

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



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DANA NESSEL
ATTORNEY GENERAL

June 29, 2026

By email only

Honorable Gretchen Whitmer
Governor, State of Michigan
The George Romney Building
Lansing, MI 48909

Attention: Aditya Vedapudi

Re: City of Ann Arbor — Proposed Charter Amendments¹

Dear Governor Whitmer:

You referred to this office the proposed charter amendments adopted by the Ann Arbor City Council at its regulation session of June 15, 2026, for submission to the city's voters at the general election to be held on November 3, 2026.

I have reviewed the proposed amendments in light of the Home Rule City Act (HRCA), 1909 PA 279, MCL 117.1, *et seq.*, and conclude that the proposed amendment is consistent with the HRCA.

The first proposed amendment is to provide that if an individual signs multiple candidates' nominating petitions for a single elected office, only the earliest-dated signature shall count, but if two or more signatures bear the same date, none of those signatures shall count. This contrasts with the current provision which provides all signatures would be disregarded. This change is consistent with Michigan Election Law which provides that "[i]f a qualified and registered voter signs nominating petitions for a greater number of candidates for public office than the number of persons to be elected thereto, his signatures, if they bear the same date, shall not be counted upon any petition, and if they bear

¹ This is Ann Arbor's second, separate and distinct charter amendment submission for the November 2026 election.

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different dates shall be counted in the order of their priority of date for only so many candidates as there are persons to be elected.” MCL 168.547a.

The second proposed amendment is to change elected officials’ term start date from the Monday after the regular City election at which the officer is elected, to the first Monday of the month following said election. This proposal will have the minor and incidental effect of lengthening the four-year term of current officers from the Monday following the election to the first Monday of December. The HRCA provides that the city does not have the power to “shorten or extend” the term of a public official “beyond the period for which the official is elected or appointed, unless he or she resigns or is removed for cause, if the office is held for a fixed term.” MCL 117.5(d). It is arguable that Ann Arbor’s proposed amendment is not intended to extend the term of office which is generally four years, and the extension appears de minimis.

The Attorney General has a separate responsibility to review proposed ballot language for compliance with the applicable requirements set forth in Section 21 of the HRCA. I have examined the text of the ballot language for the proposed charter amendment set forth in the city council’s resolutions and conclude to ballot language conforms to the requirements of Section 21 of the HRCA.

Sincerely,

Kim Pendrick

Kimberly K. Pendrick
Assistant Attorney General
Elections & Municipal Affairs Division
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Enc.

cc by email only with enc.:

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