents, arsenic, barium, cadmium, chromium (total), copper, lead, mercury, silver, selenium and zinc.

Specific details pertaining to the chemical analysis results from the soil samples collected from the subject site are summarized in Sections 1.7 and 3.0 of this BEA. The boring locations and a summary table comparing the analytical results to the GRCC as outlined under the NREPA, as amended, are included on Figure 2.

The subsurface conditions were investigated in 2018. The demonstrations, which present methodologies, sample locations and chemical analysis results compared to the GRCC for groundwater as outlined in Part 201 are included in the Limited Phase II ESA. The Limited Phase II ESA is included as Appendix C of this BEA.

1.7 Known Contamination General Location(s) and Media Affected

The subsurface investigation identified **arsenic, chromium (total), mercury, zinc, fluoranthene and phenanthrene** in the soil at concentrations that exceeded the current GRCC. The impacted soil exceeding the GRCC was encountered between 0.5 and 3.0 feet below grade level (bgl). No groundwater was encountered during the subsurface sampling event, therefore, no groundwater sampling or chemical analysis results were available. The soil boring locations and the soil analytical results are presented on Figure 3.

**Baseline Environmental Assessment
Conducted Pursuant to Section 20126(1)(c)
of 1994 PA 451, Part 201, as amended,
and the Rules promulgated thereunder**

1.8 Underground Storage Tanks

The Phase I ESA identified the potential for USTs to exist on the subject property. On November 12, 2018, Diamond Concrete Sawing (DCS) conducted a Ground Penetrating Radar (GPR) Survey at the subject site. The purpose of the GPR Survey was to determine whether abandoned underground storage tanks (USTs) existed at the subject site. The results of the GPR Survey did not identify anomalies that appeared consistent with abandoned USTs. Additional details pertaining to the GPR Survey are included in the Phase II ESA. The Phase II ESA is included as Appendix C. The GPR Survey limits are also depicted on Figure 3.

1.9 Basis for Concluding the Property is a Site/Facility

Based on the chemical analysis results, data provided the basis to support that the subject site is a facility as defined under Part 201. The results identified that **arsenic, chromium (total), mercury, zinc, fluoranthene and phenanthrene** in the soil exist at concentrations exceeding the GRCC.

**Baseline Environmental Assessment
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2.0 Property Information

2.1 Property Description

Lots 36 and 37, EXCEPT the North 40 feet of said Lots, Cuming and Ferry's Addition, according to the Plat thereof, as recorded in Liber 24 of Plats, Page 9.

Parcel Identified Number: 41-13-24-310-004

Note: Property Description obtained from the Commitment for Title Insurance from Sun Title Agency of Michigan, LLC (Commitment No.: PC121999).

2.2 Survey Map(s) of Property

DEC was not provided with a survey of the subject site. The property description above and included in Appendix A was obtained from a Commitment for Title Insurance from Sun Title Agency of Michigan, LLC (Commitment No.: PC121999). The Cuming and Ferry's Addition Plat is also included in Appendix A.

2.3 Scaled Site Map(s) of Property

The site structures, sample locations, sample intervals and summary of chemical analysis results for the soil samples are presented on Figures 2 and 3. In addition, photographs of the site were included in Appendix F of the Phase I ESA. The Phase I ESA is included in Appendix B of this BEA.

2.4 Scaled Area Map(s) of Property

The United States Geological Survey (USGS), 7.5 minute Quadrangle Map containing coverage of the subject site and the surrounding area was reviewed. The Quadrangle Map titled Grand Rapids West, Michigan was attained from DeLorme 3-D TopoQuads Copyright® 1999. A portion of the Quadrangle Map is included as the base map for Figure 1. A description of the Quadrangle Map is included below.

The regional topography of the area was relatively level with a downward slope to the east. The Grand River was located approximately 1 mile to east of the subject site. Two limited access highways, Interstate-196 and U.S. Route-131, were located 750 feet to the south and 1/3 mile to the east of the subject site, respectively. The Chesapeake & Ohio Railroad line was also located approximately 1,000 feet to the east of the subject site.

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and the Rules promulgated thereunder**

2.5 Addresses of Properties

The address for the subject site was identified as 739 Fourth Street, NW, Grand Rapids, Michigan 49504.

2.6 Geographic Location of Property

The irregular shaped, 0.29-acre subject site is located in the northeastern quadrant of Fourth Street, NW and Mc Reynolds Avenue, NW. The subject property is situated in the Northwest 1/4 of the Southwest 1/4, of Section 24, Township 7 North, Range 12 West (Grand Rapids). The geographic latitude and longitude coordinates were identified as 42.975333 and -85.686512, respectively, which was approximately the center of the subject site. The latitude and longitude coordinates were acquired through the Google Maps Website.

**Baseline Environmental Assessment
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of 1994 PA 451, Part 201, as amended,
and the Rules promulgated thereunder**

3.0 Facility Status

Subsurface sampling activities were conducted by Dixon Environmental Consulting, Inc. in November 2018 to investigate the soil conditions at the subject site and to determine if the subject property qualified as a facility. The boring locations and analytical data specific to the subject site and compared to the Residential Part 201 Generic Cleanup Criteria (GRCC) as outlined under Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994 (Part 201), as amended, are included on Figure 3. The following is a summation of the subsurface sampling activities.

3.1 Hazardous Substance Concentrations

3.1.1 Soil Analytical Results

The chemical analysis results for the soil samples collected from the subject site identified a concentration of the inorganic metallic constituents (IMCs), **arsenic**, **chromium (total)**, **mercury** and **zinc**, and the polynuclear aromatic hydrocarbons (PNAs), **fluoranthene** and **phenanthrene**, in excess of the GRCC as outlined under Part 201. Concentration of the IMCs, barium, cadmium, copper, lead, selenium and silver, and the PNAs, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysene, fluorene, indeno(1,2,3-cd)pyrene, and pyrene, were encountered above the laboratory method detection limit (MDL), however, less than the GRCC. The remaining IMCs and the remaining PNAs did not exceed the MDL or the GRCC. Table 1 below identifies the hazardous substances, CAS Numbers, sample collection date, chemical analysis results and sample identification/sample intervals of the IMCs and PNAs that exceeded the GRCC.

Baseline Environmental Assessment Table 1 - Soil Analytical Results Exceeding the GRCC 739 Fourth Street, NW, Grand Rapids, Michigan				
Hazardous Substance	CAS Number	Date Collected	Concentration exceeding the GRCC (µg/Kg)	Sample ID (Sample Interval)
arsenic	7440382	11/20/2018	8,200	SB-1 (2.0-2.5')
			7,100	SB-2 (1.5-2.0')
			7,200	SB-3 (0.5-1.0')
			6,300	SB-6 (2.5-3.0')

Notes:

Generic Residential Cleanup Criteria (GRCC) as outlined in Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended.

Samples collected by Dixon Environmental Consulting, Inc.

**Baseline Environmental Assessment
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Baseline Environmental Assessment Table 1 - Soil Analytical Results Exceeding the GRCC, cont. 739 Fourth Street, NW, Grand Rapids, Michigan				
Hazardous Substance	CAS Number	Date Collected	Concentration exceeding the GRCC (µg/Kg)	Sample ID (Sample Interval)
chromium (total)	varies	11/20/18	20,000	SB-1 (2.0-2.5')
mercury	varies	11/20/18	1,000	SB-1 (2.0-2.5')
			310	SB-2 (1.5-2.0')
			360	SB-3 (0.5-1.0')
zinc	7440666	11/20/18	210,000	SB-1 (2.0-2.5')
fluoranthene	206440	11/20/18	8,300	SB-6 (2.5-3.0')
phenanthrene	85018	11/20/18	9,300	SB-6 (2.5-3.0')

Notes:

Generic Residential Cleanup Criteria (GRCC) as outlined in Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended.

Samples collected by Dixon Environmental Consulting, Inc.

3.1.2 Groundwater Analytical Results

No groundwater was encountered during the subsurface sampling activities. Therefore, no groundwater analytical results were available.

3.2 Analytical Results Documentation

The laboratory analytical data sheets and chain-of-custody documentation for the subsurface investigation were presented in the Phase II ESA. The Phase II ESA is included as Appendix C.

**Baseline Environmental Assessment
Conducted Pursuant to Section 20126(1)(c)
of 1994 PA 451, Part 201, as amended,
and the Rules promulgated thereunder**

4.0 Identification of the Author of the BEA

Ms. Jennifer L. Knuth is a Project Scientist at Dixon Environmental Consulting, Inc. (DEC). DEC is located at 1560 North Taylor Avenue, Grand Rapids, Michigan 49505. The phone number is (616) 742-5511. Ms. Knuth has 18 years of experience as an environmental professional, consultant and project manager. Ms. Knuth received a Bachelor of Applied Science in Industrial Design from ITT Technical Institute.

Ms. Knuth's Project Management experience includes conducting Phase I Environmental Site Assessments under the latest ASTM International Standard Practice 1527 and latest Federal All Appropriate Inquiry scoped assessments and Phase II ESA. In addition, Ms. Knuth has conducted numerous Baseline Environmental Assessments and Due Care Analysis and Plan reports.

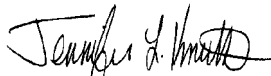
Ms. Knuth declares that, to the best of her professional knowledge and belief, she meets the definition of Environmental Professional as defined in 312.10 of 40 CFR Part 312 and she has the specific qualifications based on education, training and experience to assess a property of the nature, history and setting of the subject property. She has developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

This Baseline Environmental Assessment (BEA) for the Commercial Property located at 739 Fourth Street, NW, Grand Rapids, Kent County, Michigan (Tax Parcel Number: 41-13-24-310-004, respectively) was prepared by Ms. Jennifer L. Knuth, Project Scientist at Dixon Environmental Consulting, Inc. and completed on December 11, 2018.

739 4th Street, LLC, O Connor Development, LLC and Metric Structures LLC may use and rely on the results and conclusions of this BEA. No other parties may use or rely on the information without client approval and written permission from Dixon Environmental Consulting, Inc.

REPORT PREPARED BY:

DIXON ENVIRONMENTAL CONSULTING, INC.



Jennifer L. Knuth
Project Scientist

**Baseline Environmental Assessment
Conducted Pursuant to Section 20126(1)(c)
of 1994 PA 451, Part 201, as amended,
and the Rules promulgated thereunder**

5.0 All Appropriate Inquiry/ASTM Phase I Environmental Site Assessment

The purpose of conducting an environmental assessment of a parcel of commercial real estate is to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). This practice constitutes all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice as defined at 42 U.S.C. 9601(35)(B).

In defining a standard of good commercial and customary practice for conducting an environmental site assessment of a parcel of property, the goal of the processes established by this practice is to identify recognized environmental conditions. The term recognized environmental conditions means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not recognized environmental conditions.

A hazardous substance as defined by the MDEQ means one or more of the following, but does not include fruit, vegetable, or field crop residuals or processing by-products, or aquatic plants, that are applied to the land for an agricultural use or for use as an animal feed, if the use is consistent with generally accepted agricultural management practices developed pursuant to the Michigan right to farm act, 1981 PA 93, MCL 286.471 to 286.474:

- (i) Any substance that the department demonstrates, on a case by case basis, poses an unacceptable risk to the public health, safety, or welfare, or the environment, considering the fate of the material, dose-response, toxicity, or adverse impact on natural resources.
- (ii) Hazardous substance as defined in the comprehensive environmental response, compensation, and liability act, 42 USC 9601 to 9675.

**Baseline Environmental Assessment
Conducted Pursuant to Section 20126(1)(c)
of 1994 PA 451, Part 201, as amended,
and the Rules promulgated thereunder**

- (iii) Hazardous waste as defined in part 111.
- (iv) Petroleum as described in part 213.

As part of the Phase I ESA, DEC conducted a historical investigation and a reconnaissance walkover concentrating primarily on the site conditions and activities performed at the subject site. In addition, DEC interviewed former owners of the subject Property to identify if any hazardous substances or petroleum products may have been utilized. The Phase I ESA was performed utilizing methodology of the ASTM International Standard E 1527-13, All Appropriate Inquiry standard. A summary of the site features identified during the site walkover are included in Section 5.2 of the Phase I ESA. The Phase I ESA is included as Appendix B.

**Baseline Environmental Assessment
Conducted Pursuant to Section 20126(1)(c)
of 1994 PA 451, Part 201, as amended,
and the Rules promulgated thereunder**

6.0 References

Commitment for Title Insurance from Sun Title Agency of Michigan, LLC (Commitment No.: PC121999).

Phase I Environmental Site Assessment, Commercial Property, 739 Fourth Street, NW, Grand Rapids, Michigan, completed by Dixon Environmental Consulting, Inc. on October 22, 2018.

Phase II Environmental Site Assessment, Commercial Property, 739 Fourth Street, NW, Grand Rapids, Michigan, completed by Dixon Environmental Consulting, Inc. on November 28, 2018.

Review of United States Geological Survey (USGS), 7.5 Minute Quadrangle Map for Grand Rapids West, Michigan (attained from DeLorme 3-D TopoQuads Copyright © 1999).

Administrative Rules for Part 201 of the Natural Resources and Environmental Protection Act 1994 PA 451, as amended.

Michigan Department of Environmental Quality, Remediation and Redevelopment Division Baseline Environmental Assessment Submittal Form EQP 4025 and Contents of BEA Report, as amended.

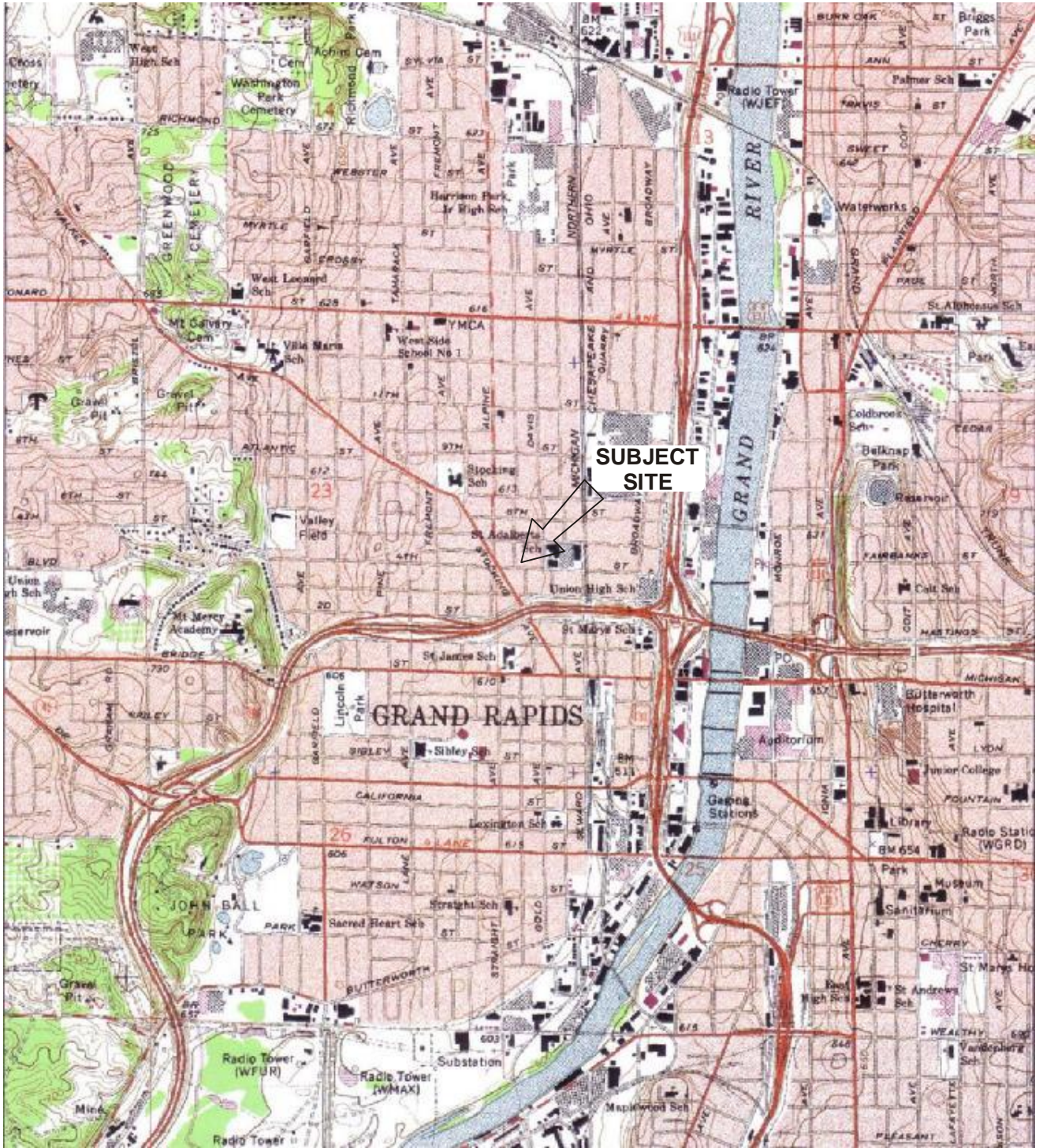
Michigan Department of Environmental Quality, Remediation and Redevelopment Division Cleanup Criteria Requirements for Response Activity, as amended.

