

City of Lansing Charter Commission

Regular Meeting Agenda



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

April 1, 2025 at 6:30 PM

1. Call to Order

2. Roll Call

3. Adopt the Agenda

4. Approval of Minutes

- A. March 25, 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/7ded647a-24fb-4090-98d3-430373e4bb3f@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. Presentations

- A. Charles Randall, Internal Auditor

8. Old Business

- A. Article 5: Line-by-Line Review
- B. Article 2: Line-by-Line Review: *2-104*
- C. Article 4: Line-by-Line Review: *4-304; 4-308*
- D. Article 3: Line-by-Line Review: *3-400*

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.

Charter Commission Packet

Meeting Date: April 1, 2025

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To: Charter Commissioners

From: Emery Drever, Deputy Clerk

Re: Pending Actions

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The following sections are pending action by the Commission:

Article 2

- 2-104 Compensation of Officers

Article 4

- 4-303.2; 4-307.2
 - Appointment of Fire and Police Chiefs
- 4-308 Public Service Department
 - Registered Professional Engineers

Article 5

- 5-205.2
 - Rates, public hearings
- 5-206.3
 - Collection and Hearing Procedure, dispute resolution
- Chapters 1, 3, 4, 5, and 6 are pending review

The following actions have been taken by the Commission.

Article 1: Adopted as Amended

1-205 Interpretation of the Charter, Definitions

- **ADD:** DEFAULT TO THE CITY means the omission or failure to timely perform a legal or contractual duty owed to the City of Lansing. This includes, but is not limited to, failure to pay any monetary obligation, including taxes, fees, or fines. Default to the City includes failure to pay property taxes for property located in the City, regardless whether the tax liability is owed to the City or the County. (1/7/2025)
- PERSON means a human being regarded as an individual and artificial entities recognized as persons by state law. ~~means both men and women and artificial entities, recognized as persons by state law.~~ (11/26/24)
- PUBLISH means making something public in the manner stated in or authorized by this Charter or law, or if no direction is given in this Charter, by posting to the City's website and by any means determined by the City to achieve widespread dissemination to the general public in the City to inform on matters of municipal concerns. ~~means making something public in the manner stated in or authorized by this Charter, or if no direction is given in this Charter, in one or more newspapers circulated in the City or by posting on the official bulletin boards of the City.~~ (12/17/2024)
- **ADD:** VOTERS means ELECTORS. (12/17/2024)

1-301 City Records to be Public

- .1 All records of the City shall be public, in accordance with State law, and shall be kept in City offices, except when required for official reasons to be elsewhere, ~~and shall be available for inspection during regular business hours~~ **and shall be available pursuant to law.** (12/3/2024)

1-302 Non-Discrimination and Civil Rights

- .1 It is the intent of the City that no person or group be denied the equal protection of the laws; nor shall any person be denied the enjoyment of their civil rights or be discriminated against because of their 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, as all forms of discrimination adversely affect Lansing citizens and the quality of life and opportunities available to all people. ~~In the exercise of its powers or in the performance of its duties the City and all of its agencies shall ensure that no person or group engaged in the conduct of official business or seeking to do business with the City is discriminated against because of race, creed, political orientation, color, national origin, marital status, sex, age, handicap or for any cause not reasonably related to the accomplishment of a legitimate governmental purpose, and shall take whatever action is necessary to accomplish this purpose.~~ (11/26/2024)
- **ADD:** .3 The City shall take such action, and shall adopt such ordinances, as shall be necessary to accomplish the purpose of this section. (11/26/24)

Article 2: Pending Adoption following amendments

2-101 Elective Officers

- .1 The elective officers shall be the Mayor, ~~eight~~ **seven** members of the City Council and the City Clerk. (02/18/2025)
- .2 Term of Office. The term of every elective city officer is four (4) years and commences at noon on the first (1st) day of January after the regular city general election. (12/17/2024) ~~Each officer shall have a term of four years terminating at 12 Noon on January first and shall serve until the election and qualification of a successor.~~
- .3 In 2027, there will be four (4) vacancies upon the council to be filled. The four (4) qualified candidates receiving the highest number of votes shall be elected to a term of office of two (2) years. Beginning in 2029, each councilperson shall be elected to a four-year term. ~~The terms of office of the Council Members shall be staggered so that two City Council Members elected from wards shall stand for elections every two years and two City Council Members elected at large shall stand for election every two years~~ (12/17/2024).

2-102 Qualifications for Elective Office

- A person seeking elective office must be a citizen of the United States, a resident, and a qualified and registered voter of the City of Lansing for one (1) year by the deadline for filing for office, and retain that status throughout their tenure in any such elective office. In addition, a ward Council Member shall be a resident of the ward from which elected or chosen for one (1) year by the deadline for filing for office, and retain that status throughout their tenure as a ward Council Member. ~~Every city official holding elective office shall be a registered elector in the City of Lansing and shall have been a resident of the city for one year prior to taking office. A ward Council Member shall be a resident of the ward from which elected or chosen.~~ (12/17/2024)

2-103 Ineligibility for Office

- .1 A person is ineligible for election or appointment as any elective officer and ineligible to hold an employment position within the City that is policy-making or that has discretionary authority over public assets if, within the immediately preceding 20 years, the person was convicted of a felony involving dishonesty, deceit, fraud, or a breach of the public trust and the conviction was related to the person's official capacity while the person was holding any elective office or position of employment in local, state, or federal government. ~~Any person who has been convicted of either a violation of the election laws of this City, this State or the United States of America or a violation of a public trust or any felony shall not be eligible to hold any City office for a period of 20 years from the date of the conviction.~~ (11/12/2024)
- .2 No person who is in default to the City shall be eligible to hold any City office, **unless such default is eliminated within 15 days after written notice thereof by the City Clerk. No person seeking elective office shall be in default to the City at the time such person files for office or any time thereafter during the person's candidacy or term of office. Any officer in default to the City during the term of office is subject to forfeiture or dismissal. The City shall develop, through ordinance, such procedures to ensure that the provisions of this section continue to be met during an officer's term in office.** (02/04/2025)

2-203 Wards

- .1 The City of Lansing shall be divided into ~~four~~ **five** wards, from each of which a member of the City Council shall be nominated and elected. (02/18/20204)

2-302 Forfeiture and Removal for Cause

- .1 The City Council shall declare the forfeiture of the office of any elective officer or appointee and may remove for cause any person **elected or** appointed to an office for a fixed term. In every case there shall be a public hearing before the City Council with notice published in the same manner as notices of proposed ordinances. A Council member charged with conduct constituting grounds for forfeiture **is permitted to attend and speak at the hearing** may not participate in **the hearing as a council member or vote on** the resolution of the charge. (01/21/2025)
- .2 The position of an elective City officer or an appointee shall be forfeited if ~~he or she~~ **the officer**:
 - (a) lacks at any time any qualifications required by this Charter.
 - (b) is convicted of a felony while holding the office or appointment.
 - (c) violates a provision of this Charter punishable by forfeiture.
 - **ADD: (d) is determined by City Council to have engaged in misconduct in the performance of official duties of the office.** (01/21/2025)
- .3 Decisions made by the City Council under this section are not ~~reviewable~~ **reviewable** by the Mayor but are subject to judicial review in a hearing de novo. Any resident of the City may petition an appropriate court to require the City Council to hold a public hearing on the forfeiture of an office if the City Council has unreasonably refused to proceed. (01/21/2025)

2-304 Temporary Absence of Mayor

- **ADD:** .6 For purposes of this section, “temporary absence of the Mayor from the City or inability of the Mayor to perform the duties of office” shall mean such an absence, condition, sickness, or other cause that renders the Mayor incapable for the time being of performing the act that may be in question, which act must present such a necessity for immediate attention as to require it to be then executed. (12/17/2024)

2-401 Recall

- Any official holding an elective office may be recalled and the office be filled in the manner provided by law. ~~Any official holding an elective office may be recalled and the vacancy created be filled in the manner provided by law.~~

2-406 Special Elections

- .1 Special City elections shall be held when called by resolution of the City Council at least ~~50~~ **90** days in advance of the election, or ~~when~~ **longer as otherwise** required by this Charter or state law. Any resolution calling a special election shall set forth the purpose of such election.
- .2 Special elections to fill vacancies shall be called at least 90 days before the general election, **or longer as otherwise required by state law**. A special primary election shall be held at least ~~25~~ **45** days before the special general election. (01/07/2025)

2-410 Charter Revision Question

- .1 The question of whether there shall be a general revision of the City Charter may be submitted to the voters in the manner provided by law.
- .2 When the question of having a general revision of this Charter shall be submitted to the voters as required pursuant to subsection .1, the charter commission shall be selected at the same election at which

the proposition to revise is submitted; the selection shall be void if the proposition to revise is not adopted.

- .3 No city officer or employee, whether elected or appointed, shall be eligible to a place on the commission. (12/17/2024)
- ~~The question of whether there shall be a general revision of the City Charter shall be submitted to the voters of the City of Lansing at the November general election held in 1987 and every 12 years thereafter and may be submitted at other times in the manner provided by law.~~

Article 3: Pending Adoption following amendments

3-202 Special Meetings

- .2 At least 18 hours before the meeting, the clerk shall give public notice of the meeting; ~~and shall cause each Council member to~~ **be personally notified; and shall verify receipt of notification by each Council Member.** (01/07/2025) ~~served personally with a notice of the meeting or shall cause the notice to be left at the usual place of residence of the Council member.~~

3-203 Quorum

- A majority of the number of Council members elected (01/21/2025) shall be a quorum for the transaction of business at all of its meetings. In the absence of a quorum, any number less than a quorum may recess or adjourn any meeting or hearing to a later time. (01/07/2025) ~~Five members of the Council shall be a quorum for the transaction of business at all of its meetings. In the absence of a quorum, any number less than a quorum may recess any meeting or hearing to a later time~~

3-205 Voting

- .1 An action of the Council shall become effective with an affirmative vote of ~~five~~ **a majority of the number** of Council members ~~voting elected~~, except as otherwise provided by this Charter for the filling of vacancies and resolving a conflict of interest of a Council member. **A vote of two-thirds of the Council shall require an affirmative vote of two-thirds of the number of members elected. If there are one or more vacancies existing on the Council and a vote of two-thirds of the Council members serving is required, an affirmative vote of two-thirds of the Council members serving shall be sufficient to adopt.** ~~A vote of two-thirds of the Council members serving shall require the affirmative vote of six of the eight serving Council members. If there are one or more vacancies existing on the Council and a vote of two-thirds of the Council members serving is required, an affirmative vote of five Council members shall be sufficient to adopt.~~ (01/21/2025)

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)

3-305 Veto

- .2 No ordinance or resolution of the City Council subject to review by the Mayor shall have any force or effect if the Mayor prepares and signs a notice in writing suspending the operation of such ordinance or resolution which sets forth reasons for the veto, and the notice is filed in the office of the City Clerk before five o'clock on the afternoon of the ~~third~~ **ninth** (12/17/2024) working day following the adoption of the ordinance or resolution.
- .3 If a notice of veto is filed, the ordinance or resolution shall not become law without further affirmative vote of two-thirds of the Council members serving at a meeting held within ~~two~~ **three** (12/17/2024) weeks of the notice of veto.

3-306 Effective Date of Ordinance

- .1 Every published ordinance shall become effective at 12:01 a.m. on the ~~1430~~th day after enactment or at any later date specified.

3-307 STRIKE AND RENUMBER SUBSEQUENT

- ~~3-307 Expiration Of Ordinances~~
- ~~.1 Every ordinance which creates a regulatory function, an agency of the City or provided for a service to be rendered to the public shall state that it shall expire on a specific date not more than ten years after the date of adoption.~~
- ~~.2 Six months prior to the expiration date of each such ordinance the Clerk shall notify the Council of the expiration date.~~
- ~~.3 Two months prior to the expiration date the Council shall take formal action, either to re-enact the ordinance, or by resolution, state its intent that the ordinance shall expire.~~

- ~~.4 The failure of the Clerk or Council to act shall not extend the life of any ordinance covered by this section~~ (12/17/2024)
- ~~3-307~~ ~~3-308~~ Emergency Ordinances
- ~~3-308~~ ~~3-309~~ Codification of Ordinances
- ~~3-309~~ ~~3-310~~ Public Peace, Health and Safety

3-308 Codification of Ordinances

- ~~.1 As of the effective date of this charter, the Codified Ordinances in existence shall remain in effect. Within three years after the effective date of this Charter and at least every 10 years thereafter, the City Council shall provide for and adopt a codification of all City ordinances.~~
- ~~.2 The codification~~ **Any future codification or re-codification** shall be enacted by ordinance and shall be published promptly in loose leaf form, together with this Charter and commentary and any amendments, pertinent provisions of the State Constitution and other laws of Michigan, and other rules and regulations as the City Council may specify **within the enacting ordinance**.
- ~~.3 This~~ **The** compilation **described in sub-sections .1 and .2** shall be known as the Lansing City Code and copies shall be: furnished to City officers, placed in libraries and public offices for free public reference, and made available for purchase by the public at a reasonable price fixed by the City Council.
- **.4 No less than once per year the Clerk shall cause the Codified Ordinances to be updated to reflect amended, added, or repealed City Ordinances.** ~~After publication of the first Lansing City Code under this Charter, the ordinances and Charter amendments shall be printed in a form suitable for integration with the Code currently in effect.~~ (01/21/2025)

Article 4: Pending Adoption following amendments

- Maintain current form of government (10/22/2024)

4-102 Obligations of Leadership

- The Mayor, or the ~~Executive Assistant~~ **Deputy** to the Mayor, shall attend all regular and special meetings of the City Council to submit such reports and proposals to the City Council as are appropriate, and to respond to questions of the Council members and citizens
- **ADD: .4** Within one year of being sworn in, the Mayor shall present to the Council and public a written three-year strategic plan for the City of Lansing that provides a vision, goals and objectives, and how progress will be measured. The plan shall include
 - 1) comprehensive data on and analysis of the city's current situation, including demographic and economic trends; environmental and health threats and trends; technological trends; regional factors and opportunities; education needs; land use and transportation; neighborhoods and housing, and the social landscape;
 - 2) active involvement of citizens, community organizations, local businesses, other government agencies, and internal staff from all levels and functions;
 - 3) high-level strategic goals that are Specific, Measurable, Achievable, Relevant, and Time-bound (SMART);
 - 4) detailed strategies and action plans for achieving the goals; and
 - 5) a system for regularly measuring and reviewing progress and publicly reporting on the implementation of the plan. The Mayor shall report on the progress of creating and implementing the plan at the annual State of the City Address and in the annual budget presented to the City Council. (02/04/2025)
- Adding .4 Renumbers all subsequent subsections. .4-.12 become .5-.13 respectively.

