



## Legislation Text

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**File #:** 13-1267, **Version:** 1

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### Resolution to Approve Amendment No. 3 to the Articles of Incorporation of the Ann Arbor Area Transportation Authority

Charter Township of Ypsilanti has requested to join the AAATA. Section 2 of Act 55 requires amendment of the Articles of Incorporation if a political subdivision joins the Authority. As incorporators of the Authority, the Cities of Ann Arbor and Ypsilanti are being presented with the attached amendment for approval. Amendment No. 3 was presented to the Charter Township of Ypsilanti Board on September 23, 2013 and the Authority Board on September 26, 2013. Approval by the Authority was subject to concurrence by the governing bodies of the City of Ann Arbor and the City of Ypsilanti.

The proposed amendment does the following:

- Adds Charter Township of Ypsilanti as an incorporator and member of the Authority with all rights and obligations thereof.
- Alters the composition of the Board of the AAATA increasing Board membership by one, with the new Charter Township of Ypsilanti member to be appointed by the Supervisor of Ypsilanti Charter Township with the concurrence of the Township Board.
- Revises Article V, Publication and Filing, of the Articles of Incorporation to provide for reimbursement of the City of Ann Arbor by AAATA for publication and filing costs of all amendments to the Articles of Incorporation

The City of Ann Arbor incorporated the Ann Arbor Area Transportation Authority, formerly the Ann Arbor Transportation Authority, (AAATA) by resolution dated July 15, 1968, under the provisions of Act 55 of P.A. 1963 (Act 55) for the purpose of operating a mass transportation system. The Articles of Incorporation were amended by resolution dated June 30, 1969 to alter the membership of the Board and staggering the terms of the original members appointed. The Articles were further amended by resolution dated June 5, 2013 to add the City of Ypsilanti as an incorporator and member, increase to membership of the Board to add a City of Ypsilanti appointee and change the name of the Board to the Ann Arbor Area Transportation Authority.

When adopted by all parties, the amendment will be filed with the Washtenaw County Clerk and the Michigan Secretary of State as required by Act 55 and published in the Washtenaw County Legal News.

Attachments: Requesting Resolution of Ypsilanti Charter Township Board, AAATA Board Resolution Accepting Request and Approving Membership

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Steven D. Powers, City Administrator

Whereas, The Ann Arbor Area Transportation Authority, formerly the Ann Arbor Transportation Authority (the "AAATA"), was incorporated by the City of Ann Arbor in 1968 under Act 55 of 1963 (the "Act") to provide public transportation services within the City of Ann Arbor;

Whereas, The Act provides that other political subdivision may join such an incorporated Authority and City Council approved the addition of the City of Ypsilanti was added as an incorporator of the AAATA on June 5, 2013 (R-13-168);

Whereas, The Charter Township of Ypsilanti has requested to join the AAATA evidenced by its passage of a Resolution to that effect on Monday, September 9, 2013, in accordance with the Act;

Whereas, Pursuant to the Act and the terms of the Articles of Incorporation, if the Charter Township of Ypsilanti joins the Authority, the Articles of Incorporation for the Authority must be amended, executed, published and filed in the same manner as the original Articles of Incorporation;

Whereas, The Charter Township of Ypsilanti further approved Amendment No. 3 to the Articles of Incorporation evidenced by its passage of a Resolution to that effect on Monday, September 23, 2013; and

Whereas, The proposed amendment to the Articles of Incorporation:

- Adds the Charter Township of Ypsilanti as an incorporator and member of the Authority with all rights and obligations thereof.
- Alters the composition of the Board of the AAATA increasing Board membership by one, with the new Charter Township of Ypsilanti member to be appointed by the Supervisor of the Charter Township of Ypsilanti with the concurrence of the Township Board.
- Revises Article V, Publication and Filing, of the Articles of Incorporation to provide for reimbursement of the City of Ann Arbor by AAATA for publication and filing costs of all amendments to the Articles of Incorporation.

RESOLVED, That City Council approve Amendment No. 3 to the Articles of Incorporation of the Ann Arbor Area Transportation Authority; and

RESOLVED, That the City Clerk be directed to provide a certified copy of this Resolution and Amendment No. 3 to the Authority and the Clerks of the City of Ypsilanti and Charter Township of Ypsilanti and file and publish the Amendment in accordance with the Act on notice of the passage of the Amendment when adopted by the City of Ypsilanti, Charter Township of Ypsilanti and the Authority.