

DETROIT CHARTER REVISION COMMISSION
PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 210

ISSUE CATEGORY: Government Operations & Structure

SOURCE: Mayor Bing Administration

RELATED CHARTER SECTIONS: §3-103(2) (City Clerk) (Deputy)

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 for language regarding the appointment of a Deputy City Clerk and delineation of related duties and extent of powers.

Sec. 3-5-103. Deputy City Clerk.

A deputy city clerk shall be appointed by, and serve at the pleasure of, the City Clerk. In the absence or disability of the City Clerk, or while the position is vacant, the Deputy City Clerk shall exercise all the powers and perform all the duties of the City Clerk to the full extent permitted by law. [This language has been removed from §3-103(2) and placed in this new section.]

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: