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Introduced by: Commissioner Phaneuf

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Text:

Sec. 3-101 CITY COUNCIL.

The legislative power of the City is vested in a City Council. The Council has the powers and duties provided by law or this Charter **INCLUDING ENACTMENT OF ORDINANCES AND RESOLUTIONS, ENACTMENT AND MONITORING OF THE BUDGET, INVESTIGATION AND MONITORING OF THE AFFAIRS OF THE CITY, AND ENSURING QUALIFIED AND EFFECTIVE CANDIDATES FILL APPOINTED POSITIONS.**¹

Sec. 3-102 TERM OF COUNCIL OFFICE.

The term of members of the City Council elected under this Charter shall be four (4) years commencing on 12 o'clock noon on the Monday following **CERTIFICATION OF** the regular Council general election **AND SHALL SERVE IN THAT OFFICE UNTIL THE NEXT GENERAL ELECTION AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIED.** ~~This provision shall take effect with the Council that is elected by the general election to be held in 1989.~~²

Sec. 3-103 ORGANIZATION OF CITY COUNCIL.

- A. Within thirty (30) days of taking office, the City Council shall elect from its members a presiding officer who shall be known as the President of the Council. The President shall be elected to a one (1) year term. The City Council may elect such other officers and appoint such committees and subcommittees as it deems necessary.
- B. The City Council shall **DETERMINE ITS OWN RULES OF PROCEDURE, MAY COMPEL ATTENDANCE OF MEMBERS, AND MAY PUNISH ITS OWN**

¹ Amended in Committee of the Whole 1/3/2017

² Amended in Committee of the Whole 1/3/2017 and 3/2/2017

MEMBERS FOR MISCONDUCT.³ ~~adopt rules for the conduct of its business in accordance with Sec. 1-801 of this Charter. Until new rules are adopted the rules of the previous Council shall apply.~~

Sec. 3-104 RESPONSIBILITIES OF CITY COUNCIL.

AS REPRESENTATIVES OF THE CITIZENS OF THE CITY OF FLINT, COUNCIL MEMBERS ARE EXPECTED TO CONDUCT THEMSELVES WITH APPROPRIATE DECORUM, ACT RESPECTFULLY WITH CONSTITUENTS, EACH OTHER, AND OTHER PUBLIC SERVANTS, ATTEND TO THE DUTIES OF THEIR OFFICE AS OUTLINED IN THIS CHARTER, AND BECOME KNOWLEDGEABLE ON THE CITY CHARTER, ON ISSUES OF IMPORTANCE TO THE CITY AND THE PRACTICES OF CITY GOVERNMENT.⁴

Sec. 3-201 MEETINGS.

- A. The City Council shall meet at the usual place for Council meetings at 7:30 p.m., Eastern Standard Time, on the first Monday following the election of its members.
- B. The City Clerk shall preside until the Council has chosen a President. Thereafter the Council shall meet at least two (2) times per month at such times and places as shall be stated in the Council rules. All meetings called for the purpose of discussing City business and all gatherings of three (3) or more Council members at which City business is discussed shall be public and public notice shall be given in the manner provided by statute for meetings of public bodies.

Sec. 3-202 SPECIAL MEETINGS.

The Mayor or any two (2) members of the City Council may call a special meeting of the City Council upon twenty-four (24) hours notice to each Council member and the public stating the purpose of the meeting.

Sec. 3-203 QUORUM.

A majority of the members elect of the City Council shall constitute a quorum, but a smaller number may convene and adjourn from time to time. The City Council may compel attendance of absent members in the manner and subject to the penalties provided by ordinance.

Sec. 3-204 VOTING.

- A. Except as otherwise provided by this Charter no action of the City Council shall be effective unless a majority of the members elect of the City Council vote in favor of the action.

