

City of Lansing Charter Commission

Regular Meeting Agenda



Tony Benavides Lansing City Council Chambers
Lansing City Hall, 10th floor
124 W. Michigan Avenue

May 13, 2025 at 6:30 PM

1. Call to Order

2. Roll Call

3. Adopt the Agenda

4. Approval of Minutes

- A. May 6, 2025 Minutes

5. Public Comment

- A. People wishing to share public comment virtually may do so. The deadline to register to comment this way is 6PM, 30 minutes before the start of the meeting. Sign up at this link: <https://events.gcc.teams.microsoft.com/event/74fc86bf-2220-4093-b74c-3bae908329ed@87509dee-095b-4ff8-ba5a-0035cdfc715d>
People sharing public comment in person at the meeting may sign up when they arrive to the meeting.

6. Officer Reports

- A. Chair
- B. Vice-Chair
- C. Clerk

7. Presentation

- A. Amanda Castillo, Proposed Ethical Investment Clause Co-author
- B. Crystal Thomas, City Treasurer

8. New Business

- A. Article 7: Taxation and Finance

9. Public Comment

10. Commissioner Remarks

11. Adjournment

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

Minutes for the City of Lansing Charter Commission

Regular Meeting | Tuesday, May 6, 2025, 6:30 PM

Tony Benavides City Council Chambers,
Lansing City Hall, 10th floor, 124 W. Michigan Ave.

Present: Commissioners Adams Simon, Bauer, Boyd, Dowd, Jeffries, Qawwee, Washington

Absent: Commissioners Anderson (excused), Lopez (excused)

Staff Present: City Clerk Swope, Chief Deputy Clerk Jackson, Attorney Rewa

Call to Order

The meeting was called to order by Chair Jeffries at 6:30 PM.

Roll Call

Clerk Swope called the roll of the Commission. A quorum was present.

Adopt the Agenda

Moved by Commissioner Boyd to adopt the agenda as presented.

Motion carried.

Approval of Minutes

Moved by Commissioner Dowd to adopt the April 29, 2025, minutes as presented.

Motion carried.

Public Comment

Fred McLaughlin spoke about the importance of Boards and Commissions.

Amanda Castillo spoke about the proposed ethical investment clause.

Officer Reports

Chair

Chair Jeffries reminded everyone that next week the Commission will work on Article 7: Taxation and Finance. This work will feature a presentation from Crystal Thomas, the City Treasurer and Chief Financial Officer.

Vice-Chair

No report.

Clerk

No Report.

New Business

A. Article 8: Regulatory Powers and Contracts

8-101.1 and .2 were adopted as presented unanimously.

8-102 was adopted as presented unanimously.

Old Business

A. Article 3: Legislative Branch

Attorney Rewa overviewed the May 2 legal opinion that addresses 3-206 and 3-207 on Investigations and Rights and Responsibilities of Council Members.

Commissioners discussed the repealing some of the language they previously adopted in these provisions. No action taken.

B. Article 4: Executive Branch

Attorney Rewa overviewed the March 28 legal opinion that addresses sustainability.

Commissioner Washington expressed she is not in favor of creating a new board.

Commissioner Qawwee suggested that creating a sustainability board was to protect funding for sustainability efforts.

Moved by Commissioner Dowd to amend 4-308.2 to read “The Department of Public Service shall be in charge of those agencies and programs responsible for the provision of construction, engineering, maintenance, sewage and waste disposal services and facilities, and traffic, **and sustainability, including environmental affairs activities and environmental justice within the City.**”

Motion carried 6-1, with Commissioner Qawwee voting against.

C. Article 5: Boards and Commissions

Moved by Commissioner Bauer to adopt the proposed Sustainability and Environmental Affairs Board language as Article 5 Chapter 7.

Commissioners discussed the impacts of adding this board to the Charter.

Motion failed, by the following roll call vote:

YEAS (2): Commissioners Qawwee, Bauer

NAYS (4): Commissioners Washington, Boyd, Dowd, Jeffries

ABSTAIN (1): Commissioner Adams Simon

Vice-Chair Adams Simon abstained because she is reviewing information and has not formed her position.

D. Article 6: City Employees

Attorney Rewa overviewed the May 2 legal opinion that addresses Article 6: City Employees. The goal was to update the non-discrimination language to bring it up to date.

Moved by Vice-Chair Adams Simon to adopt the proposed language for 6-301: Non-discrimination.

Motion carried. 6-301 now reads “No City employee or applicant for employment shall be discriminated against because of actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity or expression, pregnancy, breastfeeding a child or expressing human milk, veteran status, medical condition including genetic characteristics, HIV status, source of income, ancestry, student status, housing status, political affiliation or belief, service in armed forces in sovereign nations, linguistic characteristics such as accent or limited English, English proficiency, or other characteristic as defined by law, or any other basis

prohibited by law, including any additional protections identified by law. Notwithstanding the above, nothing in this section prohibits consideration of a bona occupational qualification as defined by law. It is permissible to give preferential treatment in hiring to veterans and their relatives as required by federal or state law.”

New Business

A. Article 8: Regulatory Powers and Contracts

8-201.1 was adopted as presented unanimously.

8-302 was adopted as presented unanimously.

8-303.2 was adopted as presented unanimously.

8-401.2 was adopted as presented unanimously.

8-402.1 and .2 were adopted as presented unanimously.

8-403.1, .4, .5, and .6 were adopted as presented unanimously.