- .5 ~~4~~ No later than the last regular City Council meeting in January **March 1st** of each year, the Mayor shall present a state of the City report to the City Council and to the public, outlining the activities of each of the departments and agencies of the City, their existing programs and services and an analysis of their adequacy. The report shall contain the Mayor's observations on the effectiveness of the organization of the several departments and agencies of the City and any recommendations for reorganization to increase efficiency, effectiveness and economy of operation. The report shall also contain a summary of the financial conditions of the city. **The report shall also outline and provide analysis of the transparency efforts of the Agency of the Executive Branch.** (03/25/2025)
- .9 ~~8~~ The Mayor shall make an annual report to the City Council which shall itemize all the interests in real property owned by the City. The report shall include the status of all parcels and an analysis and recommendation for the appropriate management and use of each. **The report shall be presented to the City Council no later than the last regular City Council meeting of each year.** (02/18/2025)
- .10 ~~9~~ The Mayor shall be responsible for **enforcing anti-discrimination ordinances. The Mayor may also develop programs and initiatives that resolve disputes and foster mutual understanding among the residents of the community.** (02/18/2025) ~~reducing any unlawful discrimination and increasing mutual understanding among the residents of the community.~~
- .11 ~~10~~ The Mayor shall make an annual report on the **initiatives and programs of the City that promote opportunity for all employees. Such report shall include, to the extent permitted by law, information concerning the demographics of city officers and employees, including promotions, hiring, and turnover, and demographics of persons holding contracts with the City.** ~~Status of affirmative action programs of the City.~~ (03/25/2025)

4-201 Deputy Executive Assistant to the Mayor (02/04/2025)

- Change all references to "Executive Assistant to the Mayor" to **"Deputy to the Mayor"**

4-301 Organization of Departments

- .2 (D) ~~Law Department~~ **Office of City Attorney** (Section 4-304) (02/18/2025)
 - Change all references to "Law Department" to **"Office of City Attorney"**
- (F) **Economic Development and Planning Department** (Section 4-306) (02/18/2025)
 - Change all references to "Planning Department" to **"Economic Development and Planning Department"**
- .3 strike the list of agencies
- Strike .7 ~~The Mayor may prepare one or more executive reorganizational plans which, consistent with law and this Charter, provide for reorganization of one or more agencies of the executive branch, and assign authorized programs, services and activities to each agency. The Mayor shall submit an initial reorganizational plan not later than January 31, 1979. A reorganizational plan, as proposed by the Mayor, shall be submitted to the City Council and made public. The City Council shall study and conduct public hearings on the plan and may request the Mayor to make modifications in it. Ninety days after the submission of a plan to the City Council, the plan shall become effective and shall become operational as stated in the plan, with such modifications as are accepted by the Mayor, unless disapproved by a resolution adopted by two thirds of the City Council members serving.~~ (02/04/2025)

4-302 Finance Department

- .2 The Department of Finance shall ~~be in charge of~~ **coordinate with** the divisions of Accounting, Assessments, Budget Management, Income Tax, and Treasury. (03/25/2025)

4-303 Fire Department

- .5 The department shall maintain and operate ambulance services, advanced life support (ALS), and other lifesaving and emergency services necessary for the welfare of the residents of the city of Lansing. The Lansing Fire Department is designated as the primary provider of emergency medical services, ensuring the highest standards of care, as directed by the Council. (02/04/2025) ~~The Department shall maintain and operate such ambulance, inhalator, and other life saving and emergency services as the welfare of the inhabitants of the City may require and as the Council may direct.~~

4-304 Law Department Office of City Attorney (02/18/2025)

- Change all references to Law Department to “Office of City Attorney”

4-306 Economic Development and Planning Department

- .5 The director shall be responsible for providing the Planning ~~Board~~ **Commission** with staff and all information necessary for the ~~Board~~ **Commission** to carry out its assigned duties under Sections 5-601 and 5-602 of this Charter. (03/04/2025)

4-401 Heads of Departments

- .4 The head of each department of the City shall be responsible to the Mayor for the administration of the department and shall, under direction of the Mayor, implement the policies, including **pursuit of opportunity in hiring and promotion within the department in accordance with law**, ~~affirmative action~~ as expressed in the ordinances and resolutions of the City Council. (03/25/2025)

4-402 Heads of Agencies

- .4 Notwithstanding the provisions of any ordinance, the Mayor shall appoint the Treasurer, the Assessor, and the ~~Chief Personnel officer~~ **Human Resources Director** (03/04/2025).

Article 5: Pending Adoption following amendments

- Structure Boards and Commissions with 8 members, 5 wards and 3 at-large (03/25/2025)

5-201 Board of Water and Light

- The Board of Water and Light, hereinafter known as the Board, shall have the full and exclusive management of the water, **chilled water, thermal energy, including heat or hot water and**, steam and electric services and such additional utility services of the City of Lansing as may be agreed upon by the Board and City Council. The board shall be responsible to the Mayor and the City Council for the provision of these services in a manner consistent with the best practices. (03/18/2025)

5-202 ~~Director~~ General Manager, Internal Auditor, Secretary

- .1 The Board shall appoint a ~~Director~~ **General Manager** who shall be responsible to the Board for carrying out the duties assigned by the Board and shall serve at its pleasure.

5-203 Powers of the Board

- .3The Board shall have the power to sell real property and interests in real property not needed for the operation of the Board of Water and Light, subject to the approval of ~~six~~ **a 2/3 majority of** City Council Members **elected** and subject to the limitations on the sale of real property by the City contained in this Charter.

- .9 The Board may conduct whatever audits of Board of Water and Light ~~the~~ activities it deems appropriate and shall **be responsible for the cost of such audits.** ~~compensate the City for the cost of that portion of the annual audit of the City which covers the Board of Water and Light.~~

5-204 Withdrawal of Funds

- .1 The funds and revenues of the Board of Water and Light shall be deposited in the ~~City Treasury and shall be credited only to the funds and accounts of the Board of Water and Light. They shall not be withdrawn or used for any other purpose whatsoever.~~ The Board shall have and exercise full control over all of the funds of the Board of Water and Light ~~in the City Treasury.~~
- .2 All warrants drawn for the payment of money under the authority of the Board shall be signed by the **General Manager and countersigned by the** Secretary of the Board. ~~and countersigned by the City Controller.~~
- .3 Whenever warrants are issued and there is no money for the payment of the warrant, the ~~City Treasurer~~ **Board** shall, upon presentation of the warrant, stamp the date of presentation on the face of the warrant, together with a statement that the warrant will bear interest thereafter at the rate of 6 percent per year. The interest shall cease after notice has been given to the holder, in the manner determined by the Board, that there is sufficient money of the Board of Water and Light on hand to pay the warrant with interest. Warrants of the Board of Water and Light are not general obligations of the City.

Minutes for the City of Lansing Charter Commission

Regular Meeting | Tuesday, March 25, 2025, 6:30 PM

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

Present: Commissioners Adams Simon, Anderson, Bauer, Boyd, Dowd (6:43), Jeffries, Lopez, Qawwee, Washington

Absent: none

Staff Present: City Clerk Swope, Deputy Clerk Drever, 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 Bauer to adopt the agenda as presented.

Motion carried.

Approval of Minutes

Moved by Commissioner Qawwee to approve the March 18, 2025, minutes as presented.

Motion carried.

Public Comment

Linda Keefe spoke about the Board of Water and Light and expressed support for sustainability efforts in the Charter.

Officer Reports

Chair

Chair Jeffries reminded everyone that next week the Commission will have a presentation from the City's Internal Auditor.

Vice-Chair

No report.

Clerk

Clerk Swope acknowledged written communications in the packet and provided a budget update: the Commission has spent \$189,693.35 with a remaining balance of \$310,306.65.

Presentation

A. Lori Welch and Jeremiah Kilgore from Public Service

Lori Welch, the City's Sustainability Manager, and Jeremiah Kilgore, Deputy Director of Public Service, presented to the Commission on the City's current sustainability efforts and the impacts of creating a sustainability department.

The Commissioners asked questions about the role of the Sustainability Manager, regional sustainability efforts, the City's sustainability efforts, funding, size of office, and future plans for sustainability.

Old Business

A. Article 4: Line-by-line Review

Attorney Rewa overviewed the March 14 legal opinion that addresses Article 4 references to affirmative action.

Moved by Commissioner Dowd to adopt the following language for 4-102.11: "The Mayor shall make an annual report on ~~the status of affirmative action programs of the City~~ **initiatives and programs of the City that promote opportunity, diversity and inclusion. Such report shall include, to the extent permitted by law, information concerning the demographics of city officers and employees, including promotions, hiring, and turnover, and demographics of persons holding contracts with the City.**"

Moved by Vice-Chair Adams Simon to amend the motion to replace "diversity and inclusion" with "for all employees".

Motion carried. The section now reads: "The Mayor shall make an annual report on initiatives and programs of the City that promote opportunity for all employees. Such report shall include, to the extent permitted by law, information concerning the demographics of city officers and employees, including promotions, hiring, and turnover, and demographics for persons holding contracts with the City."

Motion carried.

Moved by Commissioner Boyd to strike "affirmative action" from 4-401.4.

Motion withdrawn.

Moved by Commissioner Dowd to amend 4-401.4 to read "The head of each department of the City shall be responsible to the Mayor for the administration of the department and shall, under direction of the Mayor, implement the policies, including ~~affirmative action~~ **pursuit of opportunity in hiring and promotion within the department in accordance with law, as expressed in the ordinances and resolutions of the City Council.**"

Moved by Vice-Chair Adams Simon to amend to add "and fairness" after opportunity.

Motion failed by the following Roll Call Vote:

YEA: Commissioners Bauer, Qawwee, Adams Simon

NAY: Commissioners Boyd, Dowd, Jeffries, Lopez, Washington, Anderson

Motion carried.

Attorney Rewa overviewed the March 14 legal opinion that addresses the meaning of indefinite term and the hiring of police and fire chiefs in Article 4.

Commissioners discussed the process of hiring police and fire chiefs.

Attorney Rewa overviewed the March 14 legal opinion that addresses the City Attorney.

A majority of commissioners expressed support for appointing the City Attorney.

Commissioner Dowd suggested both the Mayor and City Council should be able to hire and fire the City Attorney.

Commissioner Washington agreed with Commissioner Dowd and suggested Council having their own full time attorney.

Commissioner Boyd expressed that the Charter should specify that hired outside council should be paid.

Vice-Chair Adams Simon expressed support for appointing the City Attorney, and for Council being able to retain their own attorney.

Attorney Rewa will return with proposed language following the Commissioners' discussion.

The Commission took a brief recess.

Chair Jeffries called the meeting back to order at 8:20 PM.

Moved by Commissioner Boyd to amend 4-102.5 to read "No later than ~~the last regular City Council meeting in January~~ **March 1st** of each year, the Mayor shall present a state of the City report to the City Council and to the public, outlining the activities of each of the departments and agencies of the City, their existing programs and services and an analysis of their adequacy. The report shall contain the Mayor's observations on the effectiveness of the organization of the several departments and agencies of the City and any recommendations for reorganization to increase efficiency, effectiveness and economy of operation. The report shall also contain a summary of the financial conditions of the city. **The report shall also outline and provide analysis of the transparency efforts of the Agency of the Executive Branch.**"

Motion carried.

Moved by Commissioner Dowd to amend 4-302.2 to read "The Department of Finance shall ~~be in charge of~~ **coordinate with** the divisions of Accounting, Assessments, Budget Management, Income Tax, and Treasury."

Motion carried.

4-303.1 and 4-303.4 approved as presented by unanimous consent.

4-307.1, and 4-307.4 approved as presented by unanimous consent.

Vice-Chair Adams Simon suggested inserting language about the Police Chief being licensed.

Moved by Commissioner Boyd to remove "Public Service Director" from the 4-308.3 list of City employees who should be registered professional engineers.

Motion withdrawn, until the Commission receives more information.

4-501.1 approved as presented by unanimous consent.

Commissioner Washington asked why the Clerk's presence is needed at City Council, because Council staff can take minutes.

Discussion followed about record taking and record keeping.

Moved by Commissioner Bauer to approve 4-501.2 as presented.

Motion carried, 8-1 with Commissioner Washington against.

4-501.3-.9, and 4-502 approved as presented by unanimous consent.

B. Article 5: Line-by-Line Review

Chair Jeffries solicited discussion on the structure of boards and commissions, following the move to seven City Council members.

Vice-Chair Adams Simon expressed support for 8-member boards and commissions, with 5 members representing the wards, and 3 at-large. She also supports term limits, for 2 consecutive 4-year terms.

Washington expressed the structure should mirror the Council, and that 8 member boards face the issue of a tie vote.

Chair Jeffries spoke about not minimizing citizen participation.

Commissioner Anderson echoed Chair Jeffries and pointed out that participation was reduced on Council. She expressed the two should mirror each other, but that she supports a 9-member Council.

Commissioner Washington expressed support for Commissioner Anderson's comments.

Moved by Vice-Chair Adams Simon to maintain board members at 8: 5 ward representatives and 3 at-large.

Motion carried 5-3 by the following Roll Call vote:

YEAS: Commissioners Jeffries, Lopez, Qawwee, Adams Simon, Bauer

NAYS: Commissioners Dowd, Washington, Anderson

Commissioner Boyd passed on voting because she had not decided on the issue.

Public Comment

Randy Dykhuis spoke about recognizing sustainability in the Charter.

Commissioner Remarks

No remarks were made.

Adjournment

The meeting was adjourned by Chair Jeffries at 9:03 PM.

Lansing City Charter Commission Comment Submission Form

03/23/2025 7:01 PM (EDT)

Lansing City Charter Commission Comment Submission Form

First Name	William
Last Name	Barker
(Optional) Contact information is optional, but providing it will make it easier for potential follow up.	
Email	jbbarker@aol.com
Phone	5174103870
Street Address	2911 Majestic Circle
City	Lansing
State	MI
Zip Code	48912

Lansing City Charter Commission Comment Submission Form

Topic	general
Comment	Suggest City Council be comprised of 7 members 3 At Large Seats, one of which would be defined as the greater downtown area, extending to North Town, Reo Town, Sparrow Hospital & State Offices to the West. The person elected to this At Large seat would not have to reside in that area. The 4 Ward Seats would remain as is, minus the downtown area in each one. This would allow a single person to represent the downtown business area, instead of 4 Wards & 4 At Large all coming together at Mich. & Wash. And reduce Council by 1 person. The close in residential areas could stay in their present Ward. Sincerely Bill Barker
(Optional) If your message relates to a specific article(s) in the Charter please select it here:	ARTICLE 1 - GENERAL

Lansing City Charter Commission Comment Submission Form

03/25/2025 7:44 PM (EDT)

Lansing City Charter Commission Comment Submission Form

First Name	Kerrin
Last Name	O'Brien
(Optional) Contact information is optional, but providing it will make it easier for potential follow up.	
Email	kerrino@gmail.com
Phone	5174206725
Street Address	615 Riley St
City	Lansing
State	MI
Zip Code	48910

Lansing City Charter Commission Comment Submission Form

Topic	Mayor's Advisory Commission on Sustainability
Comment	I am a current member of the Mayor's Advisory Commission on Sustainability and would recommend the Charter Commission consider elevating this commission by putting a Sustainability Board in the new City Charter. Currently, as an advisor to the Mayor, the scope and influence held by this commission is somewhat limited to the audience of the Mayor. Expanding the role of this commission to serve City Council brings more attention to the variety of issues and topics being addressed by a commission that could potentially impact a wide variety of City programs and services.

Lansing City Charter Commission Comment Submission Form

03/26/2025 12:42 PM (EDT)

Lansing City Charter Commission Comment Submission Form

First Name	Maxwell
Last Name	Howard
(Optional) Contact information is optional, but providing it will make it easier for potential follow up.	
Email	maxwelldavidhoward@gmail.com
Phone	2488953642
Street Address	9568 Amidon Dr
City	Traverse City
State	MI
Zip Code	49685

Lansing City Charter Commission Comment Submission Form

Topic	Interview Request
Comment	Hello, My name is Maxwell Howard and I am reporter with WKAR. I reached out previously and wanted to see if I could speak with a board member about a recent comment urging the Lansing City Charter to make the internal auditor independent from the board. Would anyone be interested in speaking to me about this?

(Optional) If your message relates to a specific article(s) in the Charter please select it here:	• ARTICLE 2 – OFFICERS AND ELECTIONS
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INTERNAL AUDIT

What is Audit?

Noun: Formal examination of an organization's or individual's accounts or financial situation. A methodical examination and review.

Verb: Conduct an official financial examination of (an individual's or organization's accounts). Attend (a class) informally, not for academic credit.

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. - IIA definition

Who is an Auditor?

CPA Certified Public Accountant – State license to provide accounting services (sign audit opinions / tax returns). Reciprocity among 49 states (except Hawaii). Minimum national requirements are: Passage of THE EXAM (written and scored by the AICPA), 150 credit hours of college education, and one year (2,000 hrs) of accounting related experience. Michigan requires bachelor's degree in accounting and certain specified college classes. To maintain: 40 hours of continuing education per year.

CISA Certified Information Systems Auditor – Certification issued by the professional association formally known as Information Systems Audit and Control Association, now just ISACA. Standard of achievement for auditing, monitoring, and assessing IT and business systems. Pass an examination + 5 years of professional experience. To maintain: 120 hours of continuing professional education during a three-year period.

CIA Certified Internal Auditor – Certification issued by The Institute of Internal Auditors (IIA), a professional association. A globally recognized certification for internal auditors. Minimum requires are passing a exam and a mixture of education and experience; from high school diploma + 5 years of experience to a Master Degree + 1 year experience. To maintain: 40 hours of continuing professional education per year. CPA/CA can take a "CIA Challenge Exam" instead of full test.

How to Internal Audit?

The Institute of Internal Auditors has professional guidance on performance of internal audits, called the International Professional Practices Framework (IPPF). The Board of Water and Light internal auditor did a great job of presenting these standards to the commission. She also discussed model charters for audit committee governance and defining an audit department (also supplemental charters for government entities).

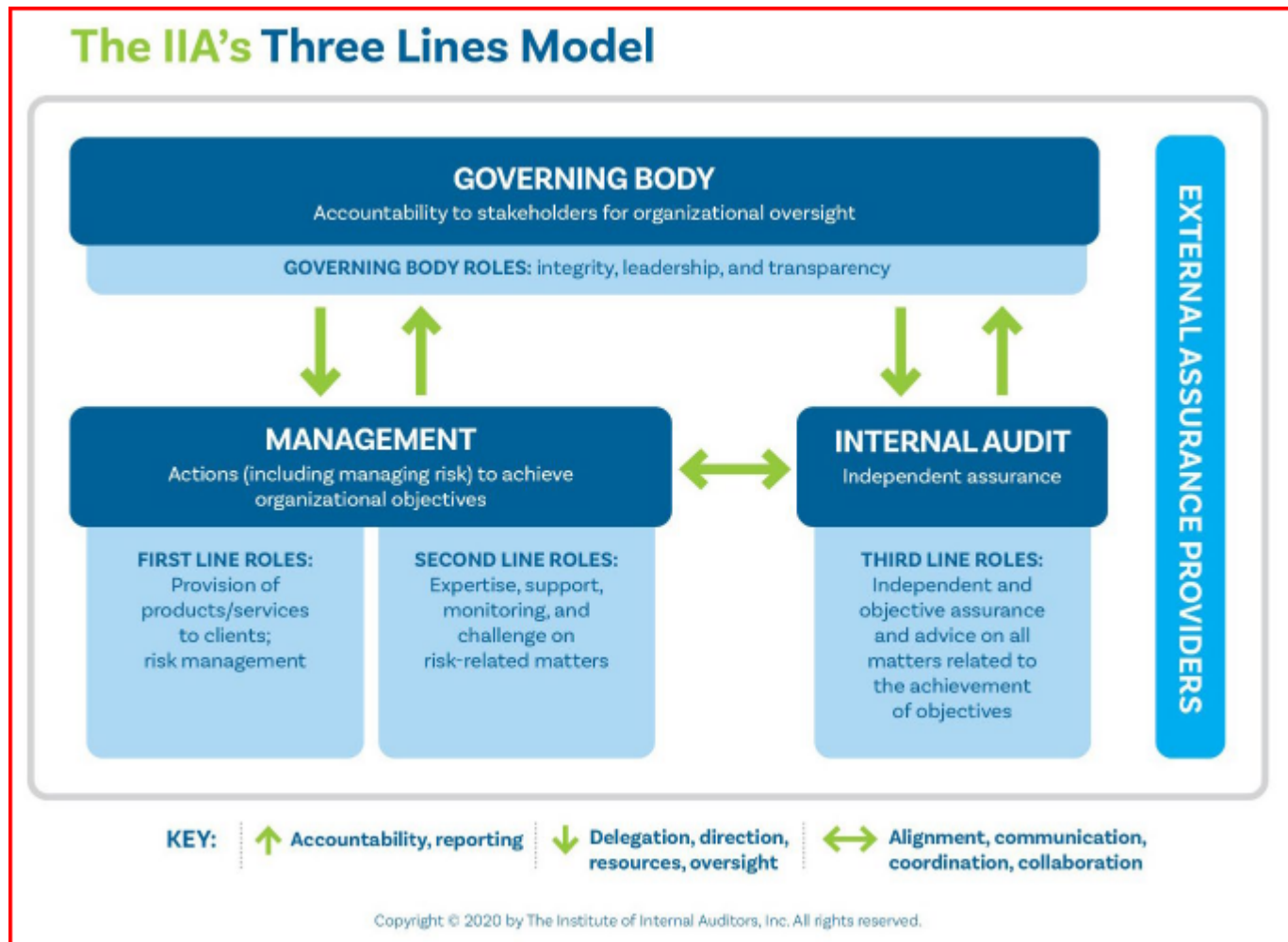
How to define Internal Audit at the City of Lansing?

Start with the IIA guidance as minimum expectations and expand for unique needs of the organization.

IIA's International Professional Practices Framework	Existing City Charter
1. Competent professionals a. Demonstrates integrity b. Demonstrates competence and due professional care c. Demonstrates quality and continuous improvement d. Communicates effectively e. Is insightful, proactive, and future-focused	3-401 - Appointment of Internal Auditor .1 Qualified Person
2. Appropriately Organized a. Is objective and free from undue influence b. Is appropriately positioned and adequately resourced	3-402 - Powers and duties of Internal Auditor .2 Access to all City agency records at any time 3-401 - Appointment of Internal Auditor .2 Responsible to the City Council 3-402 - Powers and duties of Internal Auditor .3 Report to the City Council .5 Review any City agency and report to City Council .9 Authorized to hire adequate staff
3. Performance Objectives a. Aligns with the strategies, objectives, and risks of the organization b. Provides risk-based assurance c. Improves efficiency, effectiveness, and economy of processes and programs d. Compliance with laws and/or regulations e. Assess if public resources are adequately safeguarded and used appropriately	3-402 - Powers and duties of Internal Auditor .1 Evaluate planning and budgeting .3 (c) Desired results are achieved .3 (a) Examine financial transactions, accounts, contracts and reports .3 (b) Efficiency and economy in the use of resources .3 (a) Compliance with applicable laws and regulations

Items to evaluate for removal or define expected outcome	3-402 - Powers and duties of Internal Auditor .4 Analysis of the financial position .3 audits of financial transactions of all City agencies at least once every year .6 Report irregularities of practice and erroneous accounting methods .7 Evaluate the capital improvement plan Ad-Hoc Council Analysis request: Annual Budget Long-Term Debt Book Resolutions of Grant application / acceptance
Consider adding Internal Auditor position as Ex officio member of LBWL Board	3-402 - Powers and duties of Internal Auditor .8 Authority to audit the activities of the Board of Water and Light
Consider Adding	- Position / authority of Internal Auditor as that of an executive. Equivalent to other charter defined positions - Minimum required available funding to support the audit executive, an (1) audit supervisor / senior, and a (1) special outsourced IT audit - Final selection of audit tasks / projects reside within Internal Auditor's sole authority and is not subject to approval by Administration or Council leadership - Audit Committee to receive presentation of audit plans, project status updates, audit reports, and manage day-to-day administration operation (workload, scheduling, timekeeping)
Outside of Internal Audit	Consider establishment of Fraud, Waste and Abuse reporting. Independent organization receives calls / email / mail incidents, submits report to internal group (Legal, HR, Internal Audit) for management, investigation, reporting and resolution.

The IIA visualizes the Internal Audit function with their “Three Lines Model”.



The City of Lansing is comprised of City Council, Management and Internal Audit.

Organization

Internal Auditor is a charter position that functions as a department head, a Chief Audit Executive (CAE). Equivalent charter defined positions are professional executive-level department heads (Chapter 2 Executive Staff). The charter should equivalently define the CAE role as an executive-level department head to ensure sufficient authority exists to match the chartered responsibilities and ensure the role is managed as an executive.

To preclude undue restrictions or incapacitation from the City and City Council, the Internal Auditor should have unrestricted access to all the City's assets, personnel, books and records. The Internal Auditor should have the authority to define their own work environment (location, security, work hours). The Internal Auditor should have at minimum, one additional professional staff member, hired and supervised by the Internal Auditor. And the resources and authority to hire outside professionals to assist, as needed. There should be a mechanism available for the Internal Auditor to report instances of being restricted or if the Charter is being violated.

The Charter should ensure the Internal Audit function is organizationally independent (free from undue influence) in form and appearance, from the City and council staff. The Internal Auditor should be free to determine the activities to perform, provisioning of resources and distribution of reports. Council oversight of the Internal Auditor cannot be delegated to a non-council member or council staff.

Roles and responsibilities

The current charter describes some of activities required of an internal auditor: Audit, Review, Evaluation, Recommendation, Analysis.

And some of the topical areas to perform these activities: Planning, Budgeting, Policies, Financial Transactions, Accounts, Contracts, Applicable Laws and Regulations, Efficiency and Economy, Results Achievement, Financial Position, Administration, Performance, Errors and Irregularities, Accounting Methods, Accounting Practice, Accounting Procedures, Accounting Systems.

As a rule, performance expectations in the Charter should be described at a very high level. Any specially defined activities should include the goal / purpose of the activity and the expected out-come.

For example, the defined activity, 3-402.4 request the "analysis of financial position of the City." The City's annually issued financial statements are externally audited to ensure they contain all reporting required by Generally Accepted Accounting Principles (GAAP) as established by the Governmental Accounting Standards Board (GASB). What financial position analysis would an Internal Auditor provide that isn't included in the annual report? The 3-402.2, once-a-year audit of all City agencies is a redundant use of resource. The Internal Auditor should utilized a risk-based audit approach to determine audit activities.

Required operational activities should include the annual presentation of a risk-based audit plan, outstanding issues status report, report of completed audits, and a resource (budget) request. Note that

this is a submission and not a request for approval. The selection and management of internal audit activities is reserved to the Internal Auditor.

The Internal Auditor is a professional and as such is responsible for determining the audit plan and defining the nature, scope and method of testing to perform. The Internal Auditor may consider audit suggestions from the City and City Council but is not obligated to add these activities to the audit plan. Changes to the audit plan should be submitted throughout the year, as they occur.

The issuance of audit reports to the City Council, Mayor and City Clerk is reasonable for purposes of independence and transparency. Consider allowing alternative filing for confidential reports, non-audit reports or consultations.

If LBWL oversight is desired, consider adding the Internal Auditor position to their Board as an ex officio member.

ARTICLE 5 – BOARDS AND COMMISSIONS

Chapter 1. GENERAL PROVISIONS FOR BOARDS

5-101 Citizen Involvement In Government

.1 The people of the City of Lansing have placed the basic responsibility for the management of this City in their elected officials. This Charter recognizes the important role that individual citizens play in reviewing and evaluating the needs of the City through the structure of boards and commissions. For this reason, boards, commissions and advisory committees shall be encouraged by the City of Lansing.

.2 Citizen involvement for the operation of the City shall be provided through three types of boards: an administrative board, review boards and advisory boards.

5-102 Types Of Boards

.1 The Board of Water and Light is an administrative board and has been delegated executive and policymaking responsibilities necessary to the proper operation of the agency.

.2 Review boards include those boards, which are not administrative or advisory and whose recommendations or decisions have legal significance. Examples of review boards are the Planning Board, the Board of Review and the Board of Zoning Appeals. The City may create review boards by ordinance.

.3 Advisory boards include boards, commissions and committees established by ordinance or this Charter and composed of citizens sharing the common goal of improving the general welfare through their advice and assistance to the elected and appointed full time City officials.

.4 The Board of Fire Commissioners and the Board of Police Commissioners shall act as advisory boards with the additional responsibilities described in this Charter.

.5 All other boards shall be advisory boards.

.6 The provisions of this Chapter shall not apply to the boards established for the purpose of managing employee retirement systems.

5-103 Appointment Of Board Members

.1 Every member of a board, commission or committee established by Charter or ordinance shall be an officer of the City and shall possess the qualifications required by this Charter for holding office, except that a felony conviction shall not render an individual ineligible for appointment or membership.

.2 Except as otherwise specifically provided in this Charter or State law, the Mayor shall appoint persons to all such boards, commissions and committees with the advice and consent of the Council. No such appointment shall be effective until the Council has confirmed it.

.3 The terms of the boards established in this Charter or by ordinance shall be four years commencing July 1, unless otherwise provided.

.4 The City Clerk shall report to the Mayor and Council, prior to the first Council meeting in March, a list of the terms on City Boards which shall end on June 30.

.5 The Mayor shall establish and make public a procedure, which will provide for receiving either applications or recommendations of individuals for membership on City boards, commissions or committees.

.6 The Mayor shall file a list of appointments to the several boards prior to the first Council meeting in May of each year and the Council shall act on each appointment at or prior to its first meeting in June.

.7 Appointments to fill vacancies shall be made upon the occurrence of the vacancy and each person so appointed shall take office immediately upon the confirmation of the Council to serve for the remainder of the unexpired term. In the event a vacancy is not filled within 60 days after the occurrence of the vacancy, the Council shall appoint a committee of three of its members to act instead of the Mayor in the making of such appointments.

.8 Each Board established by this Charter shall be composed of eight members. Four members shall be from the City at-large and one member shall be appointed from each of the four wards of the City in the following pattern:

(a) The First ward member shall have a term expiring in 1981 and every four years thereafter.

(b) The Second ward member shall have a term expiring in 1982 and every four years thereafter.

(c) The Third ward member shall have a term expiring in 1979 and every four years thereafter.

(d) The Fourth ward member shall have a term expiring in 1980 and every four years thereafter.

.9 The members from the City at-large shall be appointed to staggered terms, at least one of which shall expire each year.

.10 Appointments to each board, commission and committee shall be made with regard to the diversity of Lansing citizens, their variety of interests and the experience and expertise that each can contribute to the common good of the City.

.11 An ordinance creating a board, commission or committee may set forth a different size for the body or a different length of term for the members than required in this section if the Council finds that the change is appropriate.

.12 The Board of Water and Light Board Members shall include three non-voting advisory members representing utility customer communities outside the City of Lansing. Each non-voting advisory member shall be a Board of Water and Light customer, shall reside in and be appointed by the governing body of the municipality. One member shall represent the City of East Lansing and shall serve a term of four (4) years commencing July 1. One member shall represent Delta Township and shall serve a term of four (4) years commencing July 1. One member shall be at-large and shall represent the remaining municipalities and shall serve a term of one (1) year commencing July 1. The at-large representative shall serve on a rotating annual basis and be appointed by the governing body of the following municipalities in succession: Meridian Township, Delhi Township, DeWitt Township and Lansing Township. Except as provided herein, Section 2-103, Section 5-105, or State law, the provisions of this Charter shall not apply to the non-voting advisory members of the Board of Water and Light.

5-104 Ineligibility For Boards

No person holding another City office or activity employed by the City shall be eligible to be a voting member on any board.

5-105 Organization Of Boards - Rules Of Procedure

.1 Each board shall organize itself for the conduct of its business and select its own officers including a Secretary who shall take the minutes of the board meetings.

.2 Each board shall adopt its own rules of procedure consistent with this Charter.

- 1 .3 The rules shall state the schedule of the regular board meetings. The schedule shall not conflict
2 with regular meetings of the City Council.
- 3 .4 The rules shall require that public notice of all meetings shall be given in the manner provided by
4 statute for meetings of public bodies.
- 5 .5 The rules shall require that the public have a reasonable opportunity to be heard at all regular
6 meetings of the board.
- 7 .6 All board meetings shall be required to be open to the public to the same extent as meetings of the
8 City Council.
- 9 .7 The rules shall define the extent to which nonattendance at meetings may be grounds for removal
10 from office.
- 11 .8 All rules of procedure shall be submitted to the City Attorney for approval as to form. The rules shall
12 then be submitted to the City Clerk for transmission to the City Council. The rules shall be effective at
13 the conclusion of the Council meetings at which they are received unless the Council directs
14 otherwise.
- 15 .9 The Council may object to the rules in whole or in part and may return them to the board proposing
16 their adoption with a statement of its objections and recommendations.
- 17 .10 The minutes of all board meetings; shall be filed in the office of the Clerk as a public record. No
18 official action taken by any board at any meeting shall be valid or effective until a copy of the minutes
19 at which the action was taken is filed with the Clerk.
- 20 .11 Members of advisory boards shall serve without compensation, but the City Council may
21 authorize the payment of the actual and necessary expenses of board members.

22 5-106 Advisory Board Functions

- 23 .1 Each advisory Board shall at its regular meetings review the progress and planning of the head of
24 the agency it serves to insure that all activities are in accordance with City policy. Each board may
25 propose changes in agency operations for the purpose of making its program more effective.
- 26 .2 Proposed policies and programs or changes in existing policies or programs requiring Council
27 action shall be submitted by an agency head to the appropriate advisory board prior to submission to
28 the Mayor and Council for action. The advisory board's written recommendations concerning the
29 proposals shall be submitted to the Mayor along with the agency's proposal. When the Mayor submits
30 the proposal to the Council for action, the board's recommendations shall also be transmitted to the
31 Council along with that of the Mayor.
- 32 .3 An agency's budget material, including capital improvement proposals, shall be submitted to the
33 advisory board before submission to the Mayor and the board's written recommendations shall be
34 submitted to the Mayor along with the agency's recommendations. The Mayor shall transmit the
35 board's recommendations to the Council along with budget material for that agency.
- 36 .4 Each advisory board shall, prior to December 1, prepare a written report evaluating the
37 effectiveness and analyzing the status and priorities for services and activities of the agency it
38 advises. Copies thereof shall be filed with the Mayor, the Council and the Clerk.
- 39 .5 Each advisory board may develop its own proposals for new or altered policies and programs and
40 transmit these to the Mayor and City Council.
- 41 .6 Each City officer who directs an agency or activity within the scope of an advisory board shall
42 attend all of its meetings and supply necessary secretarial services.

5-107 Continuation Of Existing Boards

.1 All City Boards not established in this Charter and existing on the effective date of this Charter, whether established in the previous Charter or created by ordinance or resolution, shall continue as if created under ordinance with the status provided in this Charter.

.2 The terms of all persons serving on boards on the effective date of this Charter shall continue in accordance with law.

5-108 Limitation On Powers Of Boards

.1 The Board of Water and Light shall exercise administrative, executive and policy-making authority over the operation of those City utility services assigned to it in accordance with the provisions of this Charter.

.2 No other board, commission or committee shall exercise any administrative, appointive or policy making authority except as permitted by this Charter or required by State law.

.3 Notwithstanding any other provision of this Charter, the Board of Water and Light shall be subject to the emergency powers provided the Mayor by city ordinance and state law and shall include administrative and executive authority.

Chapter 2. BOARD OF WATER AND LIGHT

5-201 Board Of Water And Light

The Board of Water and Light, hereinafter known as the Board, shall have the full and exclusive management of the water, chilled water, thermal energy, including heat or hot water and, steam and electric services and such additional utility services of the City of Lansing as may be agreed upon by the Board and City Council. The board shall be responsible to the Mayor and the City Council for the provision of these services in a manner consistent with the best practices. (03/18/2025)

5-202 ~~Director~~General Manager, Internal Auditor, Secretary

.1 The Board shall appoint a ~~Director~~General Manager who shall be responsible to the Board for carrying out the duties assigned by the Board and shall serve at its pleasure.

.2 The Board shall appoint an Internal Auditor who shall report directly to the Board. The Internal Auditor shall serve at the pleasure of the Board.

.3 The Board shall appoint its own Secretary who shall be responsible to the Board and shall serve at its pleasure.

5-203 Powers Of The Board

.1 The Board shall make all contracts pertaining to the conduct of the Board of Water and Light business and shall have the authority to settle litigation involving the Board of Water and Light.

.2 The Board shall have the power to acquire property, both real and personal, and interests in property in the name of the City for purposes of the Board of Water and Light.

.3 The Board shall have the power to sell real property and interests in real property not needed for the operation of the Board of Water and Light, subject to the approval of ~~six-a~~ 2/3 majority of City Council Members elected and subject to the limitations on the sale of real property by the City contained in this Charter.

.4 The Board shall adopt policies and procedures to assure fairness in procuring personal property and services and disposing of personal property. These policies and procedures of the Board shall

parallel the policies and procedures adopted by the Council for the purchase and sale of personal property and services unless the Board makes a specific finding that a City policy or procedure is not consistent with the best practices for public utility operation.

.5 The Board shall prepare and adopt its annual budget by June ~~14~~ of each year, and implement it with whatever modifications the Board may adopt from time to time. The budget and any amendments shall be filed with the City Clerk within 10 days after adoption.

.6 The Board shall submit to the Mayor, prior to October 1 of each year, its capital improvements plan for the next six years pursuant to Section 7-109.

.7 In the best interest of the City, the Board and other agencies of the City are encouraged to cooperate on projects deemed to be beneficial and to utilize each other's services.

.8 The Board of Water and Light may utilize the streets, alleys, bridges and other public places of the City for the furnishing of public utility services. In the exercise of this right, the Board of Water and Light shall furnish timely information about proposed uses to the officials of the City and to the agencies which will be most directly affected by the use.

.9 The Board may conduct whatever audits of Board of Water and Light the activities it deems appropriate and shall be responsible for the cost of such audits.~~compensate the City for the cost of that portion of the annual audit of the City which covers the Board of Water and Light.~~

.10 The Board may provide for the pensioning of any employee of the Board of Water and Light or the surviving spouse or dependent of any deceased employee.

.11 The Board, except as otherwise provided in this Charter, shall be responsible for and have authority over the compensation, benefits, bonding, conditions of employment, and labor management activities for all employees of the Board of Water and Light.

5-204 Withdrawal Of Funds

.1 The funds and revenues of the Board of Water and Light shall be deposited in the ~~City Treasury and shall be credited only to the funds and~~ accounts of the Board of Water and Light.~~They shall not be withdrawn or used for any other purpose whatsoever.~~ The Board shall have and exercise full control over all of the funds of the Board of Water and Light~~in the City Treasury.~~

.2 All warrants drawn for the payment of money under the authority of the Board shall be signed by the General Manager and countersigned by the Secretary of the Board~~and countersigned by the City Controller.~~

.3 Whenever warrants are issued and there is no money for the payment of the warrant, the ~~City Treasurer~~Board shall, upon presentation of the, warrant, stamp the date of presentation on the face of the warrant, together with a statement that the warrant will bear interest thereafter at the rate of 6 percent per year. The interest shall cease after notice has been given to the holder, in the manner determined by the Board, that there is sufficient money of the Board of Water and Light on hand to pay the warrant with interest. Warrants of the Board of Water and Light are not general obligations of the City.

.4 The Council may provide by ordinance procedures for the disbursement of monies of the Board of Water and Light by check issued by the Secretary of the Board in accordance with the ordinance.

5-205 Rates

.1 The Board may fix just and reasonable rates and other charges as it may deem advisable for services furnished by the Board of Water and Light.

.2 The Board shall conduct a public hearing at least 30 days prior to the effective date of any changes in rate structure. At least 45 days before the public hearing, the Board shall file with the City Clerk a statement explaining the new rates and charges together with a notice of the public hearing. Notice to the public shall be given in the same manner as is required for proposed ordinances.

5-206 Collection And Hearing Procedure

.1 Upon the request of the Board, the City Council shall provide by ordinance for the collection of unpaid charges for public utility services furnished by the Board of Water and Light and for the imposition and enforcement of liens upon property served by the Board of Water and Light.

.2 When any person fails or refuses to pay any sums due on utility bills, the service upon which the delinquency exists may be discontinued and suit may be brought for the collection of the money owed.

.3 The Board shall establish a procedure for the resolution of disputes between the Board of Water and Light and any of its customers concerning services or billing for services furnished in accordance with filed rates, rules and regulations, and established Board policies and procedures. The procedure shall incorporate the designation of an independent hearing officer. The hearing officer shall report to the Board and the Mayor the results of each hearing conducted and shall make recommendations to the Board on any hearing, which has not been resolved. The Mayor may make recommendations to the Board on each unresolved hearing. The Board shall report its final action on any unresolved dispute, together with the hearing officer's report and recommendations to the Mayor and the City Council.

5-207 Sale Or Exchange Of Facilities

The Board shall not, unless approved by the affirmative vote of three - fifths of the electors voting thereon at a regular or special City election, sell, exchange, lease, or in any way dispose of any property, easement, equipment, privilege, or asset needed to continue the operation of the Board of Water and Light. The restrictions of this section shall not apply to the sale or exchange of articles of machinery or equipment of the Board of Water and Light, which are no longer useful or which are replaced by new machinery for the operation of the Board of Water and Light, or to the exchange of property or easements for other needed property or easements.

Chapter 3. BOARD OF POLICE COMMISSIONERS

5-301 Duties

.1 The Board of Police Commissioners, hereinafter known as the Board, is established pursuant to Article 5, Chapter I of this Charter and shall have all the powers, duties and responsibilities of advisory boards in addition to the following duties:

.2 The Board shall establish administrative rules for the organization and overall administration of the department including promotional and training procedures in consultation with the Chief of Police and Mayor. These administrative rules shall not be effectuated in accordance with Section 5-105. 8 of this Charter but shall become effective upon filing with the City Clerk.

.3 The Board shall approve rules and regulations for the conduct of the members of the Department, in consultation with the Chief of Police and the Mayor.

.4 The Board in their rules shall establish a procedure for receiving and resolving any complaint concerning the operation of the department.

.5 The Board shall review and approve the departmental budget before its submission to the Mayor.

.6 The Board shall act as the final authority of the City in imposing or reviewing discipline of the department employees consistent with the terms of State law and applicable collective bargaining contracts.

.7 The Board shall render an annual report to the Mayor and City Council, which shall include a description and evaluation of the department's activities during the previous year, including the handling of crime and complaints, if any, and proposals for future plans.

5-302 Investigatory Power

Whenever necessary to carry out its assigned duties, the Board of Police Commissioners shall have the same power to subpoena witnesses, administer oaths and require the production of evidence as the City Council.

Chapter 4. BOARD OF FIRE COMMISSIONERS

5-401 Duties

.1 The Board of Fire Commissioners, hereinafter known as the Board, is established pursuant to Article 5, Chapter 1, of this Charter and shall have all the powers duties and responsibilities of advisory boards in addition to the following duties.

.2 The board shall establish administrative rules for the organization and overall administration of the Department, in consultation with the Chief of the Fire Department and the Mayor. These administrative rules shall not be effectuated in accordance with Section 5105.8 of this Charter but shall become effective upon the filing with the City Clerk.

.3 The Board shall approve rules and regulations for the conduct of the members of the Department, in consultation with the Chief of the Fire Department and the Mayor.

.4 The Board, in their rules, shall establish a procedure for receiving and resolving any complaint concerning the operation of the department.

.5 The Board shall review and approve the departmental budget before its submission to the Mayor.

.6 The Board shall act as final authority of the City in imposing or reviewing discipline of the department employees consistent with the terms of the State law and applicable collective bargaining contracts.

.7 The Board shall render an annual report to the Mayor and City Council, which shall include a description and evaluation of the department's activities during the previous year, including the handling of complaints, if any, and proposals for future plans.

CHAPTER 5. BOARD OF ETHICS

5-501 Standards Of Conduct

.1 The people of this City recognize that the continuation of the proper operation of the City requires that public officers and employees be independent, impartial and responsible to the people; that decisions and policy be made in the proper channels of governmental structure; that members of the public have access to information upon which decisions affecting their City are made; that public office and employment not be used for personal gain; that the integrity and operation of City

government to be subject to scrutiny of the public; and that acts or actions not compatible with the best interests of the City be defined and prohibited.

.2 In order to provide an orderly procedure for consideration and review of the issues, which may arise concerning questions of standards of conduct for public officers and employees, a Board of Ethics is created.

5-502 Membership

.1 The Board of Ethics shall be a review board and shall consist of eight members; four members shall be appointed by the City Council, one from each city ward, and four shall be appointed by the Mayor. The City Attorney shall assist and advise the Board and the City Clerk shall serve as Recording Secretary to the Board and provide such administrative services to the Board as may be necessary; however, neither shall be eligible for appointment as board members.

.2 Of the members appointed to the initial Board, the Mayor and the City Council shall each appoint members for a one-year, a two-year, a three year, and a four-year term. A member shall hold office until a member's successor is appointed. Thereafter each Mayoral-appointed member and each Council-appointed member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the Mayor to fill a vacant Mayoral appointed member position and by the City Council to fill a vacant Council-appointed member position. Persons serving as members of the Board of Ethics on the effective date of this section shall continue as members until the expiration of their original terms.

.3 Members of the Board of Ethics shall be residents of the City and shall hold no elected public office and no other City office or employment.

.4 The Board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of City Council. Special meetings may be held when called in the manner provided in the rules of the Board. The Board shall select its own presiding officer from among its members.

.5 If any issue before the Board involves any member of the Board, such member may not participate in Board deliberations pertaining to the member's issue nor shall such involved member be eligible to vote on any actions concerning the issue.

.6 All City employees and elected or appointed officials of the City shall cooperate with any investigations by the Board; such cooperation shall include the compilation and production of any information requested by the Board during an investigation unless the information requested is exempt from disclosure under the applicable state law.

.7 If any issue before the Board involves the office of the City Attorney, the Board may engage the services of outside counsel upon terms and arrangements approved by City Council.

5-503 Duties

.1 At the request of a person, the Board of Ethics may render an informal opinion with respect to the prospective conduct of such person. An informal opinion need not be written and may be provided directly to the requestor of such opinion. All written opinions of the Board of Ethics shall be filed with the City Clerk and are open to public inspection. Written informal opinions shall be drafted in such a way as not to reveal information exempt from public disclosure under the applicable state law.

.2 The Board of Ethics on its own initiative or upon request may render and publish a formal opinion on any matter within the scope of the Board's authority which it may deem appropriate.

1 .3 The Board of Ethics does not have the authority to reverse or modify a prior action of the Mayor,
2 City Council, or an officer or employee of the City. If the Board finds a prior action of the Mayor,
3 Council, officer, or employee to have been ethically improper, the Board may advise the appropriate
4 party or parties that the action should be reconsidered. Upon such advice by the Board, the action
5 shall be reconsidered by the appropriate person or public body. If the Board determines an existing
6 City contract to be ethically improper, after such determination and advice from the Board the City
7 may void or seek termination of the contract if legally permissible. The Board may refer a matter to
8 the City Attorney for review and consideration for appropriate action. Upon completion of review and
9 consideration, the City Attorney shall report its findings to the Board.

10 .4 The Board of Ethics may recommend to the Council standards of conduct for officers and
11 employees of the City and changes in the procedures related to the administration and enforcement
12 of those standards.

13 .5 The Board of Ethics shall review, at least annually, any documents required to be filed under
14 ordinances adopted by the City for the purpose of establishing standards of conduct for officers and
15 employees.

16 .6 The Board, when it deems it appropriate, may request the City Attorney's Office for assistance in
17 compelling the production of documents and witnesses to assist the Board in the conduct of any
18 investigation.

19 .7 Within one year from the effective date of this section the City shall provide an ethics manual for
20 the use of all City officers and employees. Such manual shall first be approved by the Board of Ethics
21 before distribution. Each City officer and employee shall acknowledge receipt of said manual.

22 .8 Proceedings before the Board are subject to the applicable state law regarding the conduct of
23 public meetings. Records of the Board shall be filed with the City Clerk and are available for public
24 review as required by state law.

25 5-504 Protection Of Public Interest

26 .1 The City shall adopt, by ordinance, such standards for the conduct of public affairs as may be
27 deemed necessary to protect the public, including the ordinances referred to in this section.

28 .2 The City shall adopt, by ordinance, no later than one year after the effective date of this section,
29 restrictions similar to those enacted by the State of Michigan by statute, prescribing standards of
30 conduct for City officers and employees. To the extent permitted by law, the ordinance shall generally
31 include, but not be limited to, prohibiting the use of City office or employment for the private benefit of
32 any person; prohibiting the divulging of confidential information in advance of the time prescribed for
33 its authorized release to the public; prohibiting the use of City personnel resources for private gain;
34 prohibiting the profit from an official position and acceptance of things of value by City officers or
35 employees; requiring the financial disclosure by City officers and employees; and requiring lobbyist
36 disclosure for all City officers and employees.

37 .3 Any violations of ordinances dealing with matters in this section shall be punishable to the
38 maximum extent permitted by law and may be made punishable by forfeiture of office or position.

39 5-505 Conflict Of Interest

40 .1 At least ten (10) days prior to the first of any of the events set forth in (A), (B), (C), (D), and (E)
41 below, a City officer or employee who may derive any income or benefit, directly or indirectly, from a

contract with the City or from any City action, shall file an affidavit with the City Clerk detailing such income and benefit to be derived:

- (A) The bidding of the contract;
- (B) The negotiation of the contract;
- (C) The solicitation of the contract;
- (D) The entry into the contract;
- (E) Any City action by which the City officer or employee may derive any income or benefit, directly or indirectly.

The above provisions shall not apply to individual or collective bargaining agreements pursuant to which a City officer or employee directly or indirectly receives income or benefits in the form of official remuneration as an officer or employee, or any City action pursuant to which a City officer or employee directly or indirectly receives income or benefit as a member of the public at large or any class thereof. At the first regularly scheduled City Council meeting following the filing of an affidavit pursuant to this section, the City Clerk shall notify the City Council of such filing. In particular cases and for good cause shown, the Board may waive the ten (10) day prior notice requirement contained herein.

.2 An officer or employee who has any other conflict between a personal interest and the public interest as defined by State law, this Charter, or ordinance shall fully disclose to the City Attorney the nature of the conflict.

.3 Except as provided by law, no elective officer, appointee or employee of the City may participate in, vote upon or act upon any matter if a conflict exists.

Chapter 6. PLANNING BOARD

5-601 Planning Board

.1 There shall be a Planning Board.

.2 The members of the Planning Board shall be appointed and confirmed in the manner set forth in Section 5-103 of this Charter.

.3 In addition to the regular members of the Planning Board, the City Council shall nominate and appoint two Council members who shall serve as ex-officio members of the Board, without a vote, for a one-year term commencing on July 1 of each year.

5-602 Powers And Duties

.1 The Planning Board shall have all of the powers and duties granted to municipal planning commissions by statute and all the powers and duties of advisory boards provided by this Charter, together with such additional powers and duties as may be provided by this Charter or ordinance.

.2 The Planning Board is entitled to assistance from the staff of the Economic Development and Planning Department in evaluating or preparing any proposal relating to planning or development. All elective and appointive officers shall furnish to the Planning Board, within a reasonable time, available information required by the Planning Board.

.3 The Planning Board shall review and make recommendations on the Economic Development and Planning Department draft of the Capitol Improvement Plan prior to its submission to the Mayor and Council.

.4 The Board shall develop and maintain a master plan for the orderly development of the City. The plan shall include the consideration of the impact of social, physical, and economic factors.



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Kristen L. Rewa
krewa@cnda-law.com

March 21, 2025

Via Email

Mr. Brian C. Jeffries
Chairperson
Lansing Charter Commission
124 W. Michigan Ave., 9th Floor
Lansing, MI 48933
Brian.Jeffries@lansingmi.gov

Re: Article 5, Chapter 2, Board of Water and Light

Dear Mr. Jeffries:

This letter addresses the Commission's March 18, 2025 discussion on the Charter provisions in Article 5 concerning the Board of Water and Light (BWL).

I. 5-202 General Manager, Internal Auditor, Secretary

The Commission discussed adding a provision to the Charter requiring the BWL General Manager to meet with the public quarterly. If such language is desired, we believe adding a provision to Sec 5-202 is the most appropriate location. We have drafted language for your review and consideration.

.3 The General Manager shall hold a public meeting at least quarterly to interact with the public and ratepayers on the services provided by the Board. Notice for the meeting shall be published by posting to the Board's website and by any means determined by the Board to achieve widespread dissemination to the general public within the Board's service area to inform on matters of municipal concerns.

II. 5-205 Rates

The provision currently provides:

.2 The Board shall conduct a public hearing at least 30 days prior to the effective date of any changes in rate structure. At least 45 days before the public hearing, the Board shall file with the City Clerk a statement explaining the new rates and charges together

with a notice of the public hearing. Notice to the public shall be given in the same manner as is required for proposed ordinances.

Based on the Commission's discussions at the March 18, 2025 meeting, the below language was drafted for consideration and review. Proposed changes included increasing the number of days before a rate change becomes effective. Another proposed change seeks to add multiple public hearings held at different times of day. Because "multiple" can be open to interpretation, we recommend that the Commission be more specific by providing a minimum number of public hearings that are required. The proposed language suggests one public hearing in each ward. One of the proposed changes was to require the BWL to publish proposed rate changes using the newly revised Charter definition of "publish". Because that definition is general to the City, not the BWL, we offer two alternatives for your review.

Proposed language:

.2 The Board shall conduct at least one public hearing in each ward at least 30 45 days prior to the effective date of any changes in rate structure. The public hearings shall be held at different times of day to maximize the opportunity for public attendance. At least 45 60 days before the first public hearing, the Board shall file with the City Clerk a statement explaining the new rates and charges together with a notice of the public hearings. Notice to the public shall be given in the same manner as is required for proposed ordinances. Notice shall also be published as defined in this Charter.

Alternate last sentence:

Notice shall also be published by posting to the City's and the Board's website and by any means determined by the Board of Water and Light to achieve widespread dissemination to the general public within the Board's service area to inform on matters of municipal concerns.

III. 5-104 Withdrawal of Funds

The Commission discussed including language in the Charter addressing the Return on Equity Agreements, which the BWL provides for payments in lieu of taxes. We agree that language should be included in the Charter. We reviewed the current Agreement for Return on Equity, model charter language from the American Public Power Association, and state law. Proposed language is provided for your review and consideration.

Proposed language:

.5 It is generally accepted practice in the municipal utility industry for municipal utilities, being exempt from taxes, to make payments to the local government. The Board shall continue to contribute payments of a return on equity to the City. All existing agreements for return on equity payments shall remain in full force and effect upon adoption of this Charter. Future agreements shall be based on a formula and terms mutually acceptable to the City and Board, consistent with this Charter and state law. The formula shall not place an unreasonable financial burden on the Board or its ratepayers. Any shared services or infrastructure shall be accounted for to assure that the totality of value transferred from the Board to the City is consensual, appropriate, transparent, and recognized.

IV. 5-206 Collection and Hearing Procedure

The Charter currently provides the following direction on developing a dispute resolution procedure for the BWL:

.3 The Board shall establish a procedure for the resolution of disputes between the Board of Water and Light and any of its customers concerning services or billing for services furnished in accordance with filed rates, rules and regulations, and established Board policies and procedures. The procedure shall incorporate the designation of an independent hearing officer. The hearing officer shall report to the Board and the Mayor the results of each hearing conducted and shall make recommendations to the Board on any hearing, which has not been resolved. The Mayor may make recommendations to the Board on each unresolved hearing. The Board shall report its final action on any unresolved dispute, together with the hearing officer's report and recommendations to the Mayor and the City Council.

The BWL proposal is:

~~.3 The Board shall establish a procedure for the resolution of disputes between the Board of Water and Light and any of its customers concerning services or billing for services furnished in accordance with filed rates, rules and regulations, and established Board policies and procedures. The procedure shall incorporate the designation of an independent hearing officer. The hearing officer shall report to the Board and the Mayor the results of each hearing conducted and shall make recommendations to the Board on any hearing which has not been resolved. The Mayor may make recommendations to the Board on each unresolved hearing. The Board shall report its final action on any unresolved dispute, together with the hearing officer's report and recommendations to the Mayor and the City Council.~~

The BWL's current dispute procedure is set forth in its water, electric, and chilled water regulations. Briefly, the process requires:

- the customer to provide a written notice disputing a bill or service
- The utility conducts an informal investigation and attempt to resolve the dispute.
- If no resolution is obtained, the customer may appear before the utility's Dispute Review Committee.
- If no resolution is obtained, the account is referred to the General Manager.
- If no resolution is obtained, the customer may request a hearing before an independent hearing officer, which is appointed by the Board.
- The independent hearing officer will conduct a hearing where both the customer and utility can be represented by an attorney of their choice, present evidence and testimony with the chance for cross-examination, and obtain a court reporter at the party's expense. The hearing officer will provide a written report outlining the decision.
- The utility or the Customer may appeal the hearing officer's decision to the Board of Water and Light, with notice to the Board and the Mayor. The Board reviews the hearing officer's ruling and receives the hearing officer's recommendation on the dispute. The decision of the Board is final.

By contrast, appeals of other city utility services or bills have their appeal procedure set by ordinance as required by Ordinance 1050.1. Additional ordinances provide specific appeal procedures for specific utilities. The appeal process for stormwater service charges is as follows:

1052.08. - Appeals; board of public service as review board.

Within thirty days of the mailing of a bill, a property owner may, in writing, appeal the billing to the Public Service Director. The property owner may appeal in person or submit the basis for appeal in writing at a time set by the Director. The decision of the Director may be appealed to the City Council within thirty (30) days. Upon appeal to the City Council, the matter may be referred to a Committee for consideration and recommendation to the full Council. The decision of the City Council regarding the appeal shall be final.

The only change to the BWL appeal process would be that the Charter would no longer require notice to the Mayor or City Council. By maintaining the use of an independent hearing officer, the BWL proposal maintains the basic structure of the appeal process currently stated in the Charter, providing ratepayers the ability to contest a potential error in a bill. We have no concerns with this process.

Very truly yours,

CUMMINGS. McCLOREY. DAVIS & ACHO, P.L.C.



Kristen L. Rewa

cc: Vice Chair Lori Adams Simon (lori.simon@lansingmi.gov)
Chris Swope, MMC/MiPMC (Chris.Swope@lansingmi.gov)
Brian P. Jackson, MiPMC, (Brian.Jackson@lansingmi.gov)



Chris Swope

Lansing City Clerk

March 28, 2025

MEMORANDUM

TO: Lansing City Charter Commission

FROM: Lansing City Clerk Chris Swope

RE: Proposed Language for 8 Member Boards and Commissions

5-103 Appointment of Board Members

.8 Each Board established by this Charter shall be composed of eight members. ~~Four~~ **Three** members shall be from the City at-large and one member shall be appointed from each of the ~~four~~ **five** wards of the City in the following pattern:

(a) The First ward member shall have a term expiring in ~~1981~~ **2029** and every four years thereafter.

(b) The Second ward member shall have a term expiring in ~~1982~~ **2026** and every four years thereafter.

(c) The Third ward member shall have a term expiring in ~~1979~~ **2027** and every four years thereafter.

(d) The Fourth ward member shall have a term expiring in ~~1980~~ **2028** and every four years thereafter.

(e) The Fifth ward member shall have a term expiring in 2029 and every four years thereafter.

.9 ~~The members~~ **One member** from the City at-large shall ~~be appointed to staggered terms, at least one of which shall expire each year.~~ **have a term expiring in 2026 and every four years thereafter. One member from the City at-large shall have a term expiring in 2027 and every four years thereafter. One member from the City at-large shall have a term expiring in 2028 and every four years thereafter.**

1 subject to forfeiture or dismissal. The City shall develop, through ordinance, such procedures to
2 ensure that the provisions of this section continue to be met during an officer's term in office.
3 (02/04/2025)-

4 .3 A person who holds or has held any elective City office shall not be eligible for appointment to a
5 non-elective office or employment for which compensation is paid by or through any agency of the
6 City until the person has been out of office for one year.

7 2-104 Compensation Of Officers

8 .1 The City shall, by ordinance, determine the compensation or the procedure for determining the
9 compensation of all officers and employees of the City.

10 .2 The elected officers compensation commission previously created by ordinance may continue to
11 determine the compensation of all elected officials after the effective date of this Charter. The
12 compensation commission ordinance shall be amended to provide a procedure for calling the
13 compensation commission together at a time to be determined by the City Council.

14 .3 The City may, by ordinance, at any time alter any procedure for determining compensation of any
15 officers or employees.

16 2-105 Bonds Of Officers

17 .1 All officers and employees who receive, distribute or are responsible for City funds, shall be
18 bonded in the sum determined by the City Council.

19 .2 The City Council may require bonds from other officers and employees.

20 .3 All bonds shall be approved by the City Attorney and filed with the City Clerk.

21 2-106 Oath Of Office

22 Every elective officer and every appointee before entering on official duties shall take and subscribe
23 the following oath: "I do solemnly swear (or affirm) that I will support the Constitution of the United
24 States and the Constitution of this State and that I will faithfully discharge the office of
25 _____, according to the best of my ability," and shall file that oath, duly certified by the
26 officer before whom it was taken, in the office of the City Clerk.

27 Chapter 2. ELECTION OF OFFICERS

28 2-201 Time Of Elections

29 The primary and general elections for all City offices shall be at the time provided by State law.

30 2-202 Non-Partisan Ballot

31 The Clerk shall prepare ballots which shall conform to the provisions of law. No party vignette or
32 emblem or other designation shall appear on the ballot in regard to City officers.

33 2-203 Wards

34 .1 The City of Lansing shall be divided into ~~four~~ five wards, from each of which a member of the City
35 Council shall be nominated and elected. (02/18/20204)



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Kristen L. Rewa
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March 14, 2025

Via Email

Mr. Brian C. Jeffries
Chairperson
Lansing Charter Commission
124 W. Michigan Ave., 9th Floor
Lansing, MI 48933
Brian.Jeffries@lansingmi.gov

**Re: Article 2, Sec. 2-104 Compensation of Officers (per diem council pay)
and Article 3, assignment of Councilmembers to Committees**

Dear Mr. Jeffries:

This letter addresses a request for Charter language requiring City Council members' compensation to be based in part on per diem attendance at public meetings. This letter also addresses the Charter language relating to assignments of members of City Council to committees.

Committee Assignments

Currently, the Charter permits the Council to establish committees. The Council President names the members and chair of each committee. The Charter Commission expressed concern that council members are not assigned to committees on an equitable basis. Some council members serve on more boards than others.

We reviewed several charters from other cities in Michigan. We did not locate a charter that dictated how the council president allocate committee assignments. Congress and Michigan Legislature limit the number of committees a particular official may serve, as well as the number of committees a particular official may serve as chair.

Robert's Rules of Order provides that members of a "standing committee should be chosen so as to provide the strongest possible group for the handling of any task that may arise within the province of the committee." Roberts Rules of Order, 12th Ed. § 50:18.

The City Charter currently provides, at Sec. 3-102, in pertinent part:

.4 The Council may establish special or ad hoc committees limited in time and

purpose.

.5 The Council may also establish such other committees as it may deem appropriate. For the performance of its legislative responsibilities, standing committees may be established. No standing committee shall be administrative in nature, nor shall it parallel the administrative structure of City government.

.6 The Chairperson and members of each committee established by Council shall be named by the Council President not later than the next regular City Council meeting after the establishment of the committee.

City Council rules, established by ordinance further provides:

Rule 4. Appointment of Committee Members; Creation of Ad-Hoc Committees. The President shall appoint all Council Members to the standing committees, any Council Ad-Hoc Advisory Committee and to any outside agency (see Section 3-102.6 of the City Charter). The President shall appoint the Chairperson and Vice-Chairperson of each standing committee and any ad-hoc advisory committee. Each standing committee of City Council shall consist of not less than three nor more than four Council Members. Should any issue referred to a four member committee result in a tie vote, the issue shall automatically be referred to the Committee of the Whole, and the standing committee shall be discharged of that issue. Two members of any standing committee will constitute a quorum with action taken by a majority of the committee members present. The President may, at his or her discretion, create or discharge any ad-hoc advisory committees. [Ordinance 120.01]

Further, Rule 16 currently provides for seven standing committees: Equity Diversity & Inclusion, Public Safety, City Operations, Ways and Means, Development & Planning, Council Personnel, and Municipal Audit.

It is difficult to craft or enforce language that requires parity of committee assignments because the committees do not have equal work or meet the same number of times. Similarly, language that requires equity can provide guidance to the Council President, but would be difficult to enforce because equity has a level of subjectivity in the analysis. Language is more readily enforceable where it sets forth objective requirements or limits. Some potential action could include:

- Language that requires committee assignments be selected by the council president but subject to approval by the Council. This would allow members to raise issues about the committee selections. However, the committee appointments could also be subject to gridlock, if the majority does not approve. Language could require the appointments be “subject to approval by a majority of Council members present”.
- Language that limits the number of standing committees to which a council member can be assigned. However, a limitation can pose issues if the City Council establishes more standing committees than what currently exists. Currently, seven standing committees comprised of three members would allow for each council member to serve on three committees. However, placing a cap on assignments could hinder creation of additional standing committees. A new sentence could be added to .4 to state “Council

members may serve on no more than four standing committees at one time.”

We recommend that the Charter not address these issues, leaving them for the Council to regulate by ordinance and rule. However, language for Sec. 3.102.6 has been drafted that includes provisions for the Commission to review and consider, based on the discussion above.

.6 The Chairperson and members of each committee established by Council shall be named by the Council President subject to approval by a majority of Council members present not later than the next regular City Council meeting after the establishment of the committee. Council members may serve on no more than four standing committees at one time.

Compensation of Officers

The compensation of the City’s officers is a mandatory provision which must be included in the City’s Charter. MCL 117.3(d). Alternatively, the HRCA allows a city to create a local officers compensation commission “which shall determine the salaries of each local elected official.” MCL 117.5c(a). The HRCA provides for this alternative to alleviate the need for a city to have to amend its charter each time it wished to change the compensation of elected officials. *Hunt v City of Ann Arbor*, 77 Mich App 304, 308; 258 NW2d 81 (1977). Because officer compensation is a mandatory charter provision and an LOCC is an alternative, we see no legal prohibition to revising the City Charter to require city councilmember compensation to include per diem pay for council meetings attended, but leaving the specific salary and per diem rate to the election officers compensation commission.

Several cities in Michigan specifically provide for per diem payments for members of their city council. The payments range from \$5 to \$60 per meeting. For many of these cities, this per diem is the only wage provided to the members of the legislative bodies (with some providing fringe benefits and/or expense reimbursement). Most, but not all, cities with per diem payments also put an annual cap on the total payments received by a single council member. These annual caps ranged from \$270 to \$4,000 per year

To the extent the Commission wishes to revise the method of compensation for members of City Council, we recommend that the Charter provide the general direction, but leave the specifics to be set by the EOCC. That way, the EOCC could recommend a change in the amount of the per diem based on current circumstances, just as it does the base salary. If the per diem amount is specified in the Charter, it could only be changed by charter amendment.

If the Commission wishes to make a change to 2-104, there are some practical issues to consider. First, it is possible that this change could result in a reduction in pay to the City Council. The HRCA only prohibits reduction in pay for sitting judges. MCL 117.5. As such, the HRCA does not prohibit a city from reducing the pay of an elected city council member. An elected office is not property protected by the due process clause of the constitution. *Taylor v. Beckham*, 178 U.S. 548, 576 (1900); *Moncier v. Haslam*, 570 F. App’x 553, 559 (6th Cir. 2014). Moreover, elected officials in Michigan do not have a contractual right to compensation or continuation in their salaries. *Porter v. City of Highland Park*, No. 263470, 2006 WL 1479909,

at *3 (Mich. Ct. App. May 30, 2006) (citing *Attorney Gen v. Jochim*, 99 Mich. 358, 367 (1894)). In *Porter*, for example, the Court of Appeals determined that there was no statutory or constitutional violation when an emergency financial manager used statutory authority to reduce a mayor's salary to zero. *Porter, supra*. If an elected official's salary "is reduced below what seems to him reasonable, it may be a hardship, but it is not a legal wrong." *Jochim, supra*.

Another consideration is how this provision will be applied to councilmembers that are on staggered terms. It would be inequitable to provide that the change applies only upon the next term of office because such a provision would only apply to half of the council (with potentially the other half maintaining the current pay structure). We recommend that the Commission provide guidance that the change to compensation take place at the same time for all council members, such as the next year the EOCC is required to meet following approval of this language.

Language was developed to provide a maximum amount of meetings that qualify for per diem payment, to allow for proper budgeting. The proposed number was based on a council member attending the regular council and 4 standing committee meetings twice per month, for a total of 130 meetings (Ingham County caps per diem compensation at 80 meetings). The Commission should consider whether this number needs to be adjusted. Additionally, language was developed to require that the per diem payments provide a meaningful amount of a member's overall compensation – 25% is suggested, but certainly open to discussion. Further language was developed in Article 9 to assist the EOCC in creating this blended compensation with guidance that it is anticipated that the base salary will be reduced and reallocated into per diem payments. However, we added language to clarify to the EOCC that it may increase the total overall compensation in that first year (to account, for example, for cost of living raises, or an increase in pay based on increased duties).

Chapter 280, the elected officer's compensation commission ordinance provides that the EOCC meets in even-numbered years. The City Council can "veto" the EOCC determination by a 2/3 vote, in which case, the prior compensation remains in place. We have drafted language in 9-102 to prohibit a veto in the first year to ensure that the new compensation model is enacted.

Proposed Language:

2-104 Compensation Of Officers

.1 The City shall, by ordinance, determine the compensation or the procedure for determining the compensation of all officers and employees of the City, *except as provided in this Charter*.

.2 The elected officers compensation commission previously created by ordinance *may shall* continue to determine the compensation of all elected officials after the effective date of this Charter. The compensation commission ordinance shall ~~be amended to~~ provide a procedure for calling the compensation commission together at a time to be determined by the City Council.

.3 The compensation of city council members shall be based on an annual base salary and a per diem payment for each officially called standing

committee and council meeting for which the official is a member up to a maximum of 130 meetings per year; provided however, that a council member shall not be entitled to more than one per diem per day regardless of the number of meetings attended. The elected officers compensation commission shall establish the annual base salary and per diem rate; provided, however, that the maximum per diem compensation shall account for at least twenty-five percent of the total annual compensation, excluding any fringe benefits.

.4 The City may, by ordinance, at any time alter any procedure for determining compensation of any officers or employees.

And

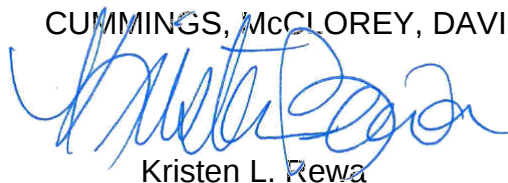
9-102 Compensation Of Officers

.1 Except as otherwise provided herein, the compensation of all persons holding office under this Charter shall continue according to the schedule of compensation in existence prior to the effective date of this Charter. Any change in compensation shall be made in the manner determined by law.

.2 The elected officers compensation commission shall establish the compensation of City Council members in compliance with Section 2-104.3 in the first even-numbered year immediately following approval of this Charter revision. The previous annual salary of members of City Council shall not serve as the base salary. The base salary shall be reduced and any such reduction shall be reallocated to per diem compensation consistent with the provisions of this Charter; provided however, nothing in this Charter prohibits the compensation commission from establishing an increase in the overall compensation. The City Council shall not reject the compensation established for members of City Council by the elected officers compensation commission in the first even-numbered year immediately following approval of this Charter revision.

Very truly yours,

CUMMINGS, McCLOREY, DAVIS & ACHO, P.L.C.



Kristen L. Rewa

cc: Vice Chair Lori Adams Simon (lori.simon@lansingmi.gov)
Chris Swope, MMC/MiPMC (Chris.Swope@lansingmi.gov)
Brian P. Jackson, MiPMC, (Brian.Jackson@lansingmi.gov)

1 **4-304 ~~Law Department~~Office of City Attorney (02/18/2025)**

2 .1 The City Attorney may be appointed by the Mayor and confirmed by the City Council. The City
3 Attorney shall be the administrative head of the ~~Department of Law~~Office of City Attorney and shall be
4 responsible to the Mayor and the City Council to see that the legal affairs of the City are properly
5 managed.

6 .2 The City Attorney shall be the prosecutor for the people of the City for all cases arising under this
7 Charter and ordinances of the City and, when authorized to do so by law, cases arising under State
8 law.

9 .3 The City Attorney shall advise the officers and agencies of the City, in writing, on matters relating to
10 their official duties upon request,

11 .4 The City Attorney shall prepare or approve as to form, all bonds, contracts, ordinances and other
12 written instruments in which the City is concerned.

13 .5 The City Attorney shall prosecute or defend all cases in which the City is a party or has a legal
14 interest, and may upon request, and with City Council approval, represent any officer or employee of
15 the City in any action or proceeding involving official duties.

16 .6 No board or officer shall employ or retain special counsel in any matter relating to the affairs of the
17 city without first securing the approval of such employment or retainer by the City Council. The City
18 Council shall act only after requesting the City Attorney's written opinion.

19 .7 No civil litigation may be settled without the recommendation of the City Attorney and the consent
20 of the City Council, except and to the extent that risks are covered by insurance.

21 **4-305 Parks And Recreation Department (adopted as presented 03/04/25)**

22 .1 The Director of Parks and Recreation shall be the administrative head of the Department of Parks
23 and Recreation and shall be responsible to the Mayor for the provisions of parks, recreation and
24 leisure services of the City in a manner consistent with the best practices therefore.

25 .2 The Department of Parks and Recreation shall be in charge of those agencies and programs
26 responsible for cemetery services and facilities, forestry, parks, and recreation.

27 **4-306 Economic Development and Planning Department**

28 .1 The Director of Economic Development and Planning shall be the administrative head of the
29 Department of Economic Development and Planning and shall be responsible to the Mayor for the
30 planning activities of the City.

31 .2 Any agency with the knowledge of the Director of Economic Development and Planning may
32 undertake the study of any development matter within the scope of its duties,

33 .3 The Department of Economic Development and Planning shall receive all reports concerning
34 development matters and other information, which it requests.

35 .4 The director shall, with the head of any agency involved, evaluate all reports and information
36 received by the department in the light of the policies, programs and priorities of the adopted master
37 plan.

38 .5 The director shall be responsible for providing the Planning ~~Board~~Commission with staff and all
39 information necessary for the ~~Board~~Commission to carry out its assigned duties under Sections 5-
40 601 and 5-602 of this Charter. (03/04/2025)

.6 The department shall administer and enforce the zoning ordinances of the City and prepare plans for the City and its various departments when such plans involve the character, location and extent of activities and facilities which impact on the social, physical and economic development of the City.

4-307 Police Department

.1 The Chief of Police shall be the administrative head of the Police Department and shall be responsible to the Mayor for the provision of Police service to the City.

.2 The Chief of Police shall be appointed by the Mayor in consultation with the Board of Police Commissioners and subject to confirmation by a majority of the members of the Board of Police Commissioners serving.

.3 The Mayor may suspend the Chief of Police and shall notify the Board of Police Commissioners of the reasons for the suspension. The Board shall convene at the earliest opportunity after the suspension and shall determine, by a majority of the Board serving, whether the suspension shall continue. The Chief of Police may be removed by the Mayor only with the concurrence of a majority of the Board serving.

.4 Each member of the Police Department shall, before entering upon the duties of the office or employment, take an oath of office similar to that required of other officers of the City. A copy of the oath shall be subscribed in the presence of the City Clerk and filed in the office of the City Clerk.

.5 The police officers shall have and exercise all the immunities, privileges and powers of peace officers granted by law, for the preservation of quiet, good order and for the safety of persons and property. They shall possess and exercise the powers of arrest granted to peace officers by law, and shall promptly take any person who is arrested before the proper magistrate or court to be dealt with according to law. Violations of City ordinances shall be deemed to be misdemeanors for the purpose of establishing the power of police officers in making arrests.

4-308 Public Service Department

.1 The Director of Public Service shall be the administrative head of the Department of Public Service and shall be responsible to the Mayor for the maintenance and operation of the public works and service facilities of the City in a manner consistent with the best practices therefore.

.2 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.

.3 Persons appointed to serve as Director of Public Service and City Engineer shall be registered Professional Engineers of the State of Michigan.

Chapter 4 - DEPARTMENT AND AGENCY HEADS

4-401 Heads Of Departments

.1 The City Council shall adopt ordinances setting forth the qualifications for each head of a department, division or agency to be appointed by the Mayor. Such ordinances shall be adopted before any person may be considered for the position and no later than 30 days after the creation of a position. No amendment of an ordinance on qualifications shall affect the status of any person holding office at the time consideration of the amendment is commenced.



ATTORNEYS AND COUNSELORS AT LAW

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Kristen L. Rewa
krewa@cmda-law.com

March 28, 2025

Via Email

Mr. Brian C. Jeffries
Chairperson
Lansing Charter Commission
124 W. Michigan Ave., 9th Floor
Lansing, MI 48933
Brian.Jeffries@lansingmi.gov

Re: Article 4, Outstanding Matters, City Attorney

Dear Mr. Jeffries:

This letter addresses a request for Charter language concerning the City Attorney provisions contained in Article 4, as discussed at the March 25, 2025 Meeting.

I. City Attorney

Below are three provisions for your review and consideration on the provisions concerning the City Attorney.

A. Removal of the City Attorney

Section 4-304 does not specify how the City Attorney may be removed from office. As such, Sec. 4-401.5 applies, which provides that department heads may be suspended or removed by the mayor. Within 30 days of receiving notice of that action, City Council may reinstate that department head by a two-thirds vote.

For your consideration is language which permits the Mayor or City Council to remove the City Attorney but providing for a veto to that action by the other branch. City Council action would require a two-thirds vote, consistent with Sec. 4-401.5. The proposed language refers to existing veto procedures. This would be a new section to Sec. 4-304, which can be placed after the existing sections.

Proposed Language

The City Attorney may be suspended or removed by the Mayor or by a vote of two-thirds of Council members serving. Notice of such action shall be filed with the City Clerk. A suspension or removal by City Council is subject to veto by the Mayor as provided in Sec. 3-305, except Sec 3-305.3 shall not apply. A suspension or removal by the Mayor is subject to veto by the City Council as provided in Sec. 4-401.5.

B. City Council Attorney

The Commission has also discussed representation of City Council separate from the City Attorney. We were unable to find any other city in Michigan which provides its legislative body its own in-house legal counsel separate from the City Attorney's Office. If the Commission desires to add language of this nature, we recommend adding a provision that makes clear the scope of this representation is limited to the City Council as a body – the attorney does not represent the municipality. We believe such language is necessary to clearly delineate who represents the municipal corporation – that should be the City Attorney.

Proposed Language:

The City Council may hire or retain an attorney of its own selection other than and in addition to the City Attorney on such matters involving the Council's official duties and for such periods of time as it may deem necessary for the best interests of the City. The attorney must be licensed to practice law in Michigan and shall not represent the City as a municipal corporation in any legal proceeding. The attorney shall serve at the pleasure of the City Council.

C. City Council may hire outside attorney

Several charters provide language to permit the legislative body to retain separate counsel for specific needs. The City of Pontiac's language was offered as suggested language for inclusion in the City of Lansing's Charter.

Proposed Language

Notwithstanding the above, the City Council may engage independent legal counsel on a temporary basis where the Council is seeking enforcement of a Council subpoena or order, suing, or being sued by any City agency or officer, or defending against any action or proceedings involving the Council's official duties. Further, the Council may obtain the opinion or advice of independent legal counsel in any matter pending before it.

Pontiac 4.204—Option of Council

Notwithstanding the above, the Council may engage independent legal counsel on a temporary basis where the Council is seeking enforcement of a Council subpoena or order, suing, or being sued by any City agency or officer, or defending against any action or proceedings involving

the Council's official duties. Further, the Council may obtain the opinion or advice of independent legal counsel in any matter pending before it.

Several other cities have similar language:

Detroit, Sec. 4-121. Special Counsel.

The City Council may obtain the opinion or advice of an outside law firm or outside attorney in any matter pending before it. Where there exists a conflict of interest between the City Council and another branch of government, the City Council has the authority to retain an outside law firm or outside attorney who shall represent the City Council in legal proceedings, in accordance with section 4.5-208 (Intra-Government Dispute Resolution). The attorney must be licensed to practice law Michigan and shall not represent the city as a municipal corporation in any legal proceeding.

Ann Arbor, Sec 5.2(c)

Upon the Attorney's recommendations, or upon its own initiative, the Council may retain special legal Counsel to handle any matter in which the City has an interest, or to assist the Attorney herein.

Sterling Heights, 7.07(F)

Upon recommendation of the attorney, the council may retain special legal counsel to handle any matter in which the city has an interest, or to assist and counsel with the city attorney therein.

Dearborn, Sec 9.19. Special Counsel.

Upon recommendation of the Corporation Counsel, approved by the Mayor, the Council may retain special legal counsel to handle any matter to which the City is a party or in which the City has an interest, or to assist and co-counsel with the Corporation Counsel therein, for such limited time and purpose as the Mayor shall specify.

The Council may retain an attorney of its own selection other than and in addition to the Corporation Counsel on such matters and for such periods of time as it may deem necessary for the best interests of the City.

Flint, 4-604(G)

Special counsel for the Mayor or the City Council -- the City Council and the Mayor shall, in special instances, have the right to secure independent legal services when either deems it necessary and proper.

Livonia, Section 14(h)

Upon recommendation of the City Attorney, approved by the Mayor, or upon its own motion the Council may retain special legal counsel to handle any matter to which the City is a party or in which the City has an interest, or to assist and co-counsel with the City Attorney, for such limited time and purpose as the Mayor shall specify.

Very truly yours,

CUMMINGS, McCLOREY, DAVIS & ACHO, P.L.C.



Kristen L. Rewa

cc: Vice Chair Lori Adams Simon (lori.simon@lansingmi.gov)
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Kristen L. Rewa
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March 28, 2025

Via Email

Mr. Brian C. Jeffries
Chairperson
Lansing Charter Commission
124 W. Michigan Ave., 9th Floor
Lansing, MI 48933
Brian.Jeffries@lansingmi.gov

Re: Article 4, Article 5, Sustainability

Dear Mr. Jeffries:

This letter provides proposed sustainability language for Art. 4-308 (Public Service Department) and a new sustainability board in Article 5 for the Charter Commission's review and consideration.

I. Sec 4-308 Public Service Department

The proposed language incorporates sustainability into the responsibilities of this department.

Proposed Language:

.2 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.

II. Article 5, Chapter 7, Sustainability and Environmental Affairs Board

The proposed language provides for a Sustainability and Environmental Affairs Board, which would be established by Charter, but the scope of the work would be directed by ordinance.

Chapter 7. Sustainability and Environmental Affairs Board

5-701 Sustainability and Environmental Affairs Board

.1 There shall be a Sustainability and Environmental Affairs Board to advise the City on sustainability, environmental affairs activities, and environmental justice within the City.

.2 The members of the Board shall be appointed and confirmed in the manner set forth in Section 5-103 of this Charter.

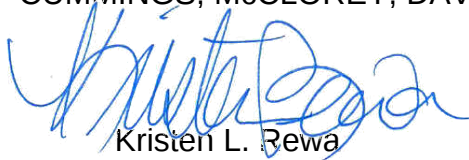
5-702 Powers And Duties

.1 The Sustainability and Environmental Affairs Board shall have all of the powers and duties of advisory boards provided by this Charter, together with such additional powers and duties as shall be established by ordinance.

.2 The Board is entitled to assistance from the staff of the Public Service Department, and any other city department so directed by the Mayor, in fulfilling its duties. All elective and appointive officers shall furnish, within a reasonable time, available information required by the Board.

Very truly yours,

CUMMINGS, McCLOREY, DAVIS & ACHO, P.L.C.



Kristen L. Rewa

cc: Vice Chair Lori Adams Simon (lori.simon@lansingmi.gov)
Chris Swope, MMC/MiPMC (Chris.Swope@lansingmi.gov)
Brian P. Jackson, MiPMC, (Brian.Jackson@lansingmi.gov)

.3 An emergency ordinance may be adopted and given immediate effect at the meeting at which it is introduced by an affirmative vote of two-thirds of Council Members present.

.4 No emergency ordinance shall be effective for more than 60 days.

3-30~~89~~ Codification Of Ordinances

~~.1 As of the effective date of this charter, the Codified Ordinances in existence shall remain in effect. Within three years after the effective date of this Charter and at least every 10 years thereafter, the City Council shall provide for and adopt a codification of all City ordinances.~~

.2 ~~The codification~~Any future codification or re-codification shall be enacted by ordinance and shall be published promptly in loose leaf form, together with this Charter and commentary and any amendments, pertinent provisions of the State Constitution and other laws of Michigan, and other rules and regulations as the City Council may specify within the enacting ordinance.

.3 ~~This~~The compilation described in sub-sections .1 and .2 shall be known as the Lansing City Code and copies shall be: furnished to City officers, placed in libraries and public offices for free public reference, and made available for purchase by the public at a reasonable price fixed by the City Council.

.4 No less than once per year the Clerk shall cause the Codified Ordinances to be updated to reflect amended, added, or repealed City Ordinances. After publication of the first Lansing City Code under this Charter, the ordinances and Charter amendments shall be printed in a form suitable for integration with the Code currently in effect. (01/21/2025)

3-30~~94~~ Public Peace, Health And Safety

The City shall take such action, and adopt such ordinances, as shall be necessary to provide for the public peace and health and for the safety of persons and property within the City.

Chapter 4 - INTERNAL AND EXTERNAL AUDITS

3-401 Internal Auditor

.1 The City Council shall appoint a qualified person as the Internal Auditor.

.2 The Internal Auditor shall be responsible to the City Council and may be removed by a majority of the City Council members serving.

3-402 Powers And Duties

.1 The Internal Auditor shall devote full time to the services of the City and shall assist the City Council in evaluating the planning and budgeting affairs of the City in order to develop and maintain unified City policies.

.2 The Internal Auditor shall make audits of financial transactions of all City agencies at least once every year or as otherwise directed by the City Council. The Internal Auditor shall have access to the financial and other records of all City agencies at any time.

.3 The Internal Auditor shall make a full report to the City Council of each individual audit and file a copy with the Mayor and City Clerk. The report shall include any or all of the following as directed by Council:

(a) An examination of financial transactions, accounts, contracts and reports, including an evaluation of compliance with applicable laws and regulations;

(b) a review of efficiency and economy in the use of resources with recommendations for improvement;

(c) a report as to whether desired results are effectively achieved in City programs, services and activities.

.4 As soon as possible after the close of each fiscal year, the Internal Auditor shall provide an analysis of the financial position of the City. The report shall be a public record.

.5 The Internal Auditor shall review the administration and performance of any City agency and report findings and recommendations to the City Council and file a copy with the Mayor and the Clerk.

.6 Whenever appropriate the Internal Auditor shall promptly make a report to the City Council on City agencies or any irregularities of practice and erroneous accounting methods with recommendations for improving the accounting procedures and systems of the agency. A copy of each report on irregularities and erroneous accounting methods shall be referred to the Mayor.

.7 The Internal Auditor shall evaluate the Capital Improvement Plan.

.8 The Internal Auditor shall have no authority to audit the activities of the Board of Water and Light except as requested in writing by the Board.

.9 The Internal Auditor may be authorized by City Council to hire adequate staff to perform the internal auditing functions. The staff shall serve at the pleasure of the Internal Auditor.

3-403 Limitations

Except as otherwise provided in this Charter, the Internal Auditor shall not have any connection with any City agency, nor be custodian of any cash or securities belonging to the City.

3-404 External Audit

.1 An independent audit shall be made of all accounts of the City government, including the Board of Water and Light, at the close of each fiscal year, and shall be completed by October 15th. Special independent audits may be made at any time that the Council may designate. All such audits shall be made by a Certified Public Accountant designated by the Council. The results of each such audit shall be made public in the shall be placed in the office of the Clerk for public inspection.

.2 The External Auditor shall report on the activities and accounts of the Internal Auditor.

Chapter 5. COUNCIL STAFF

3-501 Council Staff

.1 The City Council may employ staff and contract for services as it may deem necessary to assist it in its functions.

.2 Persons appointed by the Council shall serve at the pleasure of the Council.