



Legislation Text

File #: 18-1023, **Version:** 1

Resolution to Approve Ballot Language for the Citizen-Initiated Petition for the Center of the City Charter Amendment and to Authorize Submission to the Governor and Attorney General for Approval for the November 6, 2018 Ballot

On Monday, April 23, 2018, a total of 649 petitions for the Center of the City Charter Amendment, containing approximately 6000 signatures, were filed with the City Clerk's Office. Pursuant to the Home Rule Cities Act, staff had 45 days to review and certify the petitions.

On Tuesday, May 22, it was determined that the petitions contained a sufficient number of signatures of the qualified and registered electors of the City of Ann Arbor, in accordance with the provisions of PA 279 of 1909, as amended, to place the proposed charter amendment on the general City election ballot to be held November 6, 2018. 4836 signatures were required (5% of the registered voters on April 3, 2018). The City Clerk's Office certified 5035 signatures, although the petitions contained a greater number of signatures than that. The petition sheets included proposed language that would appear on the ballot as well as the language that would be inserted into the City Charter should the proposal be adopted by a majority of the electorate participating in the election. The language as drafted and circulated by the petitioners is being presented for Council to receive and for the Clerk to forward to the Governor.

Approval of this resolution as presented is recommended.

Prepared by: Jacqueline Beaudry, City Clerk

Reviewed by: Matt Thomas, Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

Whereas, A citizen-initiated petition has been filed with the City Clerk of the City of Ann Arbor on April 23, 2018 for the Center of the City Charter Amendment;

Whereas, The City Clerk has canvassed the petition and has certified the sufficiency of the number of signatures in the petition;

Whereas, The initiatory petition provided a Statement of Purpose and Proposed Ballot Question; and

Whereas, MCL 117.21(2) provides:

“Proposed charter amendments and other questions to be submitted to the electors shall be published in full with existing charter provisions that would be altered or abrogated by the proposed charter amendment or other question. The purpose of the proposed charter amendment or question shall be designated on the ballot in not more than 100 words, exclusive of caption, that shall consist of a true and impartial statement of the purpose of the amendment or question in language that does not create prejudice for or against the amendment or question. The text of the statement shall be submitted to the attorney general for approval as to compliance with this requirement before being printed. In addition, the proposed charter amendment in full shall be posted in a conspicuous place in each polling place. The form in which a proposed charter amendment or question shall appear on the

ballot, unless provided for in the initiatory petition, shall be determined by resolution of the legislative body, and if provided for by the initiatory petition, the legislative body may add an explanatory caption.”

RESOLVED, That the initiatory petition to amend the City Charter filed with the City Clerk on April 23, 2018 shall be submitted to the electors of the City at the next general election to be held on November 6, 2018;

RESOLVED, That in the event the voters approve the proposed amendment, Chapter 1 of the Charter of the City of Ann Arbor will be amended as follows:

Add New Section 1.4. Center of the City

The City-owned public land bounded by Fifth Avenue, and William, Division and Liberty Streets shall be retained in public ownership, in perpetuity, and developed as an urban central park and civic center commons known as the “Center of the City.”

RESOLVED, That the form in which the proposed charter amendment question shall appear on the ballot is hereby determined to be as written on the initiatory petition:

CHARTER AMENDMENT FOR THE CITY-OWNED PUBLIC LAND BOUNDED BY FIFTH AVENUE, AND WILLIAM, DIVISION AND LIBERTY STREETS TO BE DESIGNATED, IN PERPETUITY, AS AN URBAN PARK AND CIVIC CENTER COMMONS TO BE KNOWN AS THE “CENTER OF THE CITY,” BY AMENDING THE ANN ARBOR CITY CHARTER ADDING A NEW SECTION 1.4 TO CHAPTER 1 OF THE CHARTER.

Shall the City-owned public land bounded by Fifth Ave, and William, Division and Liberty Streets be retained in public ownership, in perpetuity, and developed as an urban park and civic center commons, known as the “Center of the City” by adding a new section for the purpose as explained above?

; and

RESOLVED, That the City Clerk submit this Resolution to the Governor and the Attorney General and take all necessary or advisable actions in connection with this proposed Charter Amendment for placement on the November 6, 2018 ballot.