



Legislation Details (With Text)

**File #:** 21-1321      **Version:** 1      **Name:** 8/2/21 Resolution to Order Election and to Determine Ballot Question for Amendment to Section 14.2 - Proposal 3

**Type:** Resolution      **Status:** Passed

**File created:** 8/2/2021      **In control:** City Council

**On agenda:** 8/2/2021      **Final action:** 8/2/2021

**Enactment date:** 8/2/2021      **Enactment #:** R-21-301

**Title:** Resolution to Order Election and to Determine Ballot Question for Amendment to Section 14.2 of the City Charter Related to Emergency Purchases (7 Votes Required)

**Sponsors:** Jen Eyer, Christopher Taylor, Travis Radina

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/2/2021	1	City Council	Approved	Pass
7/20/2021	1	City Council	Deleted from Agenda	

**Resolution to Order Election and to Determine Ballot Question for Amendment to Section 14.2 of the City Charter Related to Emergency Purchases (7 Votes Required)**

Reviewed by : Matthew P. Thomas, Assistant City Attorney

Whereas, Section 14.1 of the City Charter, entitled "Authority of Council," subsection b provides:

All contracts, except as otherwise provided in this charter or by ordinance of the Council in accordance with the provisions of Section 14.2 of this charter, shall be approved by the Council and shall be signed on behalf of the City by the Mayor and the Clerk;

Whereas, Section 14.2 of the City Charter, entitled "Purchase and Sale of Personal Property," provides:

The Council shall by ordinance establish the procedures for contracts for all services and for the purchase and sale of personal property under the direction of the City Administrator. The ordinance shall provide the dollar limit within which purchases of personal property may be made without the necessity of securing competitive bids, and the dollar limit within which purchases may be made and contracts for services entered into without the necessity of council approval. Such dollar limits shall, in no case, exceed twenty-five thousand dollars (\$25,000.00). No purchase shall be made or service contract entered into unless a sufficient appropriation is available;

Whereas, Unforeseen events sometimes arise that require the City Administrator to enter into contracts in order to continue provision of essential City services, without otherwise complying with those requirements of Chapter 14 of the City Charter, such as obtaining prior Council approval and securing competitive bidding; and

Whereas, Section 1:317 of Chapter 14 of the City Code provides a method for emergency procurement of supplies, materials, equipment, professional services, and construction services, but there is no corresponding provision in the City's Charter that expressly addresses emergency procurement;

RESOLVED, That the following amendment adding a subsection (b) to Section 14.2 of the City Charter be placed on the ballot and submitted to the voters at the next general city election:

(b) The Council shall by ordinance establish the procedure for contracts for emergency purchases, which shall be authorized under the direction of the City Administrator.

RESOLVED, That November 2, 2021 is designated as the day for holding an election on the proposed Charter amendment;

RESOLVED, That the City Clerk shall transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and shall perform all other acts required by law for holding the election;

RESOLVED, That the following question shall appear on the ballot in the following form:

**ANN ARBOR CITY CHARTER AMENDMENT RELATED TO EMERGENCY PROCUREMENT**

Shall Section 14.2 of the Charter be amended to require City Council to establish, by ordinance, the procedure by which the City Administrator may make emergency purchases.

Yes  No

RESOLVED, That the proposed Charter amendment and proposed ballot question shall be published in full in the Washtenaw County Legal News;

RESOLVED, That the City Clerk is directed to publish the proposed Charter amendment in full, together with the existing Charter provisions amended as required by law and in accordance with resolution of Council, and to post the proposed Charter amendment in full together with the existing Charter provisions to the City's website; and

RESOLVED, That if the amendment is adopted, it shall take effect immediately.

Sponsored by: Councilmember Eyer, Councilmember Radina and Mayor Taylor