Moved by Vice-Chair Adams Simon to strike 8-501: Marijuana.

Commissioners discussed the impacts of amending or striking this provision.

Moved by Commissioner Qawwee to table the decision on 8-501: Marijuana.

Motion failed by the following roll call vote:

YEAS (3): Commissioners Qawwee, Boyd, Jeffries

NAYS (4): Commissioners Washington, Adams Simon, Bauer, Dowd.

Motion carried 5-2.

Public Comment

No comments were made.

Commissioner Remarks

Commissioner Washington reminded commissioners to turn off their microphones during recess.

Adjournment

The meeting was adjourned by Chair Jeffries at 7:42 PM.

Lansing City Charter Commission Comment Submission Form

05/05/2025 9:49 AM (EDT)

Lansing City Charter Commission Comment Submission Form

First Name Brad

Last Name Richman

(Optional) Contact information is optional, but providing it will make it easier for potential follow up.

Lansing City Charter Commission Comment Submission Form

Comment Please see the attached letter submitted on behalf of the City's employee labor unions. It has also been provided to the Commission Chair and the copied individuals by USPS First Class mail.

(Optional) Additional materials to be sent with your comment



Charter Commission Proposed Amendments - FINAL - 05-02-25.pdf

(Optional) If your message relates to a specific article(s) in the Charter please select it here:

- ARTICLE 3 – LEGISLATIVE BRANCH



Mr. Brian Jeffries
Chair, Lansing City Charter Commission
City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933

April 29, 2025

VIA ELECTRONIC & USPS FIRST CLASS MAIL

RE: Pending Proposed Amendments & Prohibited Unilateral Changes to Mandatory Subjects of Bargaining

Dear Chair Jeffries:

This letter is submitted collectively by the signatory employee labor unions representing employees of the City of Lansing in various capacities. The purpose of this correspondence is to advise your Commission of how its currently proposed amendments to the City Charter infringe upon the collective bargaining rights of our employees. To that end, this correspondence places the City on notice that any unilateral changes to mandatory subjects of bargaining are actionable under applicable labor laws.

The recent *Regular Meeting Agenda* dated March 25, 2025, along with its included *Packet*, identify a number of proposed changes to the City Charter. Of particular concern are the proposals related to 3-206 (Investigations) and 3-207 (Rights and Responsibilities of Council Members). As set forth in the *Packet*, those proposed changes are:

3-206 Investigations

- .1 The City Council, **or any person or committee authorized by it for the purpose**, may make investigations into the affairs of the City and the conduct of any City agency.
- .2 The City Council, **or any person or committee authorized by it for the purpose**, may subpoena witnesses, administer oaths, take testimony and require the production of evidence in any matter pending before it.
- .3 To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the City Council, **or any person or committee authorized by it for the purpose**, shall apply to the appropriate court.
(01/07/2025)

3-207 Rights and Responsibilities of Council Members

- .1 Members of the City Council shall have all of the rights appropriate to city legislators as established by this Charter or by statute, including **the right to compel the attendance of City officers at its meetings and** the right to make inquiries of City officers and employees and receive specific information in response. (01/21/2025)
- **ADD:** .4 It shall be the duty of every officer and employee to cooperate with any inquiry or investigation of the City Council. Such cooperation shall include the compilation and production of any information requested by the City Council as authorized by this Charter unless the information requested is exempt from disclosure under the applicable state law.
- **ADD:** .5 No person shall willfully and without justification or excuse obstruct or interfere with an investigation or inquiry of the City Council authorized by this Charter. A person who violates this Chapter may be subject to one or more of the following:
 - a. If an employee, a recommendation that the employee be reviewed for disciplinary action;
 - b. If an officer, removal or forfeiture proceedings;
 - c. Prosecution by the City’s law department;
 - d. Any other penalty defined by the City Council through ordinance or rule. (01/21/2025)
- **ADD:** .6 No employee shall be discharged, threatened, or otherwise discriminated against regarding the employee’s compensation, terms, conditions, location, or privileges of employment because the employee is requested by the City Council to participate in an investigation, hearing, or inquiry of the City Council, or participates in same. (02/04/2025)

(Boldface in original.)

Should they be adopted, these unilateral changes infringe upon our members’ rights under the Public Employment Relations Act (PERA), MCL 423.201, *et seq.* “Nearly every conceivable type of job and profession is covered by collective bargaining agreements under the PERA.” *Central Michigan Univ Faculty Ass’n v Central Michigan Univ*, 404 Mich 268, 281; 273 NW2d 21 (1978).

PERA is the dominant law in Michigan regarding terms and conditions of employment. *Rockwell v Board of Ed of School Dist of Crestwood*, 393 Mich 616, 629; 227 NW2d 736 (1975) (“This Court has consistently construed PERA as the dominant law regulating public employee labor relations”). The supremacy of PERA is predicated on Michigan’s Constitution, through which the Constitutional Convention authorized, “The legislature may enact laws providing for the resolution of disputes concerning public employees, except those in the state classified civil service,” thereby expressly granting the legislature the power to create a law like PERA. Mich Const 1963, art 4, § 48.

Moreover, the scope of PERA exceeds other laws to the contrary. See, e.g., *Central Michigan University*, 404 Mich at 279 (“PERA was intended by the Legislature to supersede conflicting laws and is superimposed even on those institutions which derive their powers from the Constitution itself”).

The state agency tasked with applying and overseeing the duties and obligations under PERA is the Michigan Employment Relations Commission (MERC). In the face of other statutory conflicts, MERC has also steadfastly upheld PERA. For instance, in *Grosse Isle Township v Police Officers Ass'n of Michigan*, 33 MPER 47 (2020), MERC held that where a collective bargaining agreement is lawful under PERA, it will prevail over contradictory local ordinances and charters. In *Decatur Public Schools*, 27 MPER (2014), MERC considered an alleged conflict between PERA and another statute, and further explained, “PERA sets forth the circumstances under which public employers must bargain with the representatives of their employees over compensation and other terms and conditions of employment.”

PERA imposes upon public employers a duty to bargain collectively with the representatives of its employees “in good faith with respect to wages, hours, **and other terms and conditions of employment . . .**” MCL 423.215(1)(emphasis added). Wages, hours, and other terms and conditions of employment are mandatory subjects of bargaining. *Ranta v Eaton Rapids Public Schools Bd of Education*, 271 Mich App 261, 270; 721 NW2d 806 (2006); *Detroit Police Officers Ass'n v Detroit*, 391 Mich 44, 54-55; 214 NW2d 803 (1974). A party violates PERA if, before bargaining, it unilaterally alters or modifies a term or condition of employment. *Port Huron Ed Ass'n v Port Huron Area Sch Dist*, 452 Mich 309, 329; 550 NW2d 228 (1996).

The phrase “other terms and conditions of employment” for purposes of determining whether an issue involves a mandatory subject of bargaining under PERA is construed broadly. *Central Michigan University, supra*, at 279-280 (“Under the act, a particular aspect of the employment relationship is a mandatory subject of collective bargaining, even if it may be said to be only minimally a condition of employment”).

A recent decision from MERC reinforced how investigative and disciplinary processes are mandatory subjects of bargaining. In *Capitol City Labor Program v City of East Lansing*, 38 MPER 13 (2024)(no exceptions), at issue were the powers of the city’s independent police oversight commission (ELIPOC). In addressing those powers, the following union proposals were found to involve mandatory subjects of bargaining:

[R]estrictions on the ability of ELIPOC members to discuss certain topics during meetings or making statements to in their official capacity relating to pending internal investigations or other confidential or sensitive information; **the authority of the ELIPOC to compel bargaining unit members to appear before, and give evidence to, the independent commission; and the ELIPOC investigatory function and its role in the disciplinary process.**

Id.; emphasis added.

MERC held these limitations relate directly to terms and conditions of employment.

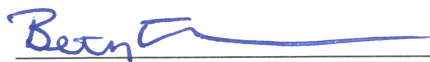
For instance, the union also sought agreement from the city to prohibit the ELIPOC from requiring “any Employee to appear, make any verbal or written statement, or present evidence, findings, or facts to any individual member, committee, panel, commission or group responsible for or affiliated with civilian oversight.” *Id.* In response, MERC held this proposal implicated numerous due process issues, including *Garrity* rights. *Id.*

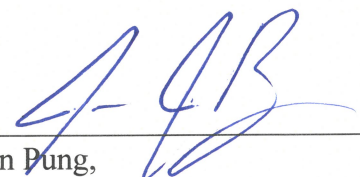
The union also made proposals limiting the ability of the ELIPOC to investigate alleged police officer misconduct and its authority to make recommendations to the Chief of Police and the City Manager. *Id.* Because these proposals implicate disciplinary procedures, including procedures for investigating alleged employee misconduct, MERC held they are mandatory subjects of bargaining under PERA – i.e., “It has long been recognized that the discipline of employees is a mandatory subject of bargaining under PERA.” *Id.* citing *Amalgamated Transit Union, Local 1564 v Southwestern Mich Transp Auth*, 437 Mich 674 (1976); *Pontiac Police Officers Ass’n v Pontiac*, 397 Mich 674, 681 (1976).

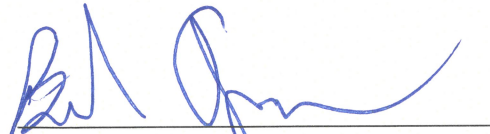
With collective bargaining agreement currently in place, parties are not obligated to bargain mid-contract. For instance, in *St. Clair Intermediate Sch Dist*, 458 Mich 540, 565; 581 NW2d 707 (1998), the Michigan Supreme Court determined, “While the parties may agree to negotiate a change midterm during the effective terms of the written agreement, bargaining is not required and is purely voluntary.” (Internal citations omitted.)

At this time, there is no agreement to modify these terms or conditions of employment which are mandatory subjects of bargaining. The City is free to make proposals during the negotiations over each unit’s next successor collective bargaining agreement. Until then, unilateral imposition of the proposed changes set forth above is prohibited by PERA. Action by the City to impose such changes amounts to an unfair labor practice for which redress will be sought through MERC to return to the status quo.


Respectfully,


Beth Frazier,
President, CCLP Supervisory Unit

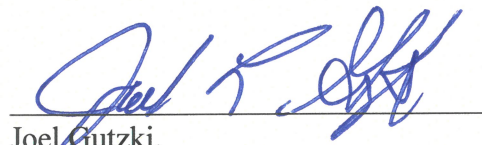

Jason Pung,
President, CCLP Non-Supervisory
Unit



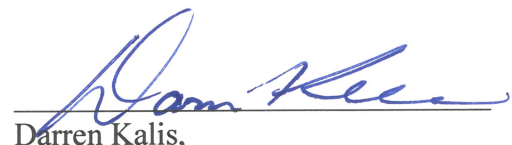
Brad Jorae,
President, IAFF Local 421



Heather Duhoski,
Business Representative, Teamsters
Local 243



Joel Gutzki,
Business Representative, Teamsters
214



Darren Kalis,
President, City of Lansing Unit,
UAW Local 2256

Cc: Mr. Ryan Kost, President, Lansing City Council
Mr. Gregory Venker, City Attorney, City of Lansing
Mr. Dennis Parker, Chief Labor Negotiator, City of Lansing

Lansing City Charter Commission Comment Submission Form

05/05/2025 1:59 PM (EDT)

Lansing City Charter Commission Comment Submission Form

First Name DESHON

Last Name Leek

(Optional) Contact information is optional, but providing it will make it easier for potential follow up.

Email dleek.mbtc@gmail.com

Phone 517-388-8173

Lansing City Charter Commission Comment Submission Form

Topic City Charter Article 8-401.1

Comment As representative of the Greater Lansing Building Trades Council, we urge you to recommend amending the City Charter Article 8-401.1 to remove the "lowest responsible bidder" requirement for awarding city contracts and replace it with language that allows the city to award contracts based on "best value to the city."



GREATER LANSING BUILDING TRADES COUNCIL

Dear Members of the Lansing City Charter Commission,

As representatives of the **Greater Lansing Building Trades Council**, we urge you to recommend amending the City Charter Article 8-401.1 to remove the "lowest responsible bidder" requirement for awarding city contracts and replace it with language that allows the city to award contracts based on "best value to the city."

The current language prioritizes low cost above all else, even when that may come at the expense of quality, safety, or long-term value. Shifting to a best value standard would allow City Council, the Mayor, and city staff to develop a clear and transparent scoring system—one that considers price alongside other important factors such as workforce standards and development, safety record, local economic impact, and contractor experience.

Other cities, including Ann Arbor, have successfully implemented best value contracting frameworks. In 2021, Ann Arbor voters overwhelmingly approved a charter amendment that empowers the city to evaluate bids more holistically and ensure public dollars are spent in ways that reflect the community's values.

Lansing deserves that same flexibility. Allowing for best value procurement will help ensure that city contracts go to contractors who not only offer fair pricing, but who will do the job right—with skilled workers who receive good wages and benefits, safe job sites, and a commitment to delivering lasting results for Lansing residents.

We appreciate your consideration and your work to ensure Lansing's Charter supports responsible governance and sound investment of public funds.

Sincerely,

Chris Keck, President Lansing Building Trades Council

DeShon Leek, Representative Michigan Building Trades Council

BUILDING MICHIGAN UNION

May 6, 2025

Lansing Charter Commission
City Hall
124 W Michigan Ave
Lansing, MI 48933

Dear Members of the Lansing Charter Commission,

I am writing to advocate for an expansion of the Lansing City Council from the current seven members proposed to nine. This proposal is grounded in principles of equitable representation, responsiveness, and the practical realities of urban governance.

Rationale for Expansion

Lansing's population is approximately 112,000, with each council ward member currently representing roughly 28,000 residents and four at-large representing 112,000 each. While this ratio might seem adequate, it is essential to consider the nuances of effective representation. Larger councils can offer more localized attention, better reflect the city's diversity, and enhance constituent engagement.

Comparative Analysis with Similar Cities

Examining cities of comparable size or smaller to Lansing reveals a trend toward larger councils:

- **Flint, MI:** With a population of about 79,000, Flint has a nine-member city council, resulting in approximately 8,777 residents per council member. All wards
- **St. Robert, MO:** Serving a population of 5,000, St. Robert has an eight-member council which means roughly 625 residents per member. All wards
- **Waukegan, IL:** With a population of 112,000, Waukegan maintains a nine-member council, equating to about 12,444 residents per member. All wards
- **Springfield, IL:** With a population of 112,000, Springfield maintains a ten-member council, equating to about 11,200 residents per member. All wards
- **Fayetteville, AR:** With a population of about 112,000, Fayetteville has an eight-member city council, resulting in approximately 14,000 residents per council member. All wards

These examples demonstrate that councils with more members can manage larger populations more effectively, ensuring that each resident's voice is heard and considered.

Benefits of a Larger Council

1. **Enhanced Representation:** A nine-member council would allow for more diverse perspectives, better reflecting the city's demographic composition. This inclusivity can lead to policies that more accurately address the needs of all communities.
2. **Improved Responsiveness:** With more council members, constituents may find it easier to connect with their representatives, leading to quicker responses and more personalized attention to concerns.
3. **Balanced Workload:** An expanded council can distribute responsibilities more evenly, preventing burnout and ensuring that council members can dedicate adequate time and resources to their duties.
4. **Increased Accountability:** More council members can lead to more robust discussions and debates, fostering greater transparency and accountability in city governance.

Benefits of Ward-Only Councils

- **Localized Representation:** Residents have a direct link to their council representative, facilitating more personalized attention to community issues.
- **Increased Accountability:** Council members are directly accountable to the residents of their specific wards, leading to more responsive governance.
- **Enhanced Civic Engagement:** Ward systems can encourage higher voter turnout and community involvement, as residents feel their vote has a more direct impact.
- **Balanced Decision-Making:** With multiple representatives, decisions are more likely to reflect the diverse needs and interests of the entire city.

Conclusion

Expanding the Lansing City Council to nine members is a proactive step toward enhancing democratic representation and governance. By aligning with practices observed in similar cities, Lansing can ensure that its council is better equipped to serve its residents effectively.

Thank you for considering this proposal. I am confident that this change will contribute positively to the future of our city.

Sincerely,

Ryan Kost
President
Lansing City Council

ARTICLE 7 – TAXATION AND FINANCE

Chapter 1. BUDGET

7-101 Submission Of Budget

On or before the fourth Monday in March of each year, the Mayor shall submit to the City Council a proposal for the annual estimate of all City revenues and annual appropriation of expenditures for all City agencies except the Board of Water and Light, for the next fiscal year beginning on July first.

7-102 Council Budget Priorities

The City Council shall adopt a statement of City-wide budget Policies and priorities each year and shall transmit it to the Mayor no later than October 1.

7-103 Budget Message

.1 The Mayor shall submit with the Budget a message containing the necessary information for understanding the budget.

.2 The message shall explain how the proposal addresses the priorities proposed by the City Council

.3 The budget message shall contain detailed estimates with supporting explanations of proposed expenditures of each agency of the City except the Board of Water and Light. All such estimates shall show the actual appropriations and expenditures for corresponding items for the last preceding fiscal year, in full, and appropriations for the current fiscal year together with the expenditures for the current fiscal year to January 1 and estimated expenditures for the balance of the current fiscal year.

.4 The budget message shall state the bonded and other indebtedness of the City, showing the bond redemption and interest requirements of the debt authorized and unissued, and the condition of the sinking funds if any.

.5 The budget message shall contain detailed estimates of all anticipated revenues of the City from sources other than taxes with a comparative statement of the amounts estimated for and actually received from each of the same or similar sources for the last preceding fiscal year, in full, for the current fiscal year to January 1, and estimated revenues for the balance of the current fiscal year.

.6 The budget message shall state the estimated accumulated cash and unencumbered balance, or deficits, at the end of the current fiscal year.

.7 The budget message shall contain an estimate of the amount of money to be raised from current and delinquent taxes and the amount to be raised from bond issues, which together with available unappropriated surplus and revenues, from other sources, will be necessary to meet the proposed expenditures.

7-104 Budget Hearing

.1 The budget of the Mayor, together with all supporting schedules, information and messages, shall be a public record and shall be reviewed by the Council as a committee of the whole.

.2 A public hearing on the annual appropriations shall be held in the manner provided by law and at such additional times as the Council shall direct.

1 **7-105 Adoption Of Budget Resolution**

- 2 .1 Not later than the third Monday in May of each year, the Council shall, by resolution, adopt a
3 budget for the ensuing fiscal year and make an appropriation of the money needed therefore.
4 .2 The resolution shall designate the sum to be raised by taxation for the general purpose of the City
5 and for the payments of principal and interest on its indebtedness. The adoption of the budget
6 resolution shall constitute appropriations of the amounts specified from the funds indicated and a levy
7 for the property tax specified.

8 **7-106 Item Veto**

- 9 .1 The Mayor may veto any item which has the effect of appropriating money contained in any action
10 of the City Council.
11 .2 The veto procedure in Section 3-305 of this Charter shall control when an item veto has been
12 exercised.

13 **7-107 Effect Of Appropriation**

- 14 .1 No money shall be drawn from the Treasury of the City except in accordance with an appropriation
15 for that purpose or except as provided in this section.
16 .2 This section does not apply to funds in the account of the Board of Water and Light.
17 .3 Whenever an agency of the City reports to the Finance Director that the funds appropriated for a
18 particular purpose will be exhausted before the close of the fiscal year, and the agency has an
19 unencumbered appropriation balance, the Mayor may authorize additional spending for that purpose
20 within the total appropriation for the agency, but the additional expenditure may not exceed 15
21 percent of the Council's appropriation being added to or \$5,000.00, whichever is less. The Finance
22 Director shall report the transfer to the City Clerk for transmission to the City Council at the next
23 regular meeting of the City Council.
24 .4 The appropriation of money for any purpose does not constitute a mandate to spend the money.
25 Each remaining unencumbered appropriation balance at the end of each fiscal year shall revert to the
26 general fund.

27 **7-108 Supplemental Appropriations**

- 28 .1 At any time during the fiscal year, the City Council may consider appropriations which modify the
29 previously adopted annual appropriation to:
30 (a) transfer an unencumbered balance in whole or in part from any account or;
31 (b) provide for the expenditures of revenues in excess of those in the budget or;
32 (c) meet a public emergency affecting life, health, property or the public peace, which may require
33 emergency appropriations as provided by law.
34 .2 Supplemental appropriations shall be adopted by the affirmative vote of two-thirds of the Council
35 members serving and the Finance Director shall give notice of such appropriations to all affected
36 agencies within one week after Council action.

37 **7-109 Capital Improvements Plan**

- 38 .1 The Capital Improvements Plan shall be prepared by the Planning Department in accordance with
39 applicable State law.

1 .2 The Mayor shall prepare within four months and the City Council shall adopt within six months of
2 the effective date of this Charter, an ordinance that specifies a detailed planning and budgeting
3 process for the Capital Improvements Plan.

4 .3 The Planning ~~Board~~ Commission through the Economic Development and Planning Department
5 and other City departments, agencies and boards shall annually review and submit to the Mayor and
6 City Council a Capital Improvements Plan for the ensuing six years.

7 .4 The City Council shall conduct a Public Hearing on the Capital Improvements Plan concurrent with
8 the Public Hearing on the Annual City Budget.

9 7-110 Control Of Expenditures

10 During the months of October, January and April in each fiscal year, the Director of Finance shall
11 submit to the Mayor and City Council data showing the relationship between the estimated and actual
12 revenues and expenditures to date. If it shall appear that the revenues are less than anticipated, the
13 City Council may, by resolution, reduce appropriations, except amounts required for debts and
14 interest charges, to such a degree as may be necessary to keep expenditures within the revenues.

15 7-111 Uniform System Of Accounts

16 The system of accounts of the City shall conform to such uniform system as may be required by law.

17 Chapter 2. TAXATION

18 7-201 Power To Tax; Tax Limit

19 .1 The City shall have the power to assess taxes and to levy and collect rents, tolls and excises. The
20 annual general ad valorem tax levy for municipal purposes shall not exceed 2 percent of the
21 assessed value of all real and personal property in the City.

22 .2 Within three days after the Council has made the appropriations for the ensuing year, the Clerk
23 shall certify to the Assessor the total amount which the Council determines shall be raised by general
24 ad valorem tax.

25 7-202 Subjects Of Taxation

26 .1 The subjects of ad valorem taxation for municipal purposes shall be the same as for the state,
27 county, and school purposes under the general law.

28 7-203 Exemptions

29 The power of taxation shall never be surrendered or suspended by any grant or contract to which the
30 City shall be a party. No exemptions from taxation shall be allowed, except such as are expressly
31 required or permitted by State Law.

32 7-204 Duties Of The City Assessor

33 .1 The City Assessor shall assess all real and personal property in the City of Lansing in the manner
34 provided by State law.

35 .2 The Assessor shall prepare and certify the current assessment roll to the Board of Review on or
36 before the date provided by ordinance.

1 .3 The Assessor shall prepare and extend all tax rolls and deliver them to the Treasurer on or before
2 the date provided by ordinance and in the manner provided by State law.

3 .4 At least one week prior to the Assessor's certification of the assessment roll, the Assessor shall
4 complete a tentative assessment roll for public inspection and give notice to the owner as shown on
5 the assessment roll, by first class mail, of any changes in the assessed value of any property as
6 compared with the previous year or the addition of any property to the roll. The notice shall advise the
7 property owner that the change in valuation or addition of property may be discussed at the office of
8 the Assessor prior to the meeting of the Board of Review. The failure to give notice shall not invalidate
9 any assessment roll or assessment thereon.

10 .5 The Assessor may change the assessment roll during the period of public inspection before
11 certification but only as a result of information obtained after completion of the tentative roll as a result
12 of an inquiry or otherwise.

13 .6 Notice of the time and place of the meetings of the Board of Review shall be published by the
14 Assessor not less than one week prior to the first meeting thereof.

15 7-205 Board Of Review

16 .1 A Board of Review for property tax assessment is created.

17 .2 The Mayor shall appoint, subject to Council confirmation, five members serving staggered terms of
18 three years each. In order to increase the membership of the Board of Review created under the
19 previous Charter to five public members, one member shall be appointed to a term of at least two
20 years expiring July 1, 1981, and one member shall be appointed to a term of at least one year
21 expiring on July 1, 1980. Public members serving terms of three years at the time of the adoption of
22 this Charter shall continue until the expiration of their term.

23 .3 The members of the Board of Review shall be appointed on the basis of their knowledge and
24 experience in property valuation.

25 .4 No member of the Board of Review shall hold any other public office or public employment in any
26 local unit of government supported by Lansing property taxes in whole or in part. All members of the
27 Board of Review shall be residents of the City.

28 .5 Unless otherwise provided by ordinance, the Board of Review shall convene on the second
29 Monday in March and sit for at least five calendar days.

30 .6 The Board of Review shall have such powers and duties as may be provided by law. The Board of
31 Review shall adopt rules for its Conduct of business.

32 .7 The Board of Review shall adopt rules for its conduct of business.

33 7-206 Taxes Become Lien

34 .1 City property taxes shall become a debt due by the persons liable for them on the tax day as
35 provided by State law. The debt shall become payable and a lien upon the property on July 1 next
36 following, or as provided by State law.

37 .2 All personal taxes shall be a first lien, prior, superior, and paramount on all personal property of
38 such persons as assessed. Such lien shall take precedence over all other claims, encumbrances, and
39 liens, to the extent provided by statute, and shall continue until such taxes, interest, and charges are
40 paid.

41 .3 Personal Tax Lien and due dates may be accelerated by Jeopardy Assessment, as provided by
42 State law.

1 **7-207 State, City, County, School And Community College Taxes**

2 State, city, county, school and community college taxes shall be levied, collected and returned, as
3 provided by ordinance, in conformity with State law.

4 **7-208 Collection Of Taxes**

5 .1 The Council shall provide, by ordinance, for the method of payment of taxes and charges and for
6 fees, penalties, and interest, or any of them, for the late payment or non-payment of same.

7 .2 The ordinance herein required shall not be amended in such manner or at such time as to change
8 the provisions thereof relative to any city tax collection commencing on the first day of July in the
9 calendar year in which such ordinance is amended.

10 .3 There shall be no fee, penalty, or interest charged during the first thirty-one days of the collection
11 period, and the total fees, penalties, and interest charged before March 1 of the following year shall
12 not exceed eight percent of such taxes and penalties. Such fees, penalties, and interest shall
13 constitute a charge and shall be a lien against the property to which the taxes themselves apply,
14 collectable in the same manner as the taxes to which they are added.

15 .4 If any person shall neglect or refuse to pay any tax on personal property assessed, the Treasurer
16 shall collect the same as provided and required by State statute.

17 **7-209 Delinquent Tax Collection Procedure**

18 .1 The City may provide by ordinance for the enforcement and collection of delinquent taxes.

19 .2 The ordinance shall make provision for notice, disposition, judgment, a period of redemption and
20 the purchase of the City's interest by the owner of an interest in the property.

21 .3 If no ordinance is in effect regulating the enforcement and collection of delinquent taxes, such
22 taxes shall be returned to the County Treasurer pursuant to the general tax laws.

23 .4 Except as otherwise provide by this Charter or ordinance, the rights, duties, powers, immunities
24 and procedures established by the general laws shall apply in the collection and enforcement of City
25 property taxes.

26 **Chapter 3. BORROWING**

27 **7-301 General Borrowing Power**

28 .1 The City may borrow money for any purpose within the scope of its powers, may issue bonds or
29 other evidence of indebtedness, and may, when permitted by law, pledge the full faith and credit of
30 the City for the payment of those obligations.

31 .2 The enumeration of specific kinds of bonds or other borrowing in this Charter shall not be deemed
32 to exclude other kinds of bonds or other borrowing permitted by State law.

33 **7-302 Limitations On Borrowing**

34 .1 The net bonded indebtedness for general obligations of the City shall not exceed 10 percent of the
35 assessed value of all the real and personal property in the City.

36 .2 No obligation shall be sold to obtain funds for any purpose or purposes other than that for which
37 those obligations were specifically authorized.

38 .3 If any bonds are not sold within three years after authorization, the authorization shall be null and
39 void.

1 **7-303 Use Of Borrowed Funds**

- 2 .1 Each obligation shall contain on its face a statement of the purpose for which it is issued.
- 3 .2 All proceeds from the issue of an obligation shall be expended for the purpose for which the
- 4 obligation was issued until the purpose has been accomplished, and then for the retirement of other
- 5 obligations of the City.
- 6 .3 The Council may authorize the remaining unexpended and unencumbered proceeds for use in any
- 7 manner permitted by State law.

8 **7-304 Execution Of Obligations**

9 All obligations issued by the City shall be executed with the signature of the Mayor and the City Clerk,
10 unless otherwise provided by ordinance, and shall bear the Seal of the City. Interest coupons may be
11 executed with the facsimile signatures of the Mayor and the City Clerk.

12 **7-305 Special Assessment Bonds**

- 13 .1 The Council shall, subject to the general laws of the State, have authority to borrow money in
- 14 anticipation of the payment of special assessments made for the purpose of defraying the cost of any
- 15 public improvement, or in anticipation of the payment of any combination of such special
- 16 assessments, and to issue bonds therefore.
- 17 .2 Such special assessment bonds may be an obligation of the special assessment district or districts
- 18 or may be both an obligation of the special assessment district or districts and a general obligation of
- 19 the City.
- 20 .3 All collections on each special assessment roll or combination of rolls shall be set apart in a
- 21 separate fund for the payment of the principal and interest of the bonds issued in anticipation of the
- 22 payment of such special assessments, and shall be used for no other purpose.

23 **Chapter 4. SPECIAL ASSESSMENTS**

24 **7-401 Power To Assess**

- 25 .1 The City Council shall have the power to make public improvements within the City and, as to
- 26 public improvements which are of such a nature as to benefit especially any property or properties
- 27 within a district, the Council shall have the power to determine, by resolution, that the whole or any
- 28 part of the expense of any public improvement shall be defrayed by special assessment upon the
- 29 property in districts especially benefited, in proportion to the benefits derived or to be derived.
- 30 .2 If, prior to the adoption of a resolution finally authorizing the making of a public improvement to be
- 31 financed by special assessment, written objections to the proposed improvement have been filed by
- 32 the owners of property in the district, which according to estimates will be required to bear more than
- 33 50 percent of the amount of such special assessments, no resolution finally determining to proceed
- 34 with such improvement shall be adopted, except by the affirmative vote of two-thirds of the Council
- 35 Members serving.

36 **7-402 Procedure Ordinance**

37 The Council shall prescribe, by ordinance, the complete special assessment procedure governing the
38 initiation of projects, preparation of plans and cost estimates, creation of special assessment districts,
39 notices and hearings, making and confirming of special assessment rolls, correction of errors in such

1 rolls, the number of installments in which special assessments may be paid, collection of special
2 assessments, refunds, and any other matters concerning the making and financing of improvements
3 by the special assessment method.

4 7-403 Additional Assessments

5 .1 Additional pro rata assessments may be made when any special assessment roll proves
6 insufficient to pay for the improvement for which it was levied and the incidental expenses thereof or
7 to pay the principal and interest on bonds issued in anticipation of such assessment rolls.

8 .2 Additional pro rata assessment shall not exceed 25 percent of the assessment as originally
9 confirmed unless confirmed by vote of the City Council at a meeting for which notice has been given
10 in the same manner as the original special assessment.

11 7-404 Contest Of Assessments

12 .1 Any person owning property specially assessed shall have 60 days from the mailing of a notice of
13 confirmation of the special assessment roll to notify the City Clerk in writing of any claimed illegality in
14 the special assessment process. The City shall presume that any person who neglects or refuses to
15 assert a claim within the 60 day period has withheld his or her claim for the purpose of unjustly
16 obtaining a special benefit to the property to the detriment of the general taxpayers of the City.

17 .2 If the City Attorney submits a written opinion finding the special assessment roll illegal, in whole or
18 in part, the City Council may revoke its confirmation, correct the illegality, if possible, and reconfirm it.
19 No property shall be assessed more than was imposed upon the original confirmation without further
20 notice and hearing.

21 7-405 Lien And Collection Of Special Assessments

22 .1 Upon the confirmation of each special assessment roll, the special assessments thereon shall
23 become a debt to the City from the persons to whom they are assessed and" until paid shall be a lien
24 upon the property assessed, for the amount of such assessments and all interest and charges
25 thereon. Such lien shall be of the same character and effect as created by this Charter for City taxes.

26 .2 The Council may provide by ordinance for fees, penalties, and interest for the late payment or non
27 payment of special assessments, which fees, penalties, and interest shall be a lien and shall be
28 collectable as are similar charges upon City taxes. The Council may provide that delinquent special
29 assessments be placed upon the tax roll, together with any accrued fees, penalties, and interest
30 thereon, to be collected in all respects as are City taxes on such roll, or may make other provisions
31 for the lien created by such special assessments.

32 7-406 Postponement Of Payments

33 The Council may provide that persons who, in the opinion of the Assessor and Council, by reason of
34 poverty, are unable to contribute toward the cost of the making of a public improvement may execute
35 to the City an instrument creating a lien for the benefit of the City on all or any part of the real property
36 owned by them and benefitted by any public improvement, which lien will mature and be effective
37 from and after the execution of such instrument and shall be enforceable in the event that title to such
38 property is thereafter transferred in any manner whatsoever. The Council shall establish the
39 procedure for making this section effective by ordinance.

1 **7-407 Special Assessment Accounts**

2 Monies raised by special assessment for any public improvement shall be credited to a special
3 assessment account and shall be used to pay for the costs of the improvement for which the
4 assessment was levied and of expenses incidental thereto, to repay any principal or interest on
5 money borrowed therefore, and to refund excessive assessments.

6 **7-408 All Property Liable For Special Assessment**

7 All real property, including such as is exempt from taxation by law or exempted by the Board of
8 Review, and with or without valuation placed thereon, shall be liable for the cost of public
9 improvements benefiting such property, unless exempted there from by law, the same as other
10 property, as provided in Section 7-402, and such special assessments shall be levied, collected, and
11 returned, and the said premises may be sold or forfeited in the same manner as for nonpayment of
12 City taxes.

City of Lansing Charter Revision Proposal
Ethical Investment Clause

(Proposed revision to: ARTICLE 7 - TAXATION AND FINANCE)

Chapter 5. ETHICAL INVESTMENT

The City of Lansing shall not, directly or indirectly, through subsidiary or otherwise engage in investments in or procurements from industries, entities, or ventures that are dangerous to human life, complicit in human rights abuses, or contribute to the destruction of natural resources, including, but not limited to:

- (A) Investments in or procurements from industries, entities, or ventures that manufacture weapons, military technology systems, or surveillance technology.
- (B) Investments in or procurements from private prisons and detention centers, including the US Immigration and Customs Enforcement (ICE) and the US Customs and Border Protection (CBP).
- (C) Investments in or procurements from industries, entities, or ventures whose products or byproducts are destructive to the natural environment and human health, such as fossil fuels, carcinogens, and pipelines.
- (D) Investments in or procurements from entities or ventures associated with any nation-state engaged in the maintenance of illegal occupation, annexation, or apartheid as determined by the International Criminal Court of Justice (ICJ) or the International Criminal Court (ICC).
- (E) Investments in or procurements from industries, entities, or ventures that are complicit in human rights abuses including violations of civil and labor rights.

Where possible, the City of Lansing shall make investments locally to directly uplift the Lansing community, including:

- (A) Investments in entities or ventures that uphold racial, ethnic, gender, disability, and sexual equality, equity, and justice.
- (B) Investments in entities or ventures that provide clean, safe, and sustainable renewable energy.
- (C) Investments that strengthen local relationships with Tribal communities through the return of national public lands to Indigenous/Tribal stewardship.
- (D) Investments in entities or ventures that meet or exceed the national or local fair wage standards (whichever is higher) and uphold the rights of people to elect to join or form trade unions and bargain collectively.

In order to abide by the above provisions, the City must:

- (A) Establish a Sustainable and Ethical Preferred Procurement Policy establishing policy and procedures for acquiring and maintaining investments with responsibility to minimize negative impacts on human life and the environment in accordance with the City Charter.
- (B) Form an Ethical Investment Review Board for assessment that all investments are in accordance with the City Charter and the Sustainable and Ethical Preferred Procurement Policy.
 - (1) The Ethical Investment Review Board will conduct an annual review of all city

investments past and present to ensure investment policies abide by the City Charter.

- (2) The members of the Board shall be residents of the City and hold no other public office or public employment in any local unit of government.
 - (3) The Ethical Investment Review Board shall have the power to assess and recommend divestiture of all shares, bonds, contracts, or other such investments and procurements in the entities involved in unethical social or environmental harms as described in the above provisions.
- (C) Develop a permanent public mechanism for regularly communicating to the Ethical Investment Review Board the views and recommendations of the Lansing community regarding the city's investments, contracts, and policies.
- (D) Ensure that disclosure of City of Lansing investments, contracts, and other such procurements are made publicly accessible and transparent to Lansing residents.