Michigan Department of Environmental Quality, Remediation and Redevelopment Division Operational Memorandum No. 2: Sampling and Analysis dated October 22, 2004.

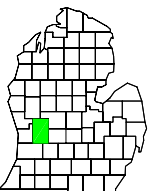
Michigan Department of Environmental Quality, Remediation and Redevelopment Division Instructions for Preparing and Disclosing Baseline Environmental Assessments and Section 7A Compliance Analyses to the Michigan Department of Natural Resources and Environment and for Request for Optional Determinations dated March 11, 1999.

FIGURES

PROJECT LOCATION MAP
SITE VICINITY DIAGRAM
GROUND PENETRATING RADAR LIMITS/
SAMPLE DETAIL DIAGRAM



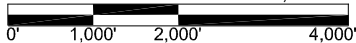
USGS 7.5 MINUTE QUADRANGLE MAP: GRAND RAPIDS WEST, MICHIGAN



KENT COUNTY, MICHIGAN

PROJECT NUMBER: 18-08-008C DATE: 12/11/2018

APPROXIMATE SCALE: 1" = 2,000'

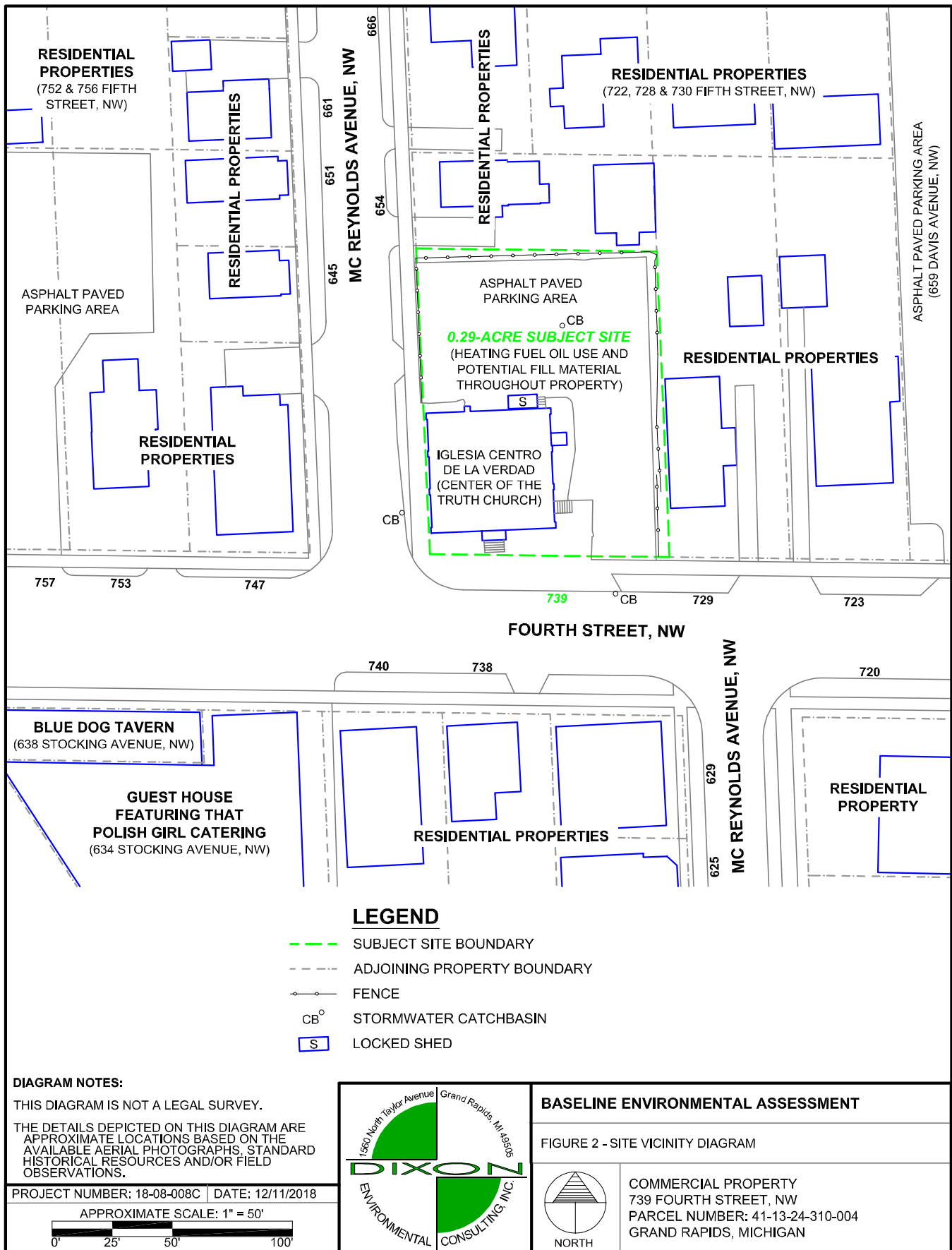


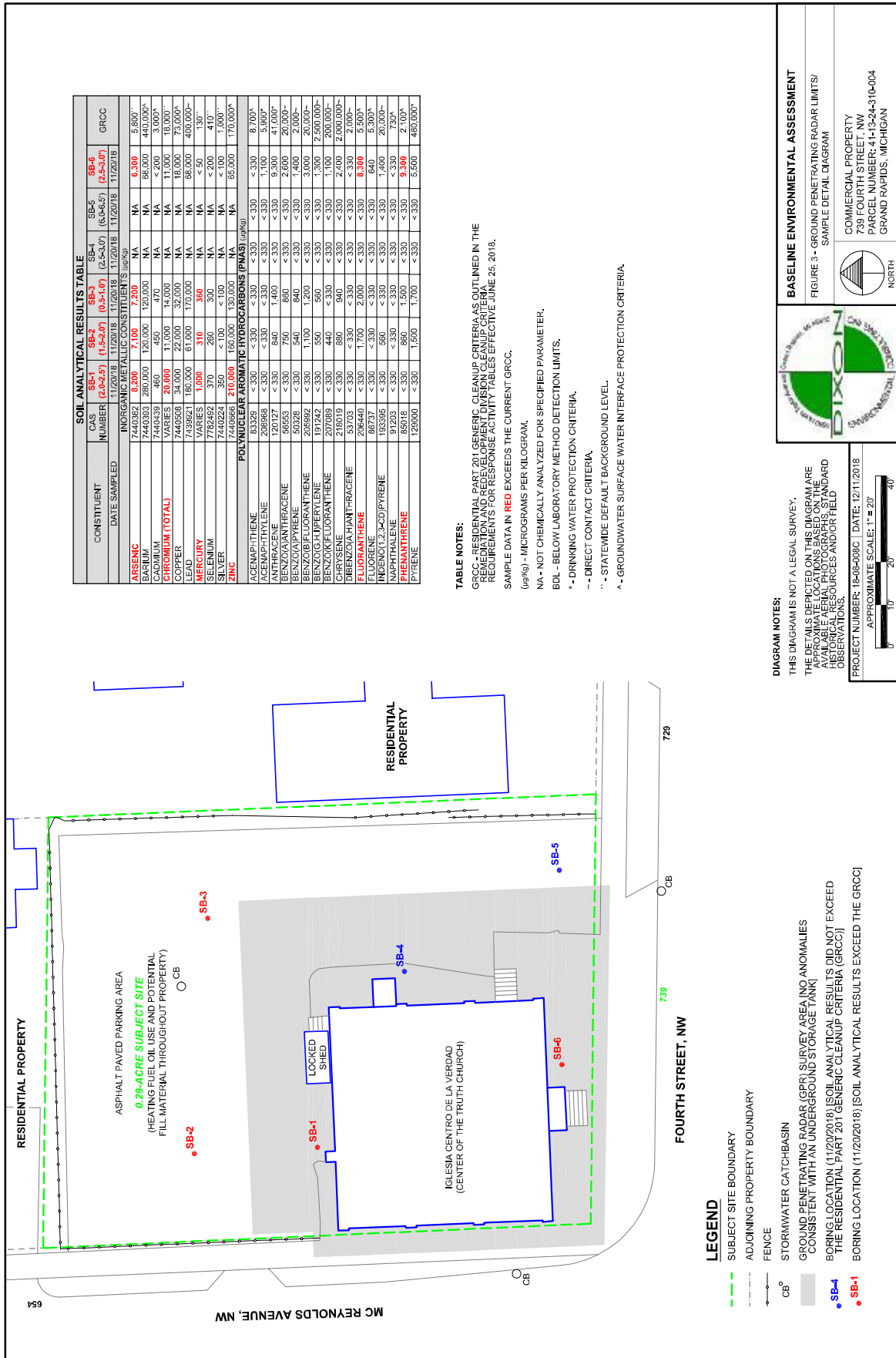
BASELINE ENVIRONMENTAL ASSESSMENT

FIGURE 1 - PROJECT LOCATION MAP



COMMERCIAL PROPERTY
739 FOURTH STREET, NW
PARCEL NUMBER: 41-13-24-310-004
GRAND RAPIDS, MICHIGAN





APPENDIX A

PROPERTY DESCRIPTION
AND
CUMING AND FERRY'S ADDITION PLAT

Property Description

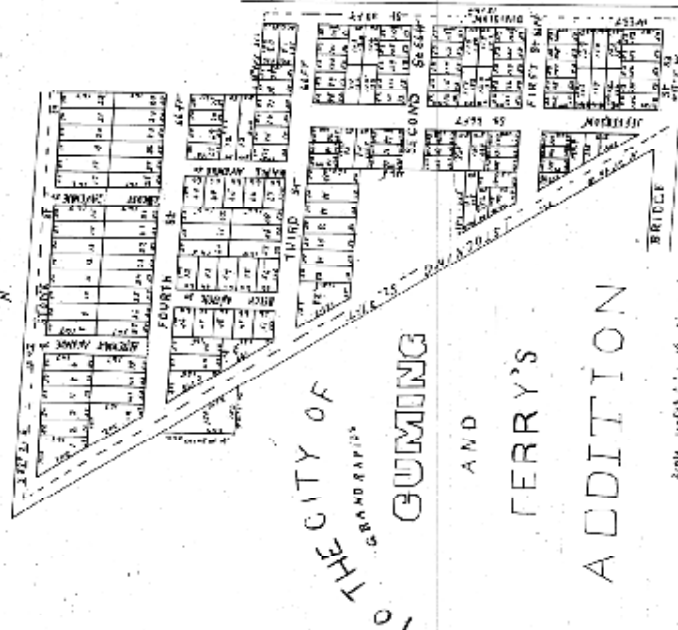
739 Fourth Street, NW, Grand Rapids, Michigan

Lots 36 and 37, EXCEPT the North 40 feet of said Lots, Cuming and Ferry's Addition, according to the Plat thereof, as recorded in Liber 24 of Plats, Page 9.

Parcel Identified Number: 41-13-24-310-004

Note: Property Description obtained from the Commitment for Title Insurance from Sun Title Agency of Michigan, LLC (Commitment No.: PC121999).

Page 1

[illegible][illegible]



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole

LIAISON: Mark Washington, City Manager

FROM: Kara Wood, Managing Director
Economic Development Department

SUBJECT: **Resolution approving an Amendment to the North Quarter Corridor Improvement Authority Development Plan and Tax Increment Financing Plan**

Attached is a resolution approving an Amended North Quarter Corridor Improvement Authority (the "CIA") Tax Increment Financing and Development Plan (the "Amended Plan") pursuant to Part Six (6) of the Recodified Tax Increment Financing Act, Act 57 of the Public Acts of Michigan of 2018, MCL 125.4602 et seq. (the "Act"). The Act recodified the Corridor Improvement Authority Act, Act 280 of the Public Acts of Michigan of 2008, among other legislation.

On May 15, 2012, the City Commission, by Resolution No. 81409, established the North Quarter CIA pursuant to the Act. The North Quarter CIA board was established by the City Commission (Resolutions Nos. 81604-81612) and held their first regular meeting on July 25, 2012. On December 4, 2012, the City Commission approved the North Quarter CIA's Tax Increment Financing Plan via Resolution No. 82001 and the North Quarter CIA began generating tax increment revenues in FY2014. The adoption of Personal Property Tax reform legislation which allowed for the exemption of eligible manufacturing personal property from taxes caused a reduction in captured taxable value that had the effect of zeroing out tax increment revenue for this district for the foreseeable future.

Due primarily to the tax reform, the North Quarter CIA has failed to generate tax increment revenue for three consecutive years (FY2017, FY2018, and FY2019). Section 602(m) of the Act allows a one-time reset of the initial taxable value for a Corridor Improvement Authority, which is accomplished by amending the Tax Increment Finance and Development Plan.

In the fall of 2018, the North Quarter CIA began discussing amending the Plan and made the decision to pursue a reset of the initial taxable value without changing the CIA boundaries. The CIA formed a committee to review and revise the project list in the

Amended Plan and on December 20, 2018, the CIA board reviewed a draft Amended Plan. On January 17, 2019, the CIA approved and recommended the attached Amended Plan to the City Commission for consideration.

A public hearing to consider the Amended Plan was held by the City Commission on March 26, 2019, notice of which was (i) published twice in The Grand Rapids Press, a newspaper of general circulation in the City, the first not less than 20 days nor more than 40 days before the hearing, (ii) mailed a notice of public hearing by first-class mail to (a) the property taxpayers of record in the North Quarter CIA, (b) the governing body of each taxing jurisdiction levying taxes within the Development Area and (c) the Michigan State Tax Commission, not less than 20 days before the hearing and (iii) posting notice of the public hearing in at least 20 conspicuous public places in the Development Area not less than 20 days before the hearing. All interested persons were given the opportunity to be heard at the public hearing.

KLW/js

Attachment

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution approving the Amended North Quarter Corridor Improvement Authority Development Plan and Tax Increment Financing Plan.

WHEREAS:

1. On May 15, 2012, the City Commission, by Resolution No. 81409, established the North Quarter Corridor Improvement Authority (CIA), pursuant to the Corridor Improvement Authority Act, Act 280 of the Public Acts of Michigan of 2008 ("Act 280"); and
2. Act 280 has been recodified as a portion of the Recodified Tax Increment Financing Act, Act 57 of the Public Acts of Michigan of 2018, MCL 125.4602, et seq. (the "Act"); and
3. The North Quarter CIA was established by the City Commission (Resolutions Nos. 81604-81612) and held their first regular meeting on July 25, 2012; and
4. On December 4, 2012, the City Commission approved the North Quarter CIA Development Plan and Tax Increment Financing Plan (the "Plan") via Resolution No. 82001 and the CIA began generating tax increment revenues in FY2014; and
5. The CIA has failed to generate tax increment revenue for three consecutive years and may, pursuant to the Act, amend its Plan and reset the initial taxable value; and
6. On January 17, 2019, the CIA approved and recommended an amendment to the North Quarter CIA Plan to the City Commission for consideration following a public hearing; and
7. A public hearing to consider the Amended Plan was held by the City Commission on March 26, 2019, notice of which was (i) published twice in The Grand Rapids Press, a newspaper of general circulation in the City, the first not less than 20 days nor more than 40 days before the hearing, (ii) mailed a notice of public hearing by first-class mail to (a) the property taxpayers of record in the North Quarter CIA, (b) the governing body of each taxing jurisdiction levying taxes within the Development Area and (c) the Michigan State Tax Commission, not less than 20 days before the hearing and (iii) posting notice of the public hearing in at least 20 conspicuous public places in the Development Area not less than 20 days before the hearing all as required by the Act; and
8. All interested persons were given the opportunity to be heard at the public hearing; therefore

RESOLVED:

1. That the City Commission approves the Amended North Quarter Corridor Improvement Authority Development Plan and Tax Increment Financing Plan pursuant to and in accordance with Part Six (6) of the Recodified Tax Increment Financing Act, Act 57 of the Public Acts of Michigan of 2018, MCL 125.4602 et seq; and
2. That upon adoption of this resolution, the City Clerk is directed to file a certified copy with the Michigan Secretary of State and publish a copy in The Grand Rapids Press, a newspaper of general circulation in the City; and
3. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

Prepared by Jessica Solis

CORRECT IN FORM

DEPARTMENT OF LAW



Amended Tax Increment Financing Plan & Development Plan (2019)



Submitted by the North Quarter Corridor Improvement Authority

Amended Tax Increment Financing and Development Plan

Attachment: Amended North Quarter TIF and Dev Plan Narrative v2 (Approving N. Quarter CIA TIF Plan & Dev Plan Amendment)

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Amended Tax Increment Financing and Development Plan

Attachment: Amended North Quarter TIF and Dev Plan Narrative v2 (Approving N. Quarter CIA TIF Plan & Dev Plan Amendment)

Introduction

General Overview

In 2005, the Michigan legislature enacted Public Act 280, the Corridor Improvement Authority Act, allowing cities, villages, and townships to create an authority to:

“correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas in the districts; to promote the economic growth of the districts; to create a board; to prescribe the powers and duties of the board; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.”

With the adoption of PA 280 in 2005, many local governments have used a Corridor Improvement Authority (CIA) to stimulate economic revitalization of business districts in transition within their community. A CIA is created to establish a development plan for a previously-established Corridor Improvement District (CID). This plan outlines improvements to public or private properties that will prevent further deterioration of the district and encourage new investment. These specific plans may be funded by tax increment financing, private or corporate donations, and other grants.

In 2018, the Michigan Legislature adopted the Recodified Tax Increment Finance Authority Act, Public Act 57, MCL 125.4101 *et seq.* (“Act 57”), which replaced, among other acts, Act 280 of 2005. Part 6 of Act 57, MCL 125.4602 – 125.4629, pertains specifically to Corridor Improvement Authorities, and is the controlling legislation at the time this Amended Development and Tax Increment Finance Plan is adopted.

The CIA is able to make strategic investments in the district by using tax increment financing. Through tax increment financing, a portion of the increase in the tax base resulting from the economic growth and development to facilities, structures or improvements within a development area is reinvested in the corridor and used for infrastructure improvements and facilities enhancement, thereby reinvigorating the development area and facilitating economic growth and development. The justification for capturing the taxes is that no new investment would have been made within the district without the establishment of the CID; therefore no taxes are lost by the interested taxing jurisdictions.

Powers of the Authority

Detailed powers of the Corridor Improvement Authority board are listed below per section 611 of Act 57:

- (a) Prepare an analysis of economic changes taking place in the development area.
- (b) Study and analyze the impact of metropolitan growth upon the development area.
- (c) Plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the development area.
- (d) Plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.
- (e) Develop long-range plans, in cooperation with the agency that is chiefly responsible for planning in the municipality, designed to halt the deterioration of property values in the development area and to promote the economic growth of the development area, and take steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- (f) Implement any plan of development in the development area necessary to achieve the purposes of this act in accordance with the powers of the authority granted by this act.
- (g) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (h) On terms and conditions and in a manner and for consideration the authority considers proper or for no consideration, acquire by purchase or otherwise, or own, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests in the property, that the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options.
- (i) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances to those buildings, within the development area for the use, in whole or in part, of any public or private person or corporation, or a combination thereof.
- (j) Fix, charge, and collect fees, rents, and charges for the use of any facility, building, or property under its control or any part of the facility, building, or property, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority.
- (k) Lease, in whole or in part, any facility, building, or property under its control.
- (l) Accept grants and donations of property, labor, or other things of value from a public or private source.
- (m) Acquire and construct public facilities.

(n) Conduct market research and public relations campaigns, develop, coordinate, and conduct retail and institutional promotions, and sponsor special events and related activities.

(o) Contract for broadband service and wireless technology service in a development area.

(2) Notwithstanding any other provision of this act, in a qualified development area the board may, in addition to the powers enumerated in subsection (1), do 1 or more of the following:

(a) Perform any necessary or desirable site improvements to the land, including, but not limited to, installation of temporary or permanent utilities, temporary or permanent roads and driveways, silt fences, perimeter construction fences, curbs and gutters, sidewalks, pavement markings, water systems, gas distribution lines, concrete, including, but not limited to, building pads, storm drainage systems, sanitary sewer systems, parking lot paving and light fixtures, electrical service, communications systems, including broadband and high-speed internet, site signage, and excavation, backfill, grading of site, landscaping and irrigation, within the development area for the use, in whole or in part, of any public or private person or business entity, or a combination of these.

(b) Incur expenses and expend funds to pay or reimburse a public or private person for costs associated with any of the improvements described in subdivision (a).

(c) Make and enter into financing arrangements with a public or private person for the purposes of implementing the board's powers described in this section, including, but not limited to, lease purchase agreements, land contracts, installment sales agreements, sale leaseback agreements, and loan agreements.

Background and Need for the Plan

The City of Grand Rapids City Commission adopted Resolution Number 81409 after a formal public hearing on May 15, 2012. That resolution legally formed the North Quarter Corridor Improvement Authority for the business districts of Cheshire Village, Creston, and a portion of Monroe North. On July 10, 2012, the City Commission appointed members to the Corridor Improvement Authority for the North Quarter. In this resolution, it was determined that a CIA was necessary to:

- (a) Correct and prevent deterioration in these business districts
- (b) Encourage historic preservation
- (c) Promote economic growth

The specific goals of the CIA are to:

- (a) Encourage the recruitment and retention of businesses and employment
- (b) Provide direction for desired land use and development within the district

- (c) Improve the overall business climate of the district and deter economic decline
- (d) Expand the tax base for the district and for the city
- (e) Enhance the visual aspects of the district while preserving its unique qualities

On December 4, 2012, after being prepared and recommended by the North Quarter CIA, the City Commission approved the Tax Increment Finance and Development Plan (the "Plan") of the North Quarter CIA, via Commission Proceeding Number 82001. The Plan included all of the items required by law, including a detailed explanation of the tax increment financing procedure, the maximum amount of bonded indebtedness to be incurred, and the duration of the program. The Plan also contained a statement and projection of the estimated impact of tax increment financing on the assessed values of all the taxing jurisdiction in which the development area is located.

The initially approved plan is now being amended as provided in Act 57, Section 602(m), which states:

(m) "Initial assessed value" means the assessed value, as equalized, of all the taxable property within the boundaries of the development area at the time the resolution establishing or amending the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted. The initial assessed value may be modified once during the term of the tax increment financing plan through an amendment as provided in section 618(4) after the tax increment financing plan fails to generate captured assessed value for 3 consecutive years due to declines in assessed value. Property exempt from taxation at the time of the determination of the initial or amended assessed value shall be included as zero. For the purpose of determining initial or amended assessed value, property for which a specific local tax is paid in lieu of a property tax shall not be considered to be property that is exempt from taxation. The initial assessed value of property for which a specific local tax was paid in lieu of a property tax shall be determined as provided in section 603(e).

The North Quarter CIA has experienced three consecutive years of negative captured assessed value and is therefore eligible to have the initial value modified through an amendment to its Plan as approved by the City Commission of the City of Grand Rapids.

Plan Development Process

For many years, North Quarter volunteer stakeholders have worked on a variety of initiatives. Residents, property owners, business owners, nonprofit organizations, and other stakeholders met regularly to articulate their vision for the North Quarter. Their goals are thriving business districts, safe neighborhoods, quality public spaces, and enhanced private development. The North Quarter Steering Committee met between 2010 and 2012 and determined that a Corridor Improvement District was a reasonable option to begin to implement that vision.

This area has a history of development plans that begin in 2003 with a business owner survey in the Cheshire Village business district. In 2004, Michigan State University Urban and Regional Planning Practicum students created a Commercial Revitalization Report for the Creston business district with the help of many stakeholders. In 2007, two separate plans were created with the help of Creston Neighborhood Association, the Creston Neighborhood Master Plan for Our Community (in March) and the Creston Business District Work Plan (in October). These were created after multiple stakeholder and neighborhood work sessions to revitalize both the neighborhood and the commercial corridor. The North Quarter Steering Committee was formed as a direct result of the Creston Business District Work Plan and met monthly for nearly two years leading up to the establishment of the CIA. In March 2010, the Steering Committee first approached Neighborhood Ventures to prepare a Corridor Improvement District feasibility study which was completed in August of that same year. The outcome was that a CID was a viable option for revitalization and economic growth in the North Quarter.

A North Quarter Corridor Improvement District Proposal was developed and a request to create a Corridor Improvement Authority was delivered to the Grand Rapids City Commission in February of 2012. The resolution to create the CID was approved by the City Commission in May and the CIA was appointed in July. The Development Plan and Tax Increment Financing Plan were a direct result of stakeholder involvement in district revitalization plans that spanned nearly a decade.

The original Plan remains largely relevant for the CIA. The purpose of the amendment to the Plan is to establish a new initial taxable value as permitted by Act 57 which will allow the CIA to begin capturing tax increment revenues to fund its projects. In addition to amending the initial taxable value, the North Quarter board reviewed and updated its project list, and amended the Plan to reflect the recodification of Act 280 into Act 57. Finally, the Amended Plan also extends the duration of tax capture for 30 years, or until 2049.

Development Plan

Benefits of the Corridor Improvement District and Authority

The North Quarter Corridor Improvement Authority recognizes the benefits to the district and to the City of Grand Rapids. The mission of the Authority is, “to create and sustain a vibrant culture of activity and investment in the Cheshire, Creston and North Monroe Neighborhoods.” This Amended Development Plan is a formal document to outline the priorities and goals of the Authority. The Corridor Improvement District Proposal and request to create a Corridor Improvement Authority states that a CID:

- (a) Utilizes TIF to complete improvement projects according to the approved TIF plan while leveraging other dollars such as earned income and private, state, federal and philanthropic monies for district improvements
- (b) Generates a clear plan to improve the district, implemented by an empowered neighborhood stakeholder-government partner framework – a proven national method for success
- (c) Creates access to additional programs and incentives to businesses such as special approval of liquor licenses within city development districts
- (d) Establishes a cohesive district which fosters business investment from existing entrepreneurs and attracts complementary new business growth
- (e) Encourages job creation, which produces more jobs for neighborhood residents and generates additional income tax revenue
- (f) Encourages surrounding property improvements, increasing values of neighboring properties thus generating more property tax revenue
- (g) Promotes greater interest in mixed-use development, broadening business location and residential housing options and increasing the tax base
- (h) Brings more people into the district to shop for goods and services, thus generating more repeat customers for neighborhood businesses and increasing sales tax revenue
- (i) Stimulates new commercial development in a neighborhood where additional private sector investment opportunity exists
- (j) Improves the climate of community and economic development for residents and businesses alike
- (k) Contributes to a healthy neighborhood which has the potential to decrease crime or the perception of crime, and increase public safety
- (l) Creates an improved commercial core and public space that is appealing to neighborhood residents encouraging “pride in place” and visitor attraction
- (m) Retains and empowers residents who can access jobs, goods and services in a walkable or transit oriented neighborhood
- (n) Creates an outreach and coordination mechanism at the neighborhood level for City-financed projects
- (o) Creates a public-private partnership with the City that enhances community neighborhood input to improve the district

Legal Basis of the Plan

This Development Plan and Tax Increment Financing Plan is prepared pursuant to requirements of Sections 621 and 618, respectively, of Act 57 of 2018. It addresses the geographic area of the Corridor Improvement District as established by the City Commission. A descriptive map, resolutions establishing the CID and forming the CIA and Ordinance, including the legal description describing the CID are contained in the appendices.

Development Plan Requirements

This section of the Development Plan provides specific information required in Section 621 of the Act 57. It consists of information requested in subsections 2(a) through 2(r).

Section 621. 2(a) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.

The CIA is the same as the boundary established by City Commission Resolution Number 81409 adopted on May 15, 2012 and with the proposed area encompassing Monroe Avenue and Taylor Avenue from Colfax Street south to Coldbrook Street, Coldbrook Street east to Plainfield Avenue, and Plainfield Avenue north to Beechwood Street. A copy of the boundary map is contained in Appendix B.

Section 621. 2(b) The location and extent of existing streets and other public facilities within the development area, designating the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses and shall include a legal description of the development area.

The CIA boundary is the same as the boundary established by City Commission Resolution Number 81409 adopted on May 15, 2012. The parcel area represented at the time of adoption was comprised of 50.72% Commercial, 29.38% Industrial, 5.60% Residential, and 14.30% Institutional.

The legal description is as follows:

Commencing at parcel number 41-13-13-430-002 on the east side of Monroe Avenue and parcel number 41-13-13-476-001 on the west side of Monroe Avenue and including all lots and parcels abutting Monroe Avenue southward to parcels 41-13-24-227-013 on the east side of Monroe Avenue and parcel 41-13-13-476-013 on the west side of Monroe Avenue.

Commencing at the intersection of Leonard Street and Monroe Avenue including all lots and parcels abutting Leonard Street eastward to parcel 41-14-18-382-018 on the north side of Leonard Street and 41-14-19-103-001 on the south side of Leonard Street.

Commencing at parcel number 41-14-18-303-026 on the east side of Taylor Avenue and parcel number 41-13-13-430-004 on the west side of Taylor Avenue and including all lots and parcels abutting Taylor Avenue southward to parcels 41-14-19-101-006 on the east side of Taylor Avenue and parcel 41-13-24-229-008 on the west side of Taylor Avenue.

Commencing at the intersection of Monroe Avenue and Coldbrook Street including all lots and parcels abutting the north side of Coldbrook Street eastward to parcel 41-14-19-102-013 on the north side of Coldbrook Street.

Commencing at the intersection of Leonard Street and Ionia Avenue including all lots and parcels abutting Ionia Avenue southward to parcel 41-13-24-227-008 on the west side of Ionia Avenue and 41-13-24-229-013 on the east side of Ionia Avenue.

Commencing at the intersection of Plainfield Avenue and Coldbrook Street including all lots and parcels abutting Plainfield Avenue northward to parcel 41-14-07-279-011 on the west side of Plainfield Avenue and 41-14-08-154-001 on the east side of Plainfield Avenue.

Commencing at the intersection of Plainfield Avenue and Caledonia Street including all lots and parcels abutting the north side of Caledonia Street westward to parcel 41-14-18-307-040 on the north side of Caledonia Street.

Commencing at parcel number 41-14-18-306-012 on the north side of Quimby Street and parcel number 41-14-18-307-022 on the south side of Quimby Street including all lots and parcels abutting Quimby Street eastward to parcels 41-14-18-332-011 on the north side of Quimby Street and parcel 41-14-18-334-016 on the south side of Quimby Street.

Also including the following parcels: 41-14-18-334-015 on Spencer Street, 41-14-18-307-042 on Coit Avenue, 41-14-07-477-001 on Eleanor Street, 41-14-07-477-002 on Edgewood Avenue, and 41-14-07-431-030 on Halena Street.

See district map in Appendix B

See district parcel list in Appendix A

Section 621. 2(c) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.

A description of specific improvement projects that are contemplated within the development area is contained in the project schedule and budget at the end of this section. The cost and time estimates included in the project schedule and budget are estimates only and may be revised by the Authority board without amending this Plan.

Section 621. 2(d) The location, extent, character, and estimated cost of the improvements including rehabilitation contemplated for the development area and an estimate of the time required for completion.

A description, including cost estimate and schedule of implementation, for each improvement project that will be completed within the area is contained in the project schedule and budget at the end of this section. The cost and time estimates included in the project schedule and budget are estimates only and may be revised by the Authority board without amending this Plan.

Section 621. 2(e) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.

A description, including cost estimate and implementation schedule for each specific improvement project that will be completed within the area is contained in the project schedule and budget at the end of this section. The time estimates included in the project schedule are estimates only and may be revised by the Authority board without amending this Plan.

Section 621. 2(f) A description of any parts of the development area to be left as open space and the use contemplated for the space.

This plan contemplates the addition of pocket parks, the addition of a community center, and the enhancement of bus shelters, etc. Tables 1 through 4 on subsequent pages include the project descriptions.

Section 621. 2(g) A description of any portion of the development area which the authority desires to sell, donate, exchange, or lease to or from the municipality and proposed terms.

A description, including real estate contemplated for acquisition and/or disposition (including cost estimates, terms and schedule for implementation) for each specific improvement contemplated within the development area is contained in the project schedule and budget at the end of this section. There is no known or identified property or real estate as of the adoption of this Plan that is necessary to complete the streetscape improvements set forth in this Plan. However, the CIA may wish to sell, donate, exchange, or lease property in the future. The Authority board reserves the right to sell, donate, exchange or lease property in the future to the extent determined necessary by the Authority board without further amendment to this Plan.

Section 621. 2(h) A description of desired zoning changes and changes in streets, street levels, intersections, traffic flow modifications, or utilities.

The intersection at Leonard and Plainfield is currently being evaluated for potential modifications. Other than this intersection, zoning changes, street layout adjustments, street level modifications, intersection and utilities changes are not contemplated at this time; except as may be proposed in the project schedule and budget at the end of this section.

Section 621. 2(i) An estimate of the cost of the development, a statement of the proposed method of financing the development, and the ability of the authority to arrange financing.

A description, including cost estimate for individual projects and method of financing is contained in the project schedule and budget at the end of this section. The total cost of completing all activities, projects and improvements proposed by the Authority Development Plan and to be undertaken and financed by the Authority is estimated to be **\$1,305,000**, which includes administrative expenses and contingencies. A breakdown of the estimated cost and estimated schedule for completion for each of those activities and projects is set forth in the project schedule and budget at the end of this section.

The scope of the items and improvements and the projected schedule for completion for those items and improvements described in this Plan are estimates only and may be revised from time to time by the Authority board without amending this Plan; provided, however, that such items and improvements must be completed within the term of this Plan, unless the term is amended in accordance with Act 57. Further, estimated costs for any items or improvements may be increased or decreased by the Authority board without amending this Plan based upon then-current pre-construction or pre-bid estimates of cost, as well as revised estimates of cost resulting from the receipt of bids. All operating and planning expenditures of the Authority and the City, as well as all advances extended by or indebtedness incurred by the City or other parties for improvements identified above that have been completed, are in progress, or yet to be completed, are expected to be repaid from tax increment revenues. The costs of the Plan are also anticipated to be paid from tax increment revenues as received.

The Authority expects to finance these activities from any one or more of the following sources:

- Future tax increment revenues
- Interest on investments
- Donations received by the Authority
- Proceeds from State and Federal Grants
- Proceeds from any property building or facility that may be owned, leased, licensed, operated or sold by the Authority
- Special assessments as may be approved by the City Commission

The proceeds to be received from tax increment revenues in the CID plus the availability of funds from other authorized sources will be sufficient to finance all activities and improvements to be carried out under this Plan.

Section 621. 2(j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken, if that information is available to the authority.

Information concerning the names of persons for whom benefits may accrue are unknown at this time as final development plans and projects have yet to be prepared. Therefore, such information is unavailable.

Section 621. 2(k) The procedure for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold or conveyed to these persons.

The CIA Board has no publicly announced commitments for the acquisition or sale of property as it has no property under supervisory responsibility of the CIA at this time. The CIA in conjunction with the City Commission may discuss policies to explore acquisition of tax reverted property should properties within the CIA District become available for acquisition by the City through tax reversion procedures.

It is not a priority of the CIA to acquire private property unless it advances a public improvement project or is necessary for economic development purposes. Any property acquired or held by the CIA, to be sold, leased, or otherwise conveyed to private development interests shall be sold, leased, or otherwise conveyed in accordance with local municipal policy, terms, and conditions to be established by the CIA, and state law, if applicable. At the time of the adoption of this plan, no private parties have been identified to whom land for redevelopment will be sold, leased, or otherwise conveyed; however, the CIA may convey such property to presently undetermined private parties for redevelopment for appropriate uses.

Section 621. 2(l) Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

As of the most recent decennial census (2010), the estimated population of the surrounding neighborhoods of Creston and Belknap Lookout was 28,448. No relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Finance Plan.

Section 621. 2(m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.

No relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Financing Plan.

Section 621. 2(n) Provision for the costs of relocating persons displaced by the development, and financial assistance and reimbursement of expenses, including litigation expenses and expenses incidental to the transfer of title, in accordance with the standards and provisions of the uniform relocation assistance and real property acquisition policies act of 1970, Public Law 91-646, 84 Stat. 1894.

No relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Financing Plan.

Section 621. 2(o) A plan for compliance with 1972 PA 227, MCL 213.321 to 213.322.

No relocation of families or individuals is anticipated within the scope of the proposed Development Plan or Tax Increment Financing Plan.

Section 621. 2(p) The requirement that amendments to an approved development plan and tax increment plan must be submitted by the authority to the governing body for approval or rejection.

In accordance with Act 57, the Authority reserves the right to amend this Plan to add new improvement projects, extend the duration of the Plan, or for other lawful purposes. Any amendments to the Plan shall be approved by the Authority and the Grand Rapids City Commission in accordance with the requirements of Act 280.

Section 621. 2(q) A schedule to periodically evaluate the effectiveness of the development plan.

An annual report shall be submitted to each entity for which taxes are captured addressing use of CIA funds during the past budget year, status of implementation of the program of work set forth in the Development Plan and proposed CIA activities for the ensuing year. Any changes from this Development Plan will be addressed and changed by action of the City Commission as part of this annual review of CIA activities. Amendments to the Development Plan and Tax Increment Financing Plan would be completed in compliance with notification and public hearing procedures of Section 622 prior to action of the City Commission.

Section 621. 2(r) Other material which the authority, local public agency, or governing board considers pertinent.

This Development Plan contemplated the use of tax increment financing. The Authority will comply with the City Commission's Policy on Corridor Improvement Authorities and Districts, as amended.

Exemption of Inflationary Valuation Increase from TIF Capture

Pursuant to Section 618 (1), the CIA may exclude from the tax increment financing plan captured growth in property value resulting solely from inflation. The CIA, by the terms of the agreement with the City, and the formation ordinance will capture inflationary growth with the following stipulations:

"In a year in which the inflation rate as defined in, and calculated pursuant to, Section 34d of the General Property Tax Act, Act 206 of the Public Acts of Michigan of 1893, as amended (MCL 211.34d) exceeds 5%, the City Commission may direct that the captured assessed value upon which tax increment revenues are calculated pursuant to a Corridor Improvement Development Area Plan be capped at the amount of captured assessed value attributable to "additions" as defined in State Tax Commission Bulletin No. 3 of 1995 as currently interpreted by applicable law, plus taxable value attributable to the uncapping of prior taxable value plus not more than 105% of the prior year's captured assessed value."

-City Commission Policy 900-49, rev. 01/27/09

Other Exemptions or Tax Sharing

Pursuant to Section 618(3) and this Plan, the CIA may enter into agreements with the taxing jurisdictions levying ad valorem property taxes that would otherwise be subject to capture to exempt these taxes from capture, in whole or in part.

The North Quarter CIA will capture taxes levied against real property, and no other taxes (i.e. personal property tax). Therefore, tax increment revenues will be derived only from *ad valorem* real property tax, and any *specific local tax* that is levied against real property in lieu of *ad valorem* taxes that are permitted to be captured by the Authority pursuant to Section 603(e) of Act 57, (i.e. taxes levied pursuant to Act 198 of 1974, Act 255 of 1978, Act 385 of 1984 and Act 189 of 1953, as of the time of approval of this Plan). Any other tax levied against personal property, whether industrial, commercial, a specific local tax, or otherwise, is specifically exempted from capture under this Plan.

Further, a tax levy approved, after the date of approval of this plan, by the electors of the taxing unit levying the tax (i) for the sole purpose of repaying bonds, notes or other debt identified in the ballot proposal, (ii) for a specified purpose other than the payment of general operating expenses and for a specific time period identified in the ballot proposal, provided, the levying of the tax has not resulted in the reduction of the taxing unit's general operating

millage except to the extent that such reduction is required by the State Constitution or statutory requirements, and (iii) for use to pay for specific capital improvements and for a specific time period identified in the ballot proposal, provided the levying of the tax has not resulted in the reduction of the taxing unit's general operating millage except to the extent such reduction is required by the State Constitution of statutory requirements shall be exempt from the capture of tax increment revenues, *provided, however*, in the case of an elector approved renewal of a tax levy that was subject to capture on the effective date of this Plan Amendment and which would be exempt from capture as provided above, only the portion of the tax levy above the previously approved levy is exempt from the capture of tax increment revenues.

Finally, upon approval of the original Plan by the City, the City provided notice to the taxing units as required by MCL 125.4618(5). Kent County and Grand Rapids Community College (GRCC) have both previously passed resolutions exempting their tax levies from capture under this Plan, such resolutions taking effect in 2013, and remaining in effect until such time as a resolution rescinding the action is submitted; therefore, neither Kent County nor GRCC taxes are included in the projections attached to this Plan.

Development and Tax Increment Financing Plan Schedule and Budget

The duration of this plan is a 30-year period. On the following pages specific projects addressing CIA goals are described. Each project includes estimated cost and time of completion. The schedule begins in the year 2018 and ends in the year 2048. Projects have been listed based on estimated time of completion.

Intent to Update and Extend Duration or Terminate Plan

On or before the year 2048, the authority will consider action to update and extend the duration of the Development Plan and Tax Increment Financing Plan or make recommendations to terminate the plans and rescind City Resolution 81409 creating the authority. Rescission of the resolution would dissolve the authority and eliminate the accompanying tax increment financing district; provided, however, that in accordance with Act 57, the authority shall not be dissolved if there is outstanding indebtedness of the authority.

Reimbursement of Excess Tax Capture

If CIA revenues exceed the anticipated needs of all projects listed in the development plan and budget, excess revenue shall revert proportionately to the respective taxing bodies (Section 619(2)).

Project Descriptions

This Development and Tax Increment Financing Plan arranges projects in the four categories used by the National Main Street Model (Design, Economic Restructuring, Organization, and Promotions/Marketing) and provides for a general timeframe for completion.

Design. Design enhances the character of the corridor through physical change. Research shows the significant daily traffic count along the corridor. Stakeholders have identified exploring how to incorporate new and innovative features to slow traffic, encourage people to stop and visit, and ultimately invest in the district. Furthermore the aesthetics of the North Quarter are important to stakeholders. There is a current lack of greenery, trees, and public spaces throughout the commercial corridors. Stakeholders would like to see an inviting district that is a destination place.

Economic Restructuring. Economic restructuring re-establishes the neighborhood business district as the commercial core of the community. Commercial property code enforcement, filling vacant buildings, façade improvement, and infill development on vacant parcels are essential to a healthy district. Strong businesses and a viable business mix are also critical. Stakeholders would like to see business recruitment programs and a revolving micro-loan fund in place to assist with this effort. They believe that offering business incentives and enhancing cooperative marketing and branding are key to attracting new business and development to the district.

Organization. Organization ensures that the work of commercial corridor revitalization is accomplished through fundraising and volunteer development. Organizational activities can be carried out by the Corridor Improvement Authority. It is suggested by the North Quarter CID Steering Committee that the Authority Board will function in the organizing role similar to that used in the Main Street model and form committees for promotions, design, and economic restructuring.

Promotions/Marketing. Promotions reinforce the commercial corridor as the social core of the neighborhood and strengthen a positive image. Currently, business owners in the North Quarter have been participating in many of the events that the North Quarter Marketing Committee has planned and promoting themselves as a district through small cooperative marketing initiatives, including partnering in 2011 with the Creston Car Show. However, the North Quarter currently lacks the funding and stability necessary for sustainable events and marketing. Marketing and branding a district is essential to draw in a strong customer base, helping businesses thrive and creating a unique gathering place for residents and visitors. It has been stressed by neighborhood stakeholders that a comprehensive strategy should be developed and implemented to assist in creating a thriving North Quarter. Critical components of this strategy would be the intentional positive promotion of the North Quarter to Grand Rapids and the region in general through a variety of opportunities for cooperative marketing.

Amended Tax Increment Financing and Development Plan

The following tables summarize the various projects and activities proposed, including an estimated cost and completion date for each. As noted previously, the costs and completion dates are estimates only and are subject to change without further amendment to this Plan. These dates and estimates may vary because of private investment decisions, financing opportunities, market shifts or other factors.

Table 1: Projects Anticipated in Design

Project	Estimated Cost	Estimated Completion
Short Term Projects		
Install bike racks	\$10,000	2019-2020
Encourage transparency of store-front windows	\$1,500	Ongoing
Purchase and install recycling containers	\$5,000	2019-2022
Create and implement a greening plan	\$10,000	ongoing
Create and implement corridor signage plan	\$5,000	ongoing
Improve crosswalks (ADA access, flashing signals)	\$10,000	2021-2023
Become dog-friendly with clean-up stations and dog park	\$5,000	2021-2022
Bury certain utilities	\$20,000	2021-2020
Connect corridor with Grand River	\$20,000	2021-2020
Gather information on options for traffic calming measures	\$2,000	ongoing
Work with community on bike lanes/shared lanes options	\$5,000	2022-2023
Work with business owners and community banks on façade improvement program	\$2,000	2020-2022
Fund street planters	\$15,000	2020-2022
Electricity for islands	\$25,000	2020-2022
Increase connectivity to the Downtown Business District	\$20,000	ongoing
Implement safe walking to routes to school	\$3,000	2020-2022
Enhance handicap parking and create handicap accessibility on sidewalks	\$5,000	2020-2022
Medium Term Projects		
Create and mount North Quarter banners on poles (general, seasonal, event based, etc.)	\$15,000	2019-2022
Gather information on options for traffic calming measures	\$2,000	ongoing
Work with business owners and community banks on façade improvement program	\$2,000	2020-2022
Enhance bus stops/shelters and public benches	\$5,000	2022-2023
Plan and create to implement any other advances in transportation	\$5,000	2022-2023
Install wayfinding signage and district kiosks	\$10,000	2022-2023
Place enhanced trash receptacles on sidewalks	\$10,000	2022-2023
Install historic markers and coordinate other preservation initiatives	\$10,000	2022-2023
Work with local artists to introduce more public art	\$5,000	Ongoing
Improve parking lots (permeable paving, rain gardens, signage)	\$10,000	2021-2023
Improve crosswalks (ADA access, flashing signals)	\$10,000	2021-2023
Add district wide compost bins	\$10,000	2021-2023
Become dog-friendly with clean up stations and dog park	\$5,000	2021-2022
Connect corridor with Grand River	\$20,000	2020-2021
Purchase and install recycling containers	\$5,000	2019-2022
Create space for community garden	\$3,000	2019-2021
De-pave certain resting areas within the corridor	\$10,000	2020-2023
Long Term Projects		