³ Amended in Committee of the Whole 1/3/2017

⁴ Amended in Committee of the Whole 1/3/2017

- B. ~~Every City Council member present shall vote on all questions other than those involving a conflict of interest.~~ **WHENEVER CITY COUNCIL SHALL HOLD A VOTE, ALL MEMBERS SHALL BE REQUIRED TO VOTE EITHER “AYE” OR “NO. ALL MEMBERS SHALL VOTE ON EVERY MATTER BEFORE THE CITY COUNCIL, UNLESS THE MEMBER HAS A CONFLICT OF INTEREST PRECLUDING THEIR VOTE, AS SET FORTH IN ARTICLE 1 SECTION 1-602.**⁵
- C. The affirmative and negative votes shall be taken and recorded on all ordinances and whenever requested by one (1) or more members of the Council.
- D. An abstention shall be considered a vote providing the Council member states a reason therefor.

Sec. 3-205 INVESTIGATION.

The City Council may make investigations into the affairs of the City and the conduct of any City agency pursuant to Sec. 3-206.

Sec. 3-206 INVESTIGATIVE POWERS.

- A. The City Council may subpoena witnesses, administer oaths, take testimony and require the production of evidence in any matter pending before it or any of its committees.
- B. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the City Council shall apply to the appropriate court.

Sec. 3-207 PROHIBITION OF INTERFERENCE IN ADMINISTRATION.

Except for purposes of inquiries or investigations in accordance with Sec. 3-206 **AND REGULAR DEPARTMENTAL REPORTING UNDER SEC. 3-208**⁶, the City Council and its members shall ~~deal~~ **COMMUNICATE**⁷ with City officers and employees who are subject to the direction and supervision of the Mayor solely through the Mayor, and neither the City Council nor its members shall give orders to any such officer or employee, either publicly or privately.

Sec. 3-208 REGULAR DEPARTMENTAL REPORTS.

UPON COUNCIL’S REQUEST, THE MAYOR SHALL REQUIRE DEPARTMENT HEADS TO APPEAR BEFORE AND REPORT TO COUNCIL ON A QUARTERLY BASIS ON ACTIVITIES WITHIN THEIR DEPARTMENTS, PROGRESS ON

⁵ Amended in Committee of the Whole 1/17/2017

⁶ Amended in Committee of the Whole 9/13/2016

⁷ Amended in Committee of the Whole 9/13/2016

DEPARTMENTAL BUDGETS, PROGRESS ON PERFORMANCE GOALS SET IN DEPARTMENTAL BUDGETS, AND TO ANSWER QUESTIONS FROM COUNCIL.⁸

SEC. 3-301 ORDINANCES AND RESOLUTIONS

IN ACCORDANCE WITH STATE LAW AND THIS CHARTER, ORDINANCES SHALL BE ENACTED TO PROVIDE A PERMANENT RULE FOR THE CONDUCT OF GOVERNMENT, WHILE RESOLUTIONS SHALL BE ADOPTED TO EXPRESS A DETERMINATION, TO DIRECT AN ACTION, OR TO APPROVE A SINGULAR EVENT.⁹

Sec. 3-3042 INTRODUCTION OF ORDINANCE OR RESOLUTION.

- A. Every proposed ordinance **OR RESOLUTION** shall be introduced **BY A MEMBER OF CITY COUNCIL OR THE MAYOR. ALL ORDINANCES SHALL BE INTRODUCED¹⁰** in writing.
- B. No ordinance **OR RESOLUTION** may contain more than one (1) subject, and the ~~ordinance's~~ **TITLE OF THE ORDINANCE OR RESOLUTION** must clearly express this subject.
- C. The enacting clause shall be: "It is hereby ordained by the People of the City of Flint . . ."
- D. Any ordinance which repeals or amends an existing ordinance or part of the City Code shall set out in full the ordinance, sections, or subsections to be repealed or amended, and shall clearly indicate matter to be omitted and new matter to be added.

Sec. 3-3023 PUBLICATION OF SUMMARY BEFORE PUBLIC HEARING.

- A. Upon introduction of any ordinance, the City Clerk shall:
 - 1. Distribute a copy to each City Council member and to the Mayor;
 - 2. File a reasonable number of copies in the office of the City Clerk and such other public places as the City Council may designate; and
 - 3. **IN THE MANNER REQUIRED FOR PUBLIC NOTICE BY THIS CHARTER, PROVIDE NOTICE OF THE PROPOSED ORDINANCE INCLUDING** Publish the title, ~~and an abstract of~~ the proposed ordinance including effective date, ~~in a daily newspaper of general circulation in the City together with a notice setting out~~ the time and place for a public hearing, **AND**

⁸ Amended in Committee of the Whole 9/13/2016

⁹ Amended in Committee of the Whole 1/17/2017

¹⁰ Amended in Committee of the Whole 1/17/2017

THE TIME AND DATE FOR ITS CONSIDERATION BY COUNCIL
~~thereon and for its consideration by the City Council.~~¹¹

- B. The public hearing may not be held sooner than five (5) days after the publication. The public hearing may be held separately or with a regular or special City Council meeting and may be convened from time to time.
- C. All interested persons shall have an opportunity to be heard.

Sec. 3-3034 PUBLICATION OF ORDINANCES AND RESOLUTIONS AFTER ENACTMENT.

- A. The City Clerk shall keep a printed journal in the English language of every session of the Council.
- B. The City Clerk shall authenticate by signature and record all ordinances and resolutions in a properly indexed book kept for the purpose.
- C. After enactment of any ordinance or resolution having the effect of law, the City Clerk shall have it published **ON THE CITY'S WEBSITE** ~~in a newspaper of general circulation in the City together with a~~ **AND PROVIDE PUBLIC** notice of its adoption **IN THE MANNER REQUIRED BY THIS CHARTER.**¹²
- D. Every ordinance, resolution having the effect of law, and amendment to this Charter, shall be printed promptly after enactment and shall be **MADE AVAILABLE TO THE PUBLIC ON THE CITY'S WEBSITE** ~~distributed or sold to the public at reasonable prices to be fixed by the City Council.~~¹³

Sec. 3-3045 VETO.

- A. Every ordinance and resolution passed by the City Council is subject to review by the Mayor unless otherwise stated in this Charter.
- B. No ordinance or resolution of the City Council subject to review by the Mayor shall have any force or effect if:
 - 1. The Mayor or person acting in his or her stead prepares a notice in writing suspending the operation of such ordinance or resolution which sets forth reasons therefor; and
 - 2. Such notice is filed in the office of the City Clerk within 168 hours after the delivery of the ordinance or resolution to the office of the Mayor by the Clerk, or an agent of the Clerk.

¹¹ Amended in Committee of the Whole 8/9/2016

¹² Amended in Committee of the Whole 8/9/2016

¹³ Amended in Committee of the Whole 8/9/2016

- C. If the ordinance is an emergency ordinance, the Mayor will have only twenty-four (24) hours to exercise the veto after receipt of written notice of adoption.
- D. In each case where such notice of veto is filed, such ordinance or resolution shall not become law without further affirmative vote of two-thirds (2/3) of the members elect on the City Council at a meeting held within two (2) weeks of the notice of veto.

If two-thirds (2/3) of the members elect vote in favor of overriding the veto, the ordinance or resolution shall be adopted without further review by the Mayor.

Sec. 3-3056 EFFECTIVE DATE OF ORDINANCE.

- A. No ordinance shall be effective until published as provided in Sec. 3-303 of this Charter.
- B. Every ordinance which has been published shall become effective on the thirtieth (30th) day after enactment or at any later date specified.
- C. The City Council may, by an affirmative vote of two-thirds (2/3) of its members elect, provide that any ordinance take immediate effect after publication.

Sec. 3-3067 EMERGENCY ORDINANCES.

- A. No emergency ordinance shall be effective until published as provided in Sec. 3-303 of this Charter.
- B. Emergency ordinances may be enacted to meet a public emergency affecting life, health, property or the public peace. However, an emergency ordinance may not levy taxes; grant, renew or extend a franchise; or regulate the rate charged by any public utility for its services.
- C. An emergency ordinance shall be introduced in the form and manner required for ordinances generally, except that it shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms.
- D. An emergency ordinance may be adopted at the meeting at which it is introduced and, if passed by an affirmative vote of two-thirds (2/3) of the members elect, may take immediate effect after publication.
- E. Every emergency ordinance is automatically repealed as of the sixty-first (61st) day after its enactment, unless reenacted as an emergency ordinance.

Sec. 3-3078 CITY ACTION REQUIRING AN ORDINANCE.

- A. All acts required to be done by ordinance by State law, or by specific provisions of this Charter shall be done by ordinance.

