

DETROIT CHARTER REVISION COMMISSION

PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 53

ISSUE CATEGORY: Government Operations & Structure

SOURCE: City Council,

RELATED CHARTER SECTIONS: §3-106 (Geographical Basis for Electing City

Letter dated December 2, 2010

Council Members)

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Divides city into districts. Create four (4) at-large seats. Give City Council the task of drawing districts. Sets criteria for creating districts ("equality of population, contiguous territory, compactness, natural boundaries, and all other applicable law.").

Sec. 3-106. Geographical basis for electing council members.

~~The City shall be divided into districts for the election of members of City Council. There shall be seven (7) council districts and one (1) at-large district established in the City and one (1) member shall be elected from each Council district and four (4) members shall be elected at large.~~

~~The City Council shall draw and/or revise the boundaries of the districts within sixty (60) days after the figures from the Federal Decennial Census become available. The criteria in redistricting shall be equality of population, contiguous territory, compactness, natural boundaries, and all other applicable law. New district boundaries created within one hundred twenty (120) days of a city primary election shall become effective after the general election.~~

RATIONALE: "Language has been added to reflect a council-by-districts structure.¹ Consistent with the preference expressed by the voters in 2009, the council proposes a seven-district system. City council recognizes that the 2009 configuration of seven district members and two at-large members was, at least in part, based upon the recognition that a more significant redesign of the body would be subject to a legal challenge as inappropriate for a charter amendment, and rather would require revision of the charter. During deliberations by the council discussing issues raised by the district system, it was noted that in many cities with legislators elected by district, the districts are considerably smaller than those proposed for Detroit.

Additionally, concern was raised that due to scarce city resources, competition among districts could be high. Increasing the number of at-large seats to four allows for greater attention to citywide issues, effectively balancing the competition. For these reasons, city council proposes the addition of two at-large members to the existing provision. Adding two (2) additional at-large members would not necessarily require an increase in the City's overall budget, nor an increase in City Council's current budget. Budgetary adjustments should not be a determinative factor in this analysis and decision, because those legitimate concerns can and should be dealt with during the annual budget process.

City council, as the local legislative body, shall draw the districts, consistent with the requirements of state law. (MCL 117.27a)" - City Council's Rationale, Letter, dated December 13, 2010.

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- Deleted: The Election Commission shall, to the greatest extent possible, establish wards that are compact, contiguous and of equal population. ¶

¹ Section 3-107 (Nominating Positions) will also have to be revised to correspond to the structure established by section 3-106.

ANALYSIS: Pursuant to the Home Rule City Act “such [apportionment] plan shall provide for wards which are as nearly of equal population as is practicable and contiguous and compact.” 117.27a(5). There is no requirement that the districts/ward follow natural boundaries. [CHECK CASE LAW and ELECTION LAW].

DISPOSITION/COMMISSION ACTION:

NOTES: See Home Rule City Act at 117.3a (repealed) for suggested language and ideas on subject matter of drawing district boundaries.