Amended Tax Increment Financing and Development Plan

Add ornamental street lighting	\$30,000	2020-2025
Analyze surface treatments for street and sidewalk	\$5,000	2020-2043
Incentivize developers to build infill buildings	\$20,000	2020-2043
Create community amphitheater	\$75,000	2020-2030
Build pocket parks and public fountains	\$25,000	2020-2043
Install public drinking fountains/underground irrigation for planters/green space	\$25,000	2020-2043
Build public restrooms with diaper changing stations in parks	\$50,000	2025-2030
Evaluate snow melt system/heated sidewalks	\$5,000	2020-2043
Evaluate suspended crosswalk over Plainfield	\$5,000	2020-2043
Create public plaza at Coit and Quimby	\$35,000	2020-2043
Develop courtyard adjacent to VanBelkum Library	\$15,000	2020-2043
Work with ITP to develop BRT or light rail plan along Plainfield	\$5,000	2020-2043
Develop additional boulevards along main corridors	\$30,000	2020-2043
Develop support for infrastructure	\$25,000	2020-2025
Develop plan to build museum/historical presence	\$5,000	2020-2043
Install outdoor speaker systems	\$5,000	2020-2043
Decorate walkways	\$2,000	2020-2043
Develop strategic plan to implement mixed income housing	\$5,000	2020-2043
Plan for any other district infrastructure improvements	\$50,000	2020-2025
Add district-wide compost bins	\$10,000	2021-2023
Install historic markers and coordinate other preservation initiatives	\$10,000	2022-2023
Work on free district-wide Wi-Fi and utilize any other technologies	\$5,000	ongoing
Create Monroe North to Plainfield bike path connector and signage	\$15,000	2020-2022
Develop master signs to establish district identity and boundaries	\$3,000	2020-2021
Develop courtyards/seating areas throughout the corridor	\$10,000	2022-2023

Table 2: Projects Anticipated in Economic Restructuring

Project	Estimated Cost	Estimated Completion
Short Term Projects		
Begin strategic business recruitment and retention initiatives	\$5,000	ongoing
Create inventory of existing businesses	\$2,000	2019-2022
Plan business open houses	\$2,000	2019-2022
Medium Term Projects		
Construct business incubator space	\$10,000	2022-2020
Recruit grocery store/co-op/market	\$5,000	2022-2020
Recruit businesses for viable business mix	\$5,000	ongoing
Develop revolving business micro-loan fund	\$50,000	2022-2020
Develop relocation plan for businesses	\$2,000	ongoing

Long Term Projects		
Discuss strategic property acquisition	-	2020-2043
Work with local land bank on commercial property redevelopment	-	2020-2043
Offer business build-out grants	\$50,000	2020-2043
Convert vacant property to commercial or mixed-use	\$100,000	2020-2043
Discuss demolition/abatement programs	-	2020-2043

Table 3: Projects Anticipated in Organization

Project	Estimated Cost	Estimated Completion
Short Term Projects		
Gather information in traffic study	\$2,000	2019-2022
Invest in volunteer recruitment/management/recognition	\$1,000	ongoing
Enhance fundraising and grant writing efforts	\$2,000	ongoing
Make decisions about special development area liquor licenses	-	ongoing
Contract out ongoing project administration services	\$25,000	ongoing
Develop corridor maintenance plan (including Business Improvement District)	\$5,000	2019-2020
Create business directory	\$3,500	2019-2020
Hire outside consultant(s) for any other activity	\$25,000	ongoing

Table 4: Projects Anticipated in Promotions/Marketing

Project	Estimated Cost	Estimated Completion
Short Term Projects		
Create general marketing and branding strategy, including logo	\$10,000	2019-2020
Invest in pedicabs/alternative modes of transportation	\$10,000	2019-2022
Create business brochure and map for marketing	\$5,000	2019-2020
Create business directory	\$1,000	2019-2020
Develop website	\$5,000	2019-2020
Utilize trolley or shuttle for district-wide events	\$2,000	ongoing
Collaborate with community events such as ArtPrize	\$1,000	ongoing
Coordinate with Grand Rapids Public School events	\$1,000	ongoing
Implement cooperative advertising strategies	\$5,000	ongoing
Work with external organizations in joint marketing (example: Chamber of Commerce)	\$2,000	ongoing
Medium Term Projects		
Promote idea of Farmers Market	\$2,000	2022-2020
Develop bike rental program	\$10,000	2022-2020
Plan charity events and festivals	\$10,000	2022-2020
Plan events that connect neighbors with businesses	-	ongoing

Amended Tax Increment Financing and Development Plan

Long Term Projects		
Invest in public marquee	\$25,000	2020-2043
Purchase trolley or work to develop streetcar corridor	\$50,000	2020-2043
Work with community on public community center	\$50,000	2020-2043

Other Sources of Financing

The CIA expects to finance these activities from one or more of the following sources:

1. Future tax increment revenues
2. State or Federal grants
3. Interest on investments
4. Donations received by the CIA
5. Proceeds from any property, building or facility owned, leased or sold by the CIA
6. Moneys obtained through development agreements with property owners benefiting from adjacent open space and other public improvements
7. Moneys obtained from other sources approved by the Grand Rapids City Commission

The revenue to be received from tax increment financing in this Development Area plus the availability of funds from other authorized sources will be sufficient to finance the activities and improvements to be carried out under this plan.

Tax Increment Financing Plan

This tax increment financing plan is established to make possible the financing of all or a portion of the costs associated with the activities and projects contained in the Development Plan for the North Quarter Corridor Improvement District.

Tax Increment Financing Plan.

The Corridor Improvement Authority Act requires the CIA to address three legislative requirements in the Tax Increment Financing Plan. These provide information about funds anticipated to be received by the CIA and its impact upon taxing jurisdictions. These requirements are found in Section 618(1) of the Act and states that “if the authority determines that it is necessary for the achievement of the purposes of this act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 621...”

Specifically, the Tax Increment Financing Plan must include, pursuant to Section 618(1) of the Act:

1. A detailed explanation of the tax increment procedure,
2. The maximum amount of bonded indebtedness to be incurred, and
3. The duration of the program.

1. Detailed explanation of the Tax Increment Financing Procedure

Act 57 of 2018, as amended, authorizes tax increment financing (TIF). TIF makes it possible for a district to essentially capture tax revenues that are derived from the increase in value of property, which has benefitted from development projects within said district. The revenue is used to finance further development within the district. The North Quarter CIA has determined that, in order to finance the activities described in the Development Plan, a tax increment financing plan must be adopted. The theory of utilizing TIF is that tax revenue will increase within a district where development is taking place. That increase in development will generate an increase in the tax revenues within that district. Therefore, it is appropriate to use this increase in tax revenue to reinvest into the district to encourage continued development.

The tax increment financing procedure as outlined in Act 57 requires the adoption by the City, by resolution, of a Development Plan and a Tax Increment Financing Plan. Following the adoption of that resolution, the city and county treasurers are required by law to transmit to the CIA that portion of the tax levy of all taxing bodies paid each year on the “Captured Assessed Value of all real property located in the Development Area.” The tax amounts to be transmitted are hereinafter referred to as “Tax Increment Revenue”. The “Captured Assessed Value” is defined by the Act as “the amount in any 1 year by which the current assessed value of the project area, including the assessed value of property for which specific local taxes are paid in lieu of property taxes ... exceeds the initial assessed

value...” The “initial assessed value” is defined by the Act as the “assessed value, as equalized, of all the taxable property within the boundaries of the Development Area at the time the resolution establishing the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted...”

It is the goal of the CIA to use the tax increment revenues in the development district for the number of years necessary to complete the projects outlined in the Development Plan.

The CIA shall submit a report on the tax increment financing account showing the revenue received and the amount and purpose of expenditures from the account. Reports will also be required showing the initial assessed value of the development district, the amount of captured assessed value, and the tax increment revenues retained by the CIA. The report shall be submitted to the Grand Rapids City Commission and contain such additional information as the City Commission deems necessary.

An opportunity will be made available to the County Board of Commissioners and other taxing jurisdictions to meet with the City Commission to discuss the fiscal and economic implications of the proposed financing and development plans. The tax increment financing plan may be modified by the City Commission upon notice and after public hearings. The governing body may abolish the tax increment financing plan when it finds that the purpose for which it was established is accomplished.

2. The maximum amount of bonded indebtedness to be incurred

According to City policy 900-49, as amended, the CIA does not anticipate bonding. Below is the current financial position of the North Quarter CIA.

Description of Current Financial Position

Current Assets: The North Quarter CIA fund balance at the time of preparation of this analysis is \$11,207 consisting of pooled cash and investments.

Anticipated Revenue: The CIA district contains 273 individual real property parcels. The 2018 taxable value for all real property is \$31,427,838. This is the initial assessed value to which all future assessments will be compared to determine the tax capture for the district. A detailed projection table for the 30-year period is included in Appendix C.

Expenses: The CIA will be responsible for all expenses for each project listed in the Development Plan using TIF funding. Other sources of funding may be leveraged from time to time in addition to the TIF.

3. Duration of the CIA and Tax Increment Financing District.

This Tax Increment Financing Plan establishes a budget for a 30-year period. This is reflected in the Development Plan's projects estimated completion dates, Tables 1 through 4.

4. Estimated Impact of the Tax Increment Financing Plan

Adoption of this Tax Increment Financing Plan will initially result in the use of all revenues derived from increases in assessed value of the real property of the Development District for proposes of the Development Plan. As soon as adequate increments have been generated to pay for the development projects, excess tax increment will be returned to the taxing jurisdictions.

Appendix C: Projections and Taxing Jurisdiction Impact Tables, provided by the City of Grand Rapids, demonstrates the current millage levied by each jurisdiction, the anticipated growth in assessed value, the resulting tax increment revenues to be generated during the life of the Plan, and the estimated fiscal and economic implications on taxing jurisdictions resulting from the implementation of the Plan and capture of millage by the Authority.

The Authority proposes to strengthen the Development District and arrest the current stagnation and deterioration in property values. This is to be accomplished by using the additional tax revenues generated in the Development District to make public improvements and induce private redevelopment.

Several taxing bodies currently receive property tax revenue from the property within the Development District. They will continue to receive tax revenues on the initial assessed value of this property throughout the duration of the Plan. When this plan is terminated, these taxing jurisdictions will receive property tax revenues from all taxable property located within the Development District, including new development and appreciation in value stimulated by the development projects and inflation.

Appendix A – List of Affected Properties by Parcel Number

Parcel Number	Property Class	2018 TV Final	PRE
41-13-13-430-002	201	4,676	0
41-13-13-430-003	201	1,360,869	0
41-13-13-430-004	201	5,327	0
41-13-13-476-006	201	171,400	0
41-13-13-476-007	201	200,041	0
41-13-13-476-010	201	159,228	0
41-13-13-476-013	201	404,806	0
41-13-13-476-014	201	1,574,717	0
41-13-13-477-016	201	1,714,439	0
41-13-13-479-026	201	310,900	0
41-13-24-227-001	201	58,185	0
41-13-24-227-008	201	213,577	0
41-13-24-227-009	201	1,647,468	0
41-13-24-227-011	201	61,550	0
41-13-24-228-002	201	17,799	0
41-13-24-228-005	201	119,700	0
41-13-24-228-006	201	42,800	0
41-13-24-228-011	201	177,186	0
41-13-24-228-012	201	88,654	0
41-13-24-229-008	201	136,577	0
41-13-24-229-010	201	15,594	0
41-13-24-229-012	201	33,900	0
41-13-24-229-014	201	71,812	0
41-14-07-279-012	201	171,600	0
41-14-07-281-003	201	248,709	0
41-14-07-404-017	201	370,500	0
41-14-07-404-018	201	117,473	0
41-14-07-404-020	201	530,649	0
41-14-07-428-001	201	413,414	0
41-14-07-431-002	201	52,719	0
41-14-07-431-030	201	21,095	0
41-14-07-431-031	201	114,810	0
41-14-07-432-001	201	271,747	0
41-14-07-432-031	201	419,628	0
41-14-07-451-050	201	44,353	0
41-14-07-451-052	201	122,302	0
41-14-07-453-034	201	84,500	0
41-14-07-453-036	201	184,087	0
41-14-07-453-038	201	64,900	0
41-14-07-455-014	201	63,546	0
41-14-07-476-002	201	183,303	0
41-14-07-476-003	201	102,293	0
41-14-07-476-006	201	55,679	0
41-14-07-476-009	201	19,900	0
41-14-07-476-026	201	77,900	0
41-14-07-476-029	201	68,571	0
41-14-07-476-030	201	172,142	0
41-14-07-476-031	201	102,565	0
41-14-07-476-032	201	96,200	0
41-14-07-477-001	201	38,580	0

41-14-07-477-002	201	121,146	0
41-14-07-481-001	201	383,810	0
41-14-08-154-001	201	116,947	0
41-14-08-154-002	201	158,030	0
41-14-08-154-003	201	81,318	0
41-14-08-156-003	201	334,855	0
41-14-18-177-003	201	84,524	0
41-14-18-177-004	201	53,539	0
41-14-18-181-027	201	29,509	0
41-14-18-181-028	201	233,686	0
41-14-18-204-001	201	399,342	0
41-14-18-205-002	201	91,752	0
41-14-18-205-003	201	61,066	0
41-14-18-205-004	201	34,974	0
41-14-18-205-005	201	62,516	0
41-14-18-205-006	201	81,264	0
41-14-18-226-004	201	1,154,791	0
41-14-18-303-026	201	68,569	0
41-14-18-306-013	201	267,297	0
41-14-18-307-023	201	160,800	0
41-14-18-307-041	201	149,824	0
41-14-18-307-042	201	121,600	0
41-14-18-307-043	201	92,874	0
41-14-18-326-016	201	70,571	0
41-14-18-326-019	201	64,037	0
41-14-18-326-023	201	163,100	0
41-14-18-327-013	201	89,000	0
41-14-18-327-014	201	16,690	0
41-14-18-327-019	201	126,988	0
41-14-18-327-020	201	82,828	0
41-14-18-327-021	201	124,300	0
41-14-18-327-022	201	105,393	0
41-14-18-327-023	201	51,096	0
41-14-18-327-024	201	41,069	0
41-14-18-327-025	201	306,263	0
41-14-18-327-026	201	51,124	0
41-14-18-327-027	201	82,968	0
41-14-18-328-002	201	96,370	0
41-14-18-329-003	201	41,387	0
41-14-18-329-004	201	74,311	0
41-14-18-330-024	201	211,218	0
41-14-18-332-004	201	196,103	0
41-14-18-332-009	201	3,500	0
41-14-18-332-011	201	22,100	0
41-14-18-334-007	201	109,110	0
41-14-18-334-008	201	65,315	0
41-14-18-334-013	201	139,746	0
41-14-18-334-014	201	328,302	0
41-14-18-351-010	201	31,300	0
41-14-18-351-012	201	66,914	0
41-14-18-351-013	201	68,599	0
41-14-18-352-007	201	3,031	0
41-14-18-352-027	201	69,915	0
41-14-18-352-028	201	186,051	0
41-14-18-352-030	201	21,114	0

41-14-18-352-031	201	78,529	0
41-14-18-353-016	201	95,304	0
41-14-18-353-017	201	77,406	0
41-14-18-353-018	201	69,283	0
41-14-18-353-035	201	253,048	0
41-14-18-353-046	201	330,895	0
41-14-18-354-017	201	177,206	0
41-14-18-354-018	201	13,000	0
41-14-18-354-023	201	19,125	0
41-14-18-355-010	201	163,500	0
41-14-18-356-006	201	29,100	0
41-14-18-356-007	201	16,000	0
41-14-18-356-008	201	159,100	0
41-14-18-356-009	201	38,295	0
41-14-18-356-012	201	138,678	0
41-14-18-356-013	201	33,921	0
41-14-18-357-008	201	70,401	0
41-14-18-358-003	201	217,700	0
41-14-18-359-002	201	35,902	0
41-14-18-359-003	201	31,173	0
41-14-18-359-016	201	23,600	0
41-14-18-360-001	201	8,900	0
41-14-18-380-001	201	79,300	0
41-14-18-380-060	201	79,200	0
41-14-18-380-064	201	67,097	0
41-14-18-382-029	201	129,600	0
41-14-18-382-031	201	67,450	0
41-14-19-101-001	201	13,247	0
41-14-19-101-002	201	17,513	0
41-14-19-101-004	201	146,168	0
41-14-19-101-005	201	189,656	0
41-14-19-101-006	201	89,377	0
41-14-19-101-007	201	97,991	0
41-14-19-102-013	201	113,063	0
41-14-19-102-023	201	34,974	0
41-14-19-102-026	201	62,012	0
41-14-19-102-028	201	159,847	0
41-14-19-102-033	201	102,503	0
41-14-19-102-034	201	217,751	0
41-14-19-103-001	201	64,500	0
41-14-19-502-008	201	41,000	0
41-14-18-306-012	202	2,328	0
41-14-18-334-016	202	269,806	0
41-14-18-354-020	202	13,200	0
41-14-18-382-003	202	41,800	0
41-13-24-227-903	289	42,000	0
41-13-24-227-905	289	58,200	0
Total Commercial		\$24,537,865.00	

41-13-13-476-003	301	147,034	0
41-13-13-476-008	301	30,100	0
41-13-13-476-009	301	49,757	0
41-13-13-478-026	301	913,800	0
41-13-13-479-027	301	167,500	0
41-13-13-479-028	301	115,200	0

41-13-13-479-029	301	56,002	0
41-13-24-227-013	301	22,400	0
41-14-18-332-003	301	118,300	0
41-14-18-332-008	301	137,826	0
41-14-18-332-010	301	408,900	0
41-14-18-351-004	301	16,841	0
41-14-18-352-026	301	60,548	0
41-13-13-479-025	302	21,427	0
41-13-24-229-013	302	16,500	0
41-14-18-305-023	302	8,859	0
41-14-19-502-010	302	9,342	0
Total Industrial		\$ 2,300,336.00	

Special Acts (OPRA and IFT)			
41-55-51-007-553	301	35,130	0
41-55-51-015-168	301	37,062	0
41-55-51-015-236	201	176,530	0
41-85-51-315-029	201	77,120	0
41-87-51-315-029	201	353,300	0
41-85-51-316-032	201	44,722	0
41-87-51-316-032	201	54,000	0
41-85-51-315-045	201	58,838	0
41-87-51-315-045	201	79,800	0
Total Special Acts N-PRE		916,502	
Total Special Acts PRE			
Grand Total Special Acts		\$916,502	

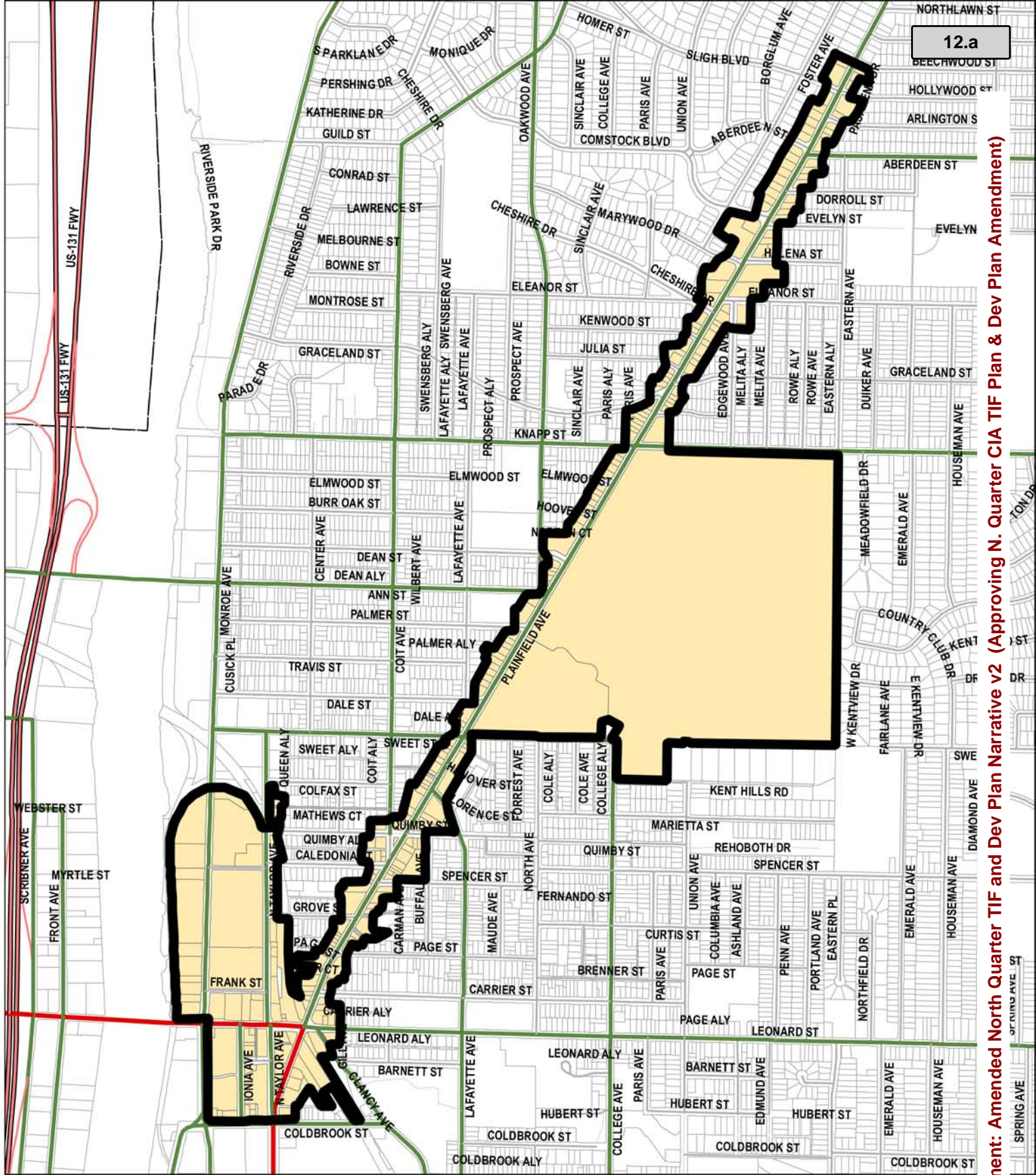
41-14-07-279-011	401	55,809	100
41-14-07-280-009	401	57,119	100
41-14-07-280-010	401	45,871	100
41-14-07-280-011	401	48,163	100
41-14-07-280-012	401	65,748	100
41-14-07-282-004	401	60,474	100
41-14-07-282-005	401	77,187	100
41-14-07-427-009	401	78,300	100
41-14-07-427-010	401	103,885	100
41-14-07-427-011	401	73,612	100
41-14-07-427-012	401	95,096	100
41-14-07-427-013	401	78,315	100
41-14-07-427-014	401	55,613	100
41-14-07-427-015	401	69,753	100
41-14-07-427-016	401	69,133	100
41-14-07-427-020	401	91,685	100
41-14-07-429-001	401	72,388	100
41-14-07-429-002	401	68,687	100
41-14-07-429-003	401	69,734	100
41-14-07-430-001	401	129,494	100
41-14-07-430-002	401	82,041	100
41-14-07-430-004	401	77,065	100
41-14-07-430-020	401	78,944	100
41-14-07-455-016	401	31,037	100
41-14-07-455-017	401	48,709	100

41-14-07-455-037	401	37,897	100
41-14-07-457-023	401	60,581	100
41-14-07-476-010	401	39,035	100
41-14-07-480-013	401	48,191	100
41-14-07-480-029	401	55,033	100
41-14-07-480-030	401	32,103	100
41-14-18-180-013	401	65,004	100
41-14-18-180-015	401	51,050	100
41-14-18-180-017	401	77,200	100
41-14-18-180-018	401	68,611	100
41-14-18-180-020	401	67,283	100
41-14-18-180-023	401	40,814	100
41-14-18-180-025	401	40,853	100
41-14-18-180-027	401	55,190	100
41-14-18-201-028	401	71,000	100
41-14-18-201-029	401	49,443	100
41-14-18-202-018	401	63,379	100
41-14-18-202-020	401	53,694	100
41-14-18-202-021	401	46,960	100
41-14-18-202-022	401	92,400	100
41-14-18-203-010	401	92,717	100
41-14-18-326-020	401	50,009	100
41-14-18-360-002	401	67,500	100
41-14-18-382-017	401	48,400	100
41-14-07-457-024	401	62,357	50
41-14-07-457-025	401	30,339	50
41-14-18-180-021	401	46,082	50
41-14-18-329-002	401	35,272	50
41-14-18-382-016	401	28,237	50
41-14-07-280-008	401	50,021	0
41-14-07-280-014	402	9,909	0
41-14-07-282-001	401	40,730	0
41-14-07-282-003	402	6,980	0
41-14-07-429-013	401	59,942	0
41-14-07-431-001	401	89,913	0
41-14-07-451-054	401	33,803	0
41-14-07-455-015	401	30,397	0
41-14-07-457-014	401	42,936	0
41-14-07-457-015	401	15,997	0
41-14-07-457-016	401	38,317	0
41-14-07-457-018	401	36,945	0
41-14-07-457-022	401	68,800	0
41-14-07-480-014	401	51,400	0
41-14-07-480-015	401	40,427	0
41-14-18-180-014	401	16,117	0
41-14-18-180-022	401	45,256	0
41-14-18-181-026	401	43,087	0
41-14-18-201-026	402	8,678	0
41-14-18-201-027	401	37,267	0
41-14-18-202-019	401	69,949	0
41-14-18-203-011	401	65,168	0
41-14-18-305-004	402	4,625	0
41-14-18-326-018	401	38,210	0
41-14-18-326-021	401	51,649	0
41-14-18-329-001	401	35,644	0

41-14-18-354-021	402	3,267	0
41-14-18-354-022	401	28,104	0
41-14-18-354-024	401	23,466	0
41-14-18-356-003	401	42,260	0
41-14-18-357-004	401	34,221	0
41-14-18-357-005	401	35,692	0
41-14-18-382-018	401	29,964	0
Total Residential PRE		3,259,352.50	
Total Residential N-PRE		1,330,284.50	
Grand Total Residentail		\$ 4,589,637.00	

41-13-13-476-001	701	-	0
41-13-13-476-002	701	-	0
41-13-24-227-014	701	-	0
41-14-07-428-002	701	-	0
41-14-07-476-033	701	-	0
41-14-18-182-032	701	-	0
41-14-18-201-030	701	-	0
41-14-18-307-022	701	-	0
41-14-18-307-040	701	-	0
41-14-18-326-022	701	-	0
41-14-18-334-015	701	-	0
41-14-18-352-002	701	-	0
41-14-18-352-021	701	-	0
41-14-18-357-001	701	-	0
41-14-18-502-001	701	-	0
41-14-18-502-005	701	-	0
Total Exempt		-	

Appendix B – North Quarter District Map



Appendix C – Tax Increment Financing Thirty Year Projections and Taxing Jurisdiction Impact Tables

TAX ROLL YEAR	FISCAL YEAR	AD VALOREM ESTIMATED TAX INCREMENT REVENUES								Post-1993 Industrial Facilities Tax Roll	City of Grand Rapids					Kent County	ITP	GRCC	TOTAL
		Real Property				Personal Property													
		NPRE	PRE	Exempt	Utilities	Commercial	Industrial	Utilities											
2019	2020	\$ 164	\$ 1,418	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6	\$ 1,588	\$ 1,357	\$ -	\$ 231	\$ -	\$ 1,588				
2020	2021	165	1,425	-	-	-	-	-	6	1,596	1,363	-	232	-	1,596				
2021	2022	166	1,432	-	-	-	-	-	6	1,604	1,370	-	234	-	1,604				
2022	2023	167	1,439	-	-	-	-	-	6	1,612	1,377	-	235	-	1,612				
2023	2024	167	1,446	-	-	-	-	-	6	1,620	1,384	-	236	-	1,620				
2024	2025	168	1,453	-	-	-	-	-	6	1,628	1,391	-	237	-	1,628				
2025	2026	169	1,461	-	-	-	-	-	6	1,636	1,398	-	238	-	1,636				
2026	2027	170	1,468	-	-	-	-	-	6	1,644	1,405	-	239	-	1,644				
2027	2028	171	1,475	-	-	-	-	-	6	1,652	1,412	-	241	-	1,652				
2028	2029	172	1,496	-	-	-	-	-	-	1,667	1,424	-	243	-	1,667				
2029	2030	172	1,503	-	-	-	-	-	-	1,676	1,432	-	244	-	1,676				
2030	2031	173	1,511	-	-	-	-	-	-	1,684	1,439	-	245	-	1,684				
2031	2032	174	1,518	-	-	-	-	-	-	1,692	1,446	-	246	-	1,692				
2032	2033	175	1,526	-	-	-	-	-	-	1,701	1,453	-	248	-	1,701				
2033	2034	176	1,534	-	-	-	-	-	-	1,710	1,461	-	249	-	1,710				
2034	2035	177	1,541	-	-	-	-	-	-	1,718	1,468	-	250	-	1,718				
2035	2036	178	1,549	-	-	-	-	-	-	1,727	1,475	-	251	-	1,727				
2036	2037	179	1,557	-	-	-	-	-	-	1,736	1,483	-	253	-	1,736				
2037	2038	179	1,565	-	-	-	-	-	-	1,744	1,490	-	254	-	1,744				
2038	2039	180	1,573	-	-	-	-	-	-	1,753	1,498	-	255	-	1,753				
2039	2040	181	1,581	-	-	-	-	-	-	1,762	1,505	-	257	-	1,762				
2040	2041	182	1,589	-	-	-	-	-	-	1,771	1,513	-	258	-	1,771				
2041	2042	183	1,597	-	-	-	-	-	-	1,780	1,521	-	259	-	1,780				
2042	2043	184	1,605	-	-	-	-	-	-	1,789	1,528	-	260	-	1,789				
2043	2044	185	1,613	-	-	-	-	-	-	1,798	1,536	-	262	-	1,798				
2044	2045	186	1,621	-	-	-	-	-	-	1,807	1,544	-	263	-	1,807				
2045	2046	187	1,629	-	-	-	-	-	-	1,816	1,551	-	264	-	1,816				
2046	2047	188	1,637	-	-	-	-	-	-	1,825	1,559	-	266	-	1,825				
2047	2048	189	1,646	-	-	-	-	-	-	1,834	1,567	-	267	-	1,834				
2048	2049	190	1,654	-	-	-	-	-	-	1,843	1,575	-	268	-	1,843				
2049	2050	191	1,662	-	-	-	-	-	7	1,860	1,589	-	271	-	1,860				
TOTAL		\$ 5,295	\$ 46,059	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56	\$ 51,411	\$ 43,924	\$ -	\$ 7,487	\$ -	\$ 51,411				

LOCAL CAPTURED MILLAGES RATES	
City of Grand Rapids	8.5997
County of Kent	-
Interurban Transit Partnership	1.4658
Grand Rapids Community College	-
TOTAL LOCAL MILLAGES	10.0655

TAX ROLL YEAR	FISCAL YEAR	AD VALOREM CAPTURED ASSESSED VALUES								Post-1993 Industrial Facilities Tax Roll	TOTAL
		Real Property				Personal Property					
		PRE	NPRE	Industrial	Utilities	Commercial	Industrial	Utilities			
2018 (initial)	2019	\$ 3,259,353	\$ 28,168,486	-	\$ -				\$ -	\$ 243,608	\$ 31,671,446
2019	2020	\$ 16,297	\$ 140,842	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,218	\$ 158,357
2020	2021	16,378	141,547	-	-	-	-	-	-	1,224	159,149
2021	2022	16,460	142,254	-	-	-	-	-	-	1,230	159,945
2022	2023	16,542	142,966	-	-	-	-	-	-	1,236	160,744
2023	2024	16,625	143,680	-	-	-	-	-	-	1,243	161,548
2024	2025	16,708	144,399	-	-	-	-	-	-	1,249	162,356
2025	2026	16,792	145,121	-	-	-	-	-	-	1,255	163,168
2026	2027	16,876	145,846	-	-	-	-	-	-	1,261	163,984
2027	2028	16,960	146,576	-	-	-	-	-	-	1,268	164,803
2028	2029	17,045	148,583	-	-	-	-	-	-	-	165,628
2029	2030	17,130	149,332	-	-	-	-	-	-	-	166,462
2030	2031	17,216	150,085	-	-	-	-	-	-	-	167,301
2031	2032	17,302	150,842	-	-	-	-	-	-	-	168,144
2032	2033	17,388	151,602	-	-	-	-	-	-	-	168,991
2033	2034	17,475	152,367	-	-	-	-	-	-	-	169,842
2034	2035	17,563	153,135	-	-	-	-	-	-	-	170,698
2035	2036	17,651	153,908	-	-	-	-	-	-	-	171,558
2036	2037	17,739	154,684	-	-	-	-	-	-	-	172,423
2037	2038	17,828	155,464	-	-	-	-	-	-	-	173,291
2038	2039	17,917	156,248	-	-	-	-	-	-	-	174,164
2039	2040	18,006	157,036	-	-	-	-	-	-	-	175,042
2040	2041	18,096	157,828	-	-	-	-	-	-	-	175,924
2041	2042	18,187	158,623	-	-	-	-	-	-	-	176,810
2042	2043	18,278	159,423	-	-	-	-	-	-	-	177,701
2043	2044	18,369	160,227	-	-	-	-	-	-	-	178,596
2044	2045	18,461	161,035	-	-	-	-	-	-	-	179,496
2045	2046	18,553	161,847	-	-	-	-	-	-	-	180,401
2046	2047	18,646	162,664	-	-	-	-	-	-	-	181,310
2047	2048	18,739	163,484	-	-	-	-	-	-	-	182,223
2048	2049	18,833	164,308	-	-	-	-	-	-	-	183,141
2049	2050	18,927	165,137	-							184,064

