

DETROIT CHARTER REVISION COMMISSION

PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 209

ISSUE CATEGORY: Government Operations & Structure

SOURCE: Mayor Bing Administration

RELATED CHARTER SECTIONS: §3-103(1) (City Clerk) (Duties)

Letter, Rec'd December 21, 2010

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S): Home Rule City Act, MCL 117.3(a)

ISSUE/PROPOSAL STATEMENT: Create a separate section containing the duties of the City Clerk as delineated by the current Charter, adding the additional duty of serving s City Council's clerk and keeping a record of Council's ordinances, resolutions and other proceedings and performing other duties requested by Council.

Sec. 3.5-102. Duties of City Clerk.

The City Clerk shall:

- (1) Keep all papers filed in or pertaining to the Office of the City Clerk;
- (2) Keep the corporate seal of the City;
- (3) When requested, certify, under the corporate seal, copies of all papers and records for the office;
- (4) Administer oaths;
- (5) Take affidavits;
- (6) Serve as the City Council's clerk and shall keep a record of all its ordinances, resolutions, and other proceedings and perform such other duties as the Body may request; and
- (7) Exercise other powers and duties as provided by law, this Charter, or ordinance.

RATIONALE: "Section 3(a) of the Michigan Home Rule City Act, MCL 117.3(a), requires that a city charter provide for a city clerk. In addition, Section 719 of Michigan Election Law, MCL 168.719, provides that a city election commission shall perform such duties relative to the preparation, printing and delivery of ballots as required by law of county boards of election commissioners.

"Sections 3-101 through 3-108 of the 1997 Detroit City Charter intermix the separate responsibilities the Office of the City Clerk and the City Clerk as the "chief elections officer of the city" who is the chair of the Election Commission. The recommended changes provide a clear delineation between the responsibilities of the Department of Elections and the Office of the City Clerk. In addition, the recommended changes provide a clear delineation between the role of the City Clerk as a member

of the Election Commission and as the head of the Office of the City Clerk.” -Mayor Bing Administration, Letter, Rec’d December 21, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: