City of Ann Arbor

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Legislation Text

File #: 21-1106, **Version:** 1

Resolution to Approve Amendments to the Washtenaw Regional Resource Management Authority (WRRMA) Articles of Incorporation, Including the Addition of the City of Ann Arbor as a Constituent Member of WRRMA

This memorandum and resolution request approval of three amendments to the WRRMA Articles of Incorporation, including the addition of the City of Ann Arbor (City) as a Constituent Member of WRRMA.

As detailed in the WRRMA Articles of Incorporation, a municipality may become a Constituent Member of WRRMA by a five-part process that includes a positive vote of that municipality's legislative body. The City of Ann Arbor completed part one this part of the process on February 1, 2021 when City Council passed Resolution 21-046 to approve the City of Ann Arbor membership in the WRRMA.

Since then, WRRMA has drafted three amendments to its Articles of Incorporation, including an amendment to add the City of Ann Arbor as a Constituent Member. Per the WRRMA Articles of Incorporation, all amendments require a positive vote of the legislative body of each Constituent Member including those seeking to become a Constituent Member.

The three amendments to the WRRMA Articles of Incorporation are:

1. Addition of "FIRST AMENDED" prior to the "ARTICLES OF INCORPORATION OF THE WASHTENAW REGIONAL RESOURCE MANGMENT AUTHORITY" to denote and differentiate from the original Articles of Incorporation.
2. Addition of "the City of Ann Arbor" under Article II, Constituent Members.
3. Substitution of "subdivision (a)" for "subdivision (1)" under Article VI Dissolution of WRRMA, subclause (b). The substitution allows for subsection (b) to reference the immediately preceding subclause (a).

Pending the City of Ann Arbor City Council's adoption of this resolution, the City will sign the City Resolution Certificate approving these three amendments to WRRMA's Articles of Incorporation.

Following a positive vote of the legislative body of each Constituent Member, including the City of Ann Arbor City Council, and a unanimous vote of the WRRMA Board, the amendments will be published in a newspaper circulated within the authority and certified. WRRMA will then file a printed copy of the amended and certified Articles of Incorporation with the Secretary of State and Clerk of the County, and the City of Ann Arbor will be a Constituent Member of WRRMA.

Budget/Fiscal Impact: The total cost of membership is $5,000.00 per year. The County has committed a $5,000.00 match for each paying member to support funding the Authority, subject to County budget approvals.

Prepared by: Eileen Naples, Resource Recovery Manager
Reviewed by: Molly Maciejewski, Public Works Manager
                           Craig Hupy, Public Services Area Administrator
Approved by: Tom Crawford, City Administrator

Whereas, The City passed Resolution 21-046, approving the City's participation as a member in WRRMA on February 1, 2021;

Whereas, The WRRMA Articles of Incorporation require a positive vote of the legislative body of each Constituent Member, including those seeking to become a Constituent Member, for any amendments;

Whereas, WRRMA proposes the addition of "FIRST AMENDED" prior to the "ARTICLES OF INCORPORATION OF THE WASHTENAW REGIONAL RESOURCE MANGMENT AUTHORITY" to differentiate from the original Articles of Incorporation;

Whereas, WRRMA proposes the addition of "the City of Ann Arbor" under Article II, Constituent Members; and

Whereas, WRRMA proposes substitution of "subdivision (a)" for "subdivision (1)" under Article VI Dissolution of WRRMA, subclause (b). The substitution allows for subclause (b) to reference immediately preceding subclause (a);

RESOLVED, That the City of Ann Arbor City Council approve the three amendments to the WRRMA Articles of Incorporation, including the addition of the City of Ann Arbor as a Constituent Member, and that the City Administrator or authorized designee be authorized to take the necessary actions to implement this resolution.