TAXING UNIT	CID 2018 AD VALOREM TAXABLE VALUE	TAXING UNIT 2018 AD VALOREM TAXABLE VALUE	CID 2018 TAXABLE VALUE AS PERCENTAGE OF TAXING UNIT TAXABLE VALUE
City of Grand Rapids	\$ 31,671,446	\$ 4,860,125,060	0.65%
County of Kent	\$ 31,671,446	\$ 22,889,416,524	0.14%
Interurban Transit Partnership	\$ 31,671,446	\$ 11,303,020,722 ¹	0.28%
Grand Rapids Community College	\$ 31,671,446	\$ 22,458,435,853	0.14%

TAXING UNIT	2018 MILLAGE RATE	2018 MILLAGE RATE % OF ALL	TAX INCREMENT REVENUE CAPTURE 30 YEAR PLAN LIFE
City of Grand Rapids	8.9710	85.96%	\$ 43,924
County of Kent	-	0.00%	-
Interurban Transit Partnership	1.4658	14.04%	7,487
Grand Rapids Community College	-	0.00%	-
	10.4368	100.00%	\$ 51,411



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: April 9, 2019

TO: Mark Washington, City Manager

COMMITTEE: Committee of the Whole

LIAISON: Mark Washington, City Manager

FROM: Patti Caudill, Diversity and Inclusion Manager
Diversity and Inclusion

SUBJECT: **Resolution setting a public hearing on April 23, 2019, to consider the adoption of Title IX, Chapter 175 entitled “Human Rights” to the Code of the City of Grand Rapids and providing for the publication of same.**

This item is before the City Commission again due to an error in notice and publication. The attached resolution would reschedule the hearing on the Human Rights Ordinance for April 23, 2019.

On April 23, 2019 the City Commission will hold a public hearing on the recommendation of the Community Relations Commission (CRC) to adopt Title IX, Chapter 175, Articles 1-5, Sections 9.935-9.951 entitled “Human Rights” to the Code of the City of Grand Rapids. This chapter will replace Title I, Chapter 8, Article 3, Sections 1.341-1.350 of the Code entitled “Community Relations Commission”.

The City of Grand Rapids has the longest running Civil Rights/Human Rights ordinance that was adopted by the City Commission in 1953. A number of changes have occurred in this ordinance throughout the years including protections for our LGBTQ+ residents and providing protections for individuals related to housing through the protection of source of lawful income.

In July 2018 a meeting was held with the CRC Chair Tommy Allen, Diversity and Inclusion Manager Patti Caudill, City Attorney Anita Hitchcock, LincUp Executive Director Jeremy DeRoo, and LincUp Policy Liaison Lyonell LaGrone to discuss changes to the CRC ordinance. As a result of this meeting, Tommy Allen established a subcommittee of the CRC charged with reviewing the current ordinance, identifying best practices in Human Rights ordinances and proposing potential changes of this ordinance to the City Commission. The subcommittee included:

- Tommy Allen, CRC Chair
- Misti Stanton, CRC Member

- Rich Libratore, CRC Member
- Belinda Bardwell, CRC Member
- Patti Caudill, City of Grand Rapids Diversity and Inclusion Manager
- Sherry Batzer, City of Grand Rapids Director of Municipal Affairs

Staff and the CRC conducted research on best practices and on a variety of communities including the:

- Michigan Department of Civil Rights Ordinance template
- City of East Lansing
- City of Ann Arbor
- City of Lansing
- City of Madison, Wisconsin

In addition to the best practice research, the subcommittee held meetings and discussions with our partner agencies including the Fair Housing Center of West Michigan, the Michigan Department of Civil Rights, and Disability Advocates of Kent County.

Proposed ordinance revisions were reviewed with City Manager Mark Washington and the Cabinet team in December 2018. Recommendations from this review were vetted and incorporated into the ordinance proposal.

On February 14, 2019, the CRC completed its review of the current Community Relations Commission ordinance and voted unanimously to move the current recommendation forward to the City Commission for public hearing and adoption. The recommended changes improve on the old ordinance by:

- Expanding the definition section to provide for clarity and transparency
- Identifying the four primary potential areas of discrimination
- Adding “Bias Crime Reporting Prohibition” and making it a criminal misdemeanor to racially profile people of color for participating in their lives
- Outlining and codifying the referral and complaint procedures for the Diversity & Inclusion Office in collaboration with the City Attorney’s Office
- Specifically outlining the injunctive relief for violations of the ordinance that were implied previously.


The City Commission resolution adopting the proposed ordinance will be accompanied by a companion resolution repealing the previous portion of the City Code relating to the Community Relations Commission, Title I, Chapter 8, Article 3, Sections 1.341-1.350.

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution setting a public hearing for the proposed Human Rights ordinance and providing for the publication of same.

RESOLVED:

1. That the attached Human Rights ordinance amending Title IX of the Code of the City of Grand Rapids shall be published as a part of the proceedings; and
2. That pursuant to Title V, Section 10(b) of the City Charter, the City Clerk shall publish the attached summary of the ordinance in a newspaper of general circulation in the city; and
3. That a public hearing be held on April 23, 2019 at 7:00 p.m. before the Grand Rapids City Commission in the City Commission Chambers on the 9th floor of City Hall at 300 Monroe Avenue NW, to accept public comment relating to the proposed ordinance.

Prepared by Patti Caudill

CORRECT IN FORM

DEPARTMENT OF LAW

SUMMARY OF ORDINANCE

AN ORDINANCE TO AMEND TITLE IX OF THE CODE OF THE CITY OF GRAND RAPIDS BY ADOPTING AND ADDING CHAPTER 175, ARTICLES 1-5, SECTIONS 9.935-9.951 ENTITLED "HUMAN RIGHTS."

The City Commission will vote to adopt a Human Rights ordinance. This ordinance adds Chapter 175 to Title IX of the City Code. The ordinance declares that it is contrary to the public policy of the City of Grand Rapids for any person to deny any individual the enjoyment of civil rights, or for any person to discriminate against any individual in the exercise of civil rights because of actual or perceived color, race, religion or creed, sex, gender identity or expression, sexual orientation, national origin, genotype, age, marital status, medical condition, disability, height, weight, or source of lawful income (cumulatively known as protected classes). This ordinance includes: a detailed definition section; prohibitions on discriminatory practices in housing, employment, public accommodations, public services, contracting and bias crime reporting; and enumerated exemptions to the ordinance. In addition, this ordinance sets forth the membership and duties of the City of Grand Rapids' Community Relations Commission and also outlines a specific and defined complaint procedure for residents who feel that their human and civil rights have been violated, as well as the investigation and legal consequences related to same.

AN ORDINANCE TO AMEND TITLE IX OF THE CODE OF THE CITY OF GRAND RAPIDS BY ADOPTING CHAPTER 175, ARTICLES 1-5, SECTIONS 9.935-9.951 ENTITLED "HUMAN RIGHTS."

ORDINANCE NO. 2019-_____

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Title IX of the Code of the City of Grand Rapids be amended by adopting Chapter 175, Articles 1-5, Sections 9.935-9.951 entitled "Human Rights."

TITLE IX – POLICE REGULATIONS

CHAPTER 175 – HUMAN RIGHTS

ARTICLE 1 - GENERAL PROVISIONS

Sec. 9.935 - Statement of Public Policy

It is hereby declared to be contrary to the public policy of the City of Grand Rapids (City) for any person to deny any individual the enjoyment of civil rights, or for any person to discriminate against any individual in the exercise of civil rights because of actual or perceived color, race, religion or creed, sex, gender identity or expression, sexual orientation, national origin, genotype, age, marital status, medical condition, disability, height, weight, or source of lawful income (cumulatively known as protected classes).

Sec. 9.936 – Definitions

As used in this Ordinance, the following words and phrases shall mean:

1. Age: the length of time in years that an individual has lived
2. Ancestry: family or ethnic descent
3. Agent: any person acting on behalf of an employment, housing, public accommodation, or public services entity
4. Bona fide Occupational Qualification: a condition, characteristic, or factor which informs decisions and conduct with respect to a protected class in the area of employment when there are no less discriminatory means, but which is lawful, reasonable, necessary, and narrowly tailored to the safe, efficient, and standard operation of the employer, as further described in Sec. 9.939 below
5. City: the City of Grand Rapids, Michigan
6. Color: pigmentation of the skin
7. Community Relations Commission (CRC): a public entity established by the City to address issues of discrimination
8. Complainant: an individual aggrieved by a violation of a provision of this Ordinance who files a complaint with the CRC, the ODI, and a housing agency as described in Sec. 9.947.1.

9. Conviction Record: the history of all criminal convictions of an individual in any jurisdiction, including time served in prison, jail, juvenile detention, probation, rehabilitation or diversionary programs, or placement on a sex offender registry
10. Creed: a system of beliefs, principles, or opinions that guides an individual's actions
11. Disability: a physical or mental characteristic of an individual which may result from disease, injury, congenital condition, or functional disorder, if the characteristic:
 - a. for purposes of employment, substantially limits one or more of the major life activities of an individual but is unrelated to that individual's qualifications for employment or ability to perform the duties of a particular job or position; or
 - b. for purposes of public accommodation, is unrelated to an individual's ability to use and benefit from a place of public accommodation or public service; or
 - c. for purposes of housing, substantially limits one or more of an individual's major life activities but is unrelated to that individual's ability to acquire, rent or maintain property

For the purposes of this Ordinance, disability shall include, but not be limited to, the use of adaptive aids, devices, or guides, but shall not include temporary impairments associated with drug or alcohol consumption
12. Discrimination: to make or refrain from making a decision, selectively furnish or withhold access, or act or threaten to act in an adverse way in the areas of employment, housing, public accommodation, public services, or other benefit, based in whole or in part on the actual or perceived status of an individual as a member of a protected class. Discrimination includes:
 - a. The use of facially neutral practices that have an adverse impact on members of a protected class
 - b. Harassment directed at a protected class
 - c. Any act which results in unequal treatment or segregation of an individual
13. Employee: an individual performing lawful work for another person who does not share familial status with that person, in exchange for monetary compensation
14. Employer: any person compensating one or more individuals for the performance of work in a lawful business or enterprise
15. Equal: subject alike to all requirements, qualifications, conditions, and considerations that are not prohibited grounds of discrimination
16. Familial Status: an individual's position within the network of that individual's biological and legal relations within three degrees of consanguinity, or through marriage, adoption or other legal custodial relationship
17. Gender Identity or Expression: an individual's actual or perceived sex including identity, self-image, appearance, expression, or behavior, whether or not that identity, self-image, appearance, expression, or behavior is different from that traditionally associated with the individual's biological sex assigned at birth
18. Genotype: the genetic constitution of an individual
19. Harassment: conduct or communication directed at another individual intentionally for the purpose or effect of creating an intimidating, hostile, or offensive environment with regard to employment, public accommodation, public services, or housing

20. Height: length of an individual's body as measured in feet and inches
21. Housing: any real property, building, structure, or portion thereof which is used or occupied, or is intended to be used or occupied, as the home or residence of one or more individuals. This includes, but is not limited to, a house, apartment, condominium unit, rooming house, housing cooperative, homeless shelter, hotel, motel, tourist home, retirement home, or nursing home
22. Marital Status: the state of being married, remarried, never married, divorced, or widowed
23. Medical Condition: all past or present physical or mental health diagnoses, treatments, and procedures an individual has received, associated symptoms and risk factors, and effects of such diagnoses, treatments, and procedures
24. National Origin: an individual's nation of origin, or the physical, cultural, or linguistic characteristics associated with that nation or a part thereof
25. Office of Diversity and Inclusion (ODI): the department of the City responsible for promoting diversity and ensuring compliance with civil rights laws
26. Perceived: the perception of a person who acts, but not necessarily the perception of an individual for or against whom the action is taken
27. Person: an individual, association, partnership, agency, organization, or corporation, public or private, including all employees thereof. The term, when applied to partnerships, associations, and corporations, includes members and officers
28. Protected Class: any group or status identified in Sec. 9.935
29. Public Accommodation: a facility, including a governmental entity or business, offering or furnishing goods, services, places, privileges, or advantages to the general public for purchase, consumption, use, or acquisition, including, but not limited to, hotels, motels, housing, restaurants, taverns, concert and entertainment venues, retail and service enterprises, public services, and certain educational institutions. Public services include those goods or services provided by the City in the public interest to the people living within its jurisdiction, either directly or under contract.
30. Race: the perceived status of human beings as belonging to distinct groups based on inherited characteristics primarily identified by skin color, and which is a social construct unsupported by the science of genetics
31. Religion: a particular system of faith and worship
32. Sex: the biological designation of male or female assigned at birth. For gender, see 17. above.
33. Sexual Harassment: a type of discrimination including, but not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:
 - a. Submission to such conduct or communication by an individual is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodation, public services, or housing
 - b. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting the individual's employment, public accommodation, public services, or housing

- c. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodation, public services, or housing, or creating an intimidating, hostile, or offensive employment, public accommodation, public services, or housing environment
- 34. Sexual Orientation: an individual's sexual and/or romantic identity in relation to the gender(s) to which the individual is attracted, or the absence of such sexual and/or romantic identity
- 35. Source of Lawful Income: any legal source from which an individual obtains money
- 36. Weight: the body mass of an individual measured in pounds

ARTICLE 2 - PROHIBITED DISCRIMINATORY PRACTICES

Sec. 9.937 – In General

- 1. No person shall adopt, enforce, or employ any policy, requirement, qualification, practice, or factor which has the effect of creating unequal treatment or opportunities on the basis of actual or perceived membership in a protected class as defined under Sec. 9.935 of this Ordinance, except as exempted under Sec. 9.944 of this Ordinance.
- 2. The prohibitions against discrimination as provided for in this Ordinance shall not be deemed preempted by state or federal law, but are intended to supplement such law.
- 3. This Ordinance shall be construed and applied in a manner consistent with the First and 14th Amendments of the U.S. Constitution and Art. I, §2 of the Constitution of Michigan regarding freedom of speech and free exercise of religion.

Sec. 9.938 - Discriminatory Housing Practices

- 1. The opportunity to purchase, lease, rent, sell, use, convey, and finance housing without discrimination on the basis of actual or perceived membership in a protected class as identified in Sec. 9.935 of this Ordinance is hereby recognized and declared to be a civil right.
- 2. The provisions of Chapter 160 of the City Code shall apply to discriminatory housing practices, including but not limited to those provisions governing discriminatory housing and financial practices, exceptions, blockbusting, and violations.
- 3. In addition to the exemptions contained in Chapter 160 of the City Code, the following considerations may result in exceptions to discriminatory housing practices:
 - a. Safety. Any decision based upon the reasonable and well-substantiated belief that an individual's physical or mental health poses a serious threat to the health, safety, and welfare of the individual, other residents, or other persons
 - b. Conviction Record. History of criminal conviction may be considered in housing decisions, although arrest with no conviction may not be considered.

An outright ban on prospective tenants with a criminal background is prohibited. Landlords must carefully consider, on a case-by-case basis, the nature and severity of the crime, the age of the individual at the time of the crime, whether there have been repeat offenses, whether the individual maintained a good tenant history before or after the conviction, evidence of rehabilitation efforts, and whether the crime for which the individual was convicted may pose a demonstrable risk to the health, safety or welfare of other residents or persons (which would include manufacturing or distributing illegal drugs) or to property.

- c. Competence. Any decision which is based upon the reasonable and well-substantiated belief that an individual is incapable of satisfactorily fulfilling reasonable responsibilities associated with the housing arrangement
- d. The following are not legitimate exceptions:
 - i. The anticipated or actual objections of other residents, neighbors, or persons
 - ii. Mere inconvenience, less than an undue hardship, to a housing agent in procuring or providing reasonable aid to a member of a protected class to accommodate that individual's needs

Sec. 9.939 - Discriminatory Employment Practices

1. The opportunity to obtain employment and advancement opportunities without discrimination on the basis of actual or perceived membership in a protected class as identified in Sec. 9.935 of this Ordinance is hereby recognized and declared to be a civil right. No employer shall discriminate against a current or prospective employee with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, unless such act is based on a bona fide occupational qualification.
2. The City as an employer shall also be bound by the provisions of Sec. 1.150 of the City Code.
3. Bona fide occupational qualifications shall include:
 - a. Safety. Any decision based upon the reasonable and well-substantiated belief that an individual's physical or mental health poses a serious threat to the health, safety, and welfare of the individual or other employees or customers
 - b. Conviction Record. History of criminal conviction may be considered in employment decisions, although arrest with no conviction may not be considered. An outright ban on prospective employees with a criminal background is prohibited. Employers must carefully consider, on a case-by-case basis, the nature and severity of the crime, the age of the individual at the time of the crime, whether there have been repeat offenses, whether the individual maintained a good employment history before or after the conviction, evidence of rehabilitation efforts, and whether the crime for which the individual was convicted may pose a demonstrable risk to the health, safety or welfare of other employees or persons or to property.

- c. Competence. Any decision which is based upon the reasonable and well-substantiated belief that an individual has not met certain educational or licensing requirements, or is otherwise incapable of satisfactorily performing necessary duties or fulfilling reasonable responsibilities associated with a particular occupation
- d. Undue hardship. A qualification is bona fide if and only if the particular needs of the protected individual affected by it cannot be reasonably accommodated without undue hardship, or without unreasonably expanding health and safety risks. Mere inconvenience to the accommodating party is not grounds for discrimination. Whether the cost of a reasonable accommodation imposes an undue hardship depends on the employer's resources, not on the individual's salary, position, or status.
- e. The following are not bona fide occupational qualifications:
 - i. Mere inconvenience, less than an undue hardship, to an employment agent in procuring or providing aid to a member of a protected class to accommodate that individual's needs
 - ii. The anticipated or actual objections of other employees, co-workers, customers, or other persons unrelated to an individual's competence as an employee
 - iii. A qualification which has insignificant or incidental bearing on, or which is otherwise not necessary to, the efficient operations of the employer

Sec. 9.940 - Discriminatory Public Accommodation and Public Services Practices

1. The opportunity to enjoy full and equal access to all public accommodations and public services without discrimination on the basis of actual or perceived membership in a protected class as identified in Sec. 9.935 of this Ordinance is hereby recognized and declared to be a civil right. No person shall discriminate in making available full and equal access to all goods, services, activities, and privileges of any place of public accommodation. Public services shall include those provided in the public interest by the City to the people living within its jurisdiction, either directly or by contract.
2. Exceptions:
 - a. Public accommodations must be made accessible to individuals with disabilities in compliance with the Americans with Disabilities Act (ADA), unless to do so would not be readily achievable due to cost, size and operation of the facility, and other factors
 - b. An individual who displays offensive behavior, engages in disorderly conduct, or otherwise represents a clear threat to public health, safety, and welfare may be removed from, or prevented from entering, a public accommodation
 - c. Based upon cost, need, availability, subscription, qualification under federal, state, or local laws, rules, or regulations, or other non-discriminatory factors, public services may not be available to all persons living within the City

Sec. 9.941 - Nondiscrimination by City Contractors

1. All contractors proposing to do business with the City shall satisfy Section 1.517 of City Code, this Ordinance, and any policies based thereon as adopted by the City.
2. A contractor shall, as a condition of being deemed a responsible bidder, at the time of its submission to the City in responding to an invitation to bid or request for proposal, certify in writing that it is in compliance with the provisions of Sec. 1.517, this Ordinance, and any applicable policies.
3. Each City contract shall provide that a breach of the obligation not to discriminate shall be considered a material breach of the contract.

Sec. 9.942 – Biased Crime Reporting

1. No person shall knowingly or recklessly report to a City police officer, City dispatcher, or other City personnel that an individual who is an actual or perceived member of a protected class as identified in Sec. 9.935 of this Ordinance has committed, or may or will commit, a crime, if such report is based in whole or in part on the individual's membership in a protected class and not on a reasonable suspicion of criminal activity in consideration of all available facts and the totality of the circumstances.
2. This Section is enacted for the purpose of ensuring the public health, safety, and welfare of the City's residents.

Sec. 9.943 - Other Prohibited Practices

1. No person shall adopt, enforce or employ any policy or requirement, or publish, post, broadcast, or distribute any advertisement, sign, notice, or solicitation which discriminates, or suggests, supports, or affirms discrimination, in the provision of housing, employment, public accommodations, or public services.
2. No agent, broker, or any other person shall discriminate in making referrals or listings or providing information with regard to housing, employment, public accommodations, or public services. A report of such person's responsibility for a violation of this Ordinance shall be made to an applicable licensing or regulatory agency for such person or business, if any.
3. No person shall coerce, threaten or retaliate against an individual for making a complaint or assisting in the investigation regarding a violation or alleged violation of this Ordinance, nor require, request, conspire with, assist or coerce another person to retaliate against an individual for making a complaint or assisting in an investigation.
4. No person shall conspire with, assist, coerce or request another person to discriminate in any manner prohibited by this Ordinance.

ARTICLE 3 – EXEMPTIONS

Sec. 9.944 – Exempted Practices

The following practices shall not be violations of this Ordinance:

1. Restriction by a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, limiting the sale, rental or occupancy of dwellings which it owns or operates for other than commercial purposes to persons of the same religion, or giving preference to such persons, unless membership in such religion is discriminatory on the basis of actual or perceived membership in a protected class as identified in Sec. 9.935 of this Ordinance; restriction of employment opportunities to officers, religious instructors, and clergy of the denomination, or; limited admission or preference based on religion in an educational institution controlled by the religious organization, association, society, or affiliated nonprofit.
2. Restriction by a private club or other establishment not open to the public, except to the extent that the goods, services, facilities, resources, privileges, advantages, or accommodations of the private club or establishment are made available to customers or patrons of another establishment that is a place of public accommodation, or the private club or establishment is licensed under the Michigan Liquor Control Act.
3. Restriction, by the owner of an owner-occupied one-family or two-family dwelling, a housing facility, or public accommodation devoted entirely to the housing or accommodation of individuals of one sex, to occupancy and use on the basis of sex.
4. Restriction of occupancy in a housing project, provision of public accommodations or services, or employment privileges or assistance to individuals who are of low income, over 40 years of age, or disabled, in circumstances in which such limitations are appropriately designated and in compliance with federal, state, or local law, rules, or regulations.
5. Discrimination based on an individual's age when such discrimination is required by state, federal, or local laws, rules, or regulations.
6. Rental of housing for not more than twelve (12) months by the owner or lessor where the housing was occupied by the owner or lessor and maintained as that individual's home for at least three (3) months preceding occupancy by the tenant and is only temporarily vacated by the owner or lessor while maintaining legal residence.
7. Restrictions on the sharing of a dwelling unit by an individual sharing said unit.
8. Housing exemptions as provided in Chapter 160 of the City Code.
9. Refusal to enter into a contract with an un-emancipated minor.
10. Refusal to admit to a place of public accommodation serving alcoholic beverages an individual under the legal age for purchasing alcoholic beverages.
11. Refusal to admit individuals under 18 years of age to a business providing entertainment or selling literature that the operator of said business deems unsuitable for minors.
12. Restrictions on use of facilities or resources by a private educational institution which provides education only to individuals of a particular sex.
13. Restriction on use of an educational institution's facilities and resources to those affiliated with such institution.

14. Restrictions on participation in instructional programs, athletic events, or on athletic teams on the basis of age, sex, height, or weight consistent with applicable federal, state, or local laws, rules, or regulations.
15. Provision of discounts on products or services to students, minors, and older persons.
16. Restrictions by the City on use of any of its facilities, or on its employment opportunities, based on duly-adopted institutional policies which conform to local, state, or federal laws, rules, or regulations.

Affirmative action provisions related to, preferential treatment of, or benefits conferred on, any of the protected classes identified in Sec. 9.935 of this Ordinance are permissible to the extent allowed by law.

ARTICLE 4 – COMMUNITY RELATIONS COMMISSION

Sec. 9.945 – Creation; Membership

1. A Community Relations Commission (CRC) is established to work with the City Commission and the City's Office of Diversity and Inclusion (ODI) to support, promote, interpret, and enforce this Ordinance and other provisions of City Code related to discrimination.
2. The CRC shall consist of thirteen (13) members to be appointed for a term of three (3) years by the Mayor with the approval of the City Commission. CRC members shall be selected, to the extent possible, to be representative of the community at large.
3. A member may serve a maximum of two (2) consecutive terms. A member may be reappointed to the CRC three (3) years after the expiration of that member's last term.
4. Three members shall be appointed each year for terms commencing on the first Tuesday in January.
5. In the event of resignation, removal, or death of a member, that member's successor shall be appointed by the Mayor with the approval of the City Commission to serve for the unexpired term of the departed member.
6. The CRC shall meet not less than once per month. A quorum of its members, that being a majority of members appointed to the CRC, shall adopt such rules as deemed necessary for the conduct of business.
7. The CRC shall elect a chairperson and such other officers as it deems necessary.
8. The chairperson shall appoint such subcommittees as its deems necessary, including but not limited to ad hoc subcommittees to address issues brought by the ODI, the Mayor, or the City Manager.
9. CRC members shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in connection with their duties as members of the CRC.
10. The City shall provide staff support to the CRC through the ODI, or as otherwise directed by the City Manager.

Sec. 9.946 - Duties

The duties of the CRC shall be to:

1. Foster mutual understanding and respect among all people in the City, and discourage and prevent discriminatory practices toward any protected class described in Sec. 9.935 of this Ordinance.
2. Upon its own initiative or at the request of the ODI, the City Commission, or the City Manager, investigate complaints of particular instances or general conditions relative to tensions, discriminatory practices, or acts of prejudice against any protected class described in Sec. 9.935 of this Ordinance, and assist in conducting public administrative hearings related thereto.
3. Conduct research projects and obtain data to ascertain the status and treatment of any protected class described in Sec. 9.935 of this Ordinance, and make reports and recommendations to the ODI, the City Commission, or the City Manager as to its findings relative to existing conditions and policies, programs and legislation for alleviation of discriminatory practices and conditions.
4. Develop, or cooperate with other governmental or private entities to develop, programs and courses of community education for presentation in schools, public libraries, public museums, or other suitable venues, or develop presentations illustrating the contributions of protected classes to the culture, tradition, and progress of the City and society at large and demonstrating the deleterious effects of prejudice, intolerance, and discrimination.
5. Issue publications or investigatory reports that in its judgment will tend to minimize or eliminate prejudice, intolerance, and discrimination in the City.
6. Assist the ODI in the performance of its duties as set forth in City Code and policy.
7. Cooperate with, and seek cooperation from, federal, state, and local agencies and departments to address and resolve issues of discrimination.
8. Recommend to the Mayor and City Commission measures to enhance harmonious and equitable relations among City residents and institutions, support and fortify the efforts of City departments and agencies to protect those described in Sec. 9.935 of this Ordinance, and advise and consult as necessary on civil rights and the violation thereof.

ARTICLE 5 - COMPLAINT PROCEDURES, INVESTIGATION, LEGAL CONSEQUENCES, PENALTIES

Sec. 9.947 - Complaint Procedures and Investigation

1. A complaint may be filed with the CRC and the ODI by any individual (the complainant) who has experienced discrimination within the City as described in this Ordinance. The complaint must be filed in person, by mail, or via the CRC's online complaint reporting site within 180 calendar days of the date upon which the complainant knew or should have known of the alleged discriminatory act. If an individual fails to file a complaint within the specified time frame, the complaint will not be considered.

2. A complaint shall indicate, at a minimum, all parties involved, the contact information of the complainant, a description of the discriminatory conduct, the date(s) and location(s) of its occurrence, and the protected class or classes, defined in Sec. 9.935 of this Ordinance, which were discriminated against. The complaint will not be processed without this information.
3. The ODI, with the assistance of the City Attorney's Office, shall review the complaint and investigate the claims for truthfulness and relevance under this Ordinance. Upon completion of the investigation, the ODI shall take appropriate action including, but not limited to:
 - a. Referral of the complainant to an appropriate local, state or federal entity for further investigation and action
 - b. Referral of the complaint to the City Attorney's Office for further investigation, advice, and action
 - c. Arrangement of mediation between the involved parties, upon their agreement, to seek a resolution without legal action. If an agreement is reached, a record of the agreement shall be prepared by the City Attorney's Office and signed by all parties. A violation of the agreement shall be considered a violation of this Ordinance.
 - d. Dismissal of the complaint if the allegations do not constitute a violation of this Ordinance
3. Action on the complaint shall be taken in accordance with this Chapter within 90 days of receipt, and the parties shall be notified if additional time is needed.
4. The ODI shall provide written notice to the parties of the reasons for any action taken, and upon request, provide the parties with any evidence used in reaching its decision.
5. The City Attorney's Office shall notify the CRC of any action taken by it on referred complaints.
6. In the course of its investigation, the City Attorney's Office may request a person to produce books, papers, records, or other documents which may be relevant to an alleged violation. If said person does not comply with the request, the City Attorney's Office may apply to the 17th Circuit Court for an order requiring production of the materials.
7. No individual shall knowingly provide false information in the investigation of a complaint.
8. All complaints received by, and responses from, the ODI shall be retained by the City in accordance with its retention policy.
9. The ODI shall provide an annual report to the City Commission and the CRC regarding complaints received and actions taken.
10. The ODI, with the assistance of the City Attorney's Office, shall develop all other rules of procedure deemed necessary for the reporting, hearing, and resolution of complaints.

Sec. 9.948 – Injunctions

The City Attorney's Office may commence a civil action to obtain injunctive relief to prevent discrimination prohibited by City Code and this Ordinance, to reverse the effects of such discrimination, or to enforce a mediation agreement.

Sec. 9.949 – Prosecution and Penalties

1. The City Attorney's Office may prosecute a violation of this Ordinance referred to it by the ODI or any other source.
2. Violation of this Ordinance shall be prosecuted by the City Attorney's Office as a municipal civil infraction pursuant to the provisions of Michigan law.
3. A municipal civil infraction is punishable by a fine of not more than \$500.00 and all other costs, damages, expenses, sanctions and remedies as authorized by Michigan law.
4. Each day upon which a violation occurs shall constitute a separate and new violation.
5. Nothing contained in this Ordinance shall be construed to limit in any way the remedies, legal or equitable, available to the City or any person for the prevention or correction of discrimination.

Sec. 9.950 – Private Civil Action

1. To the extent allowed by law, an individual who is the victim of discriminatory action in violation of this Ordinance may bring a civil action for appropriate injunctive relief, damages, or both against the person(s) who acted in violation of this Ordinance.
2. Damages may include those for injury or loss caused by each violation of this Ordinance, including reasonable attorney fees.
3. Private actions and remedies under this Section shall be in addition to any actions for violations which the City Attorney's Office may take.

Sec. 9.951 – Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this Ordinance.