



Legislation Text

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An Ordinance to Amend Chapter 8 (Organization of Boards and Commissions), Section 1:210, Title I of the Code of the City of Ann Arbor to Allow Council to Waive City Employment Restriction (Independent Community Police Oversight Commission) (Ordinance No. ORD-19-05)

Attached for your review and consideration is an ordinance amendment to Chapter 8, Section 1:214 (Composition of the Commission). Currently under the ordinance, applicants to the Commission who are current employees of the City or who have been employed by the City within the past 5 years are not eligible for appointment. The amendment would allow City Council to waive this restriction by resolution if approved by at least 7 members of City Council.

Prepared by: Margaret Radabaugh, Senior Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

ORDINANCE NO. ORD-19-05

First Reading: February 19, 2019

Public Hearing: March 4, 2019

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Effective: March 17, 2019

ORGANIZATION OF BOARDS AND COMMISSIONS INDEPENDENT COMMUNITY POLICE OVERSIGHT COMMITTEE

AN ORDINANCE TO AMEND CHAPTER 8 (ORGANIZATION OF BOARDS AND COMMISSIONS), SECTION 1:210, TITLE I OF THE CODE OF THE CITY OF ANN ARBOR TO ALLOW COUNCIL TO WAIVE CITY EMPLOYMENT RESTRICTION (INDEPENDENT COMMUNITY POLICE OVERSIGHT COMMITTEE)

The City of Ann Arbor Ordains:

Section 1. That Section 1:214 of Chapter 8 of Title I of the Code of the City of Ann Arbor be amended to read as follows:

1-214. - Same - Composition of the Commission.

- (1) *Membership*. The Commission shall consist of 11 voting members, 1 of which shall be a youth member, to be appointed by 1 or more of the City Council liaisons to the Human Rights Commission or liaisons to the Commission with the approval of the City Council. In making appointments of members to the Commission, City Council liaisons to the Human Rights Commission and the Commission shall appoint persons who, insofar as possible, represent the City's diverse population-especially those who tend to have significant negative interactions with the police and are committed to improving police and community relations. Persons who are current employees of the City or who have been employed by the City, including active or former police officers, within 5 years of nomination shall not be eligible for appointment. [The requirements in the preceding sentence may be waived by a resolution approved by at least 7 members of City Council for current and former employees who are or were classified as](#)

temporary employees and who received fewer than seven pay checks in any year from the City.

The requirements in the preceding sentence may be waived by a resolution approved by at least 7 members of City Council except as to active or former police officers.

- (2) *Initial recruitment process.* To recruit applications community-wide for initial membership on the Commission, the Ann Arbor Human Rights Commission will do publicity and outreach to organizations that represent diverse populations. The Human Rights Commission, in conjunction with diverse representatives of the community, will plan multiple ways to inform the community about the Commission and the role and expectations of Commission members and its advisors. An application form shall be posted online and hard copies shall be made available in City Hall. Translation services shall be made available to applicants as necessary. Applicants may also choose to apply by interview completed by Human Rights Commission. Failure to apply shall not disqualify a person from being eligible for appointment. The Mayor, City, and other community organizations may also solicit recommendations for nominations from the community.
- (3) *Diversity of membership.* The Commission, community organizations, and City Council shall endeavor to ensure that (a) the overall membership of the Commission reflects the City's diverse population, including income level, race, ethnicity, age, gender, sexual orientation, and experience; (b) segments of the community that are vulnerable and have been marginalized, and that tend to have significant negative interactions with the police, are amply represented; and (c) the Commission includes members with a variety of skills, expertise, and life experiences bearing on the work of the Commission, such as people who work or have worked in the fields of mediation, conflict resolution, mental health, housing, homelessness, anti-racist and equity reform, and transformative justice, and people who have had significant experience with the police, law enforcement, and the criminal justice system.
- (4) *Terms.* Terms for voting members shall be 3 years, other than any youth member whose term shall be 1 year. Terms shall be staggered so that approximately $\frac{1}{3}$ of the voting members' terms expire each year.
- (5) *Term limit.* No person serving on the Commission continuously for 6 years shall be eligible for reappointment, until the lapse of 3 years.
- (6) *City Council liaisons.* The City Council will designate 2 of its members to serve as liaisons to the Commission. They will sit with the Commission as nonvoting members but otherwise may participate fully in meetings of the Commission.
- (7) *Filling vacancies.* If a seat on the Commission becomes vacant, it shall be filled in accordance with Section 12.14(b) of the City Charter.

As Amended at First Reading by City Council on February 19, 2019.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor,

Michigan at its regular session of March 4, 2019.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's Webpage on March 7, 2019.

Jacqueline Beaudry, Ann Arbor City Clerk