B. Other acts of the City which shall be enacted by ordinance include:

1. Providing a penalty or establishing a rule or regulation for violation of which a penalty is imposed;
2. Providing for the laying and collection of rents, tolls, excises and taxes, except as otherwise provided in this Charter concerning property taxes levied by the budget; or
3. Amending or repealing ordinances previously adopted.

C. Other acts may be done either by ordinance or resolution.

Sec. 3-3089 CODIFICATION OF ORDINANCES.

- A. Within three (3) years after the effective date of this Charter and at least every ten (10) years thereafter, the City shall provide for the preparation of a general codification of all City ordinances and resolutions having the effect of law.
- B. The general codification shall be enacted by ordinance and shall be published promptly ~~in bound or loose leaf form,~~¹⁴ together with this Charter and any amendments thereto, pertinent provisions of the Michigan Constitution and other laws of Michigan, and other rules and regulations as the City may specify.
- C. This compilation shall be known as the Flint City Code. Copies of the Code shall be:
 1. Furnished to City officers;
 2. Placed in libraries and public offices for free public reference; and
 3. Made available for purchase by **TO** the public at a reasonable price fixed by the ~~City~~ **ON THE CITY'S WEBSITE.**¹⁵
- D. After publication of the Flint City Code, the ordinances, resolutions, and Charter amendments shall be printed in a form suitable for integration with the Code currently in effect.

Sec. 3-30910 PUBLIC PEACE, HEALTH AND SAFETY.

The City shall adopt such ordinances as shall be necessary to provide for the public peace and health and for the safety of persons and property.

SEC. 3-311 APPROVAL OF CONTRACTS.

¹⁴ Amended in Committee of the Whole 8/9/2016

¹⁵ Amended in Committee of the Whole 8/9/2016

THE CITY MAY NOT PURCHASE OR IN ANY WAY PROCURE PROPERTY OR THE SERVICES OF INDEPENDENT CONTRACTORS WITHOUT APPROVAL BY RESOLUTION OF THE CITY COUNCIL EXCEPT AS PROVIDED BY ORDINANCE.¹⁶

Sec. 3-401 CITY CLERK, APPOINTMENT AND TENURE.

The City Council shall appoint a City Clerk who shall serve **A TERM OF FIVE YEARS** ~~at the pleasure~~ ~~WILL¹⁷ of the Council.~~ **THE CLERK SHALL BE ELIGIBLE FOR REAPPOINTMENT AT THE END OF THE EACH TERM.**¹⁸ The vote to appoint and the vote to discharge the City Clerk shall not be subject to review by the Mayor.

Sec. 3-402 GENERAL DUTIES OF CLERK.

- A. The City Clerk shall serve as Clerk of the City Council and shall keep a record of all its ordinances, resolutions and other proceedings.
- B. The City Clerk shall maintain a record of all existing and proposed rules, policies and procedures.
- C. The City Clerk shall certify, under corporate seal when requested, copies of all official papers and records.
- D. The City Clerk may administer oaths and take affidavits and exercise other powers and duties as provided by State law, this Charter, ordinance or resolution.
- E. **THE CITY CLERK'S OFFICE SHALL PROVIDE ASSISTANCE TO CITY COUNCIL AS NEEDED.**¹⁹

Sec. 3-403 ELECTION DUTIES OF THE CITY CLERK.

- A. The City Clerk is the chief election officer of the City.
- B. Voter Registration.
 - 1. The City Clerk shall, within the budget allocated, institute and maintain a program designed to register as many City voters as possible.
 - 2. On the seventh (7th) Monday preceding a primary for State or City offices, the Clerk shall report to the Council the progress of the voter registration program.
- C. Conduct the Election.

¹⁶ Amended in Committee of the Whole 1/17/2017

¹⁷ Amended in Committee of the Whole 6/14/2016

¹⁸ Amended in Committee of the Whole 12/20/2016, 1/25/2017

¹⁹ Amended in Committee of the Whole 1/17/2017

1. The City Clerk shall have copies of laws and official regulations regarding the conduct of elections in the Clerk's Office and shall make these documents available to the public at no more than cost.
2. The City Clerk shall provide to the public at no cost forms for petitions for any candidacy or issue arising under this Charter. The Clerk shall also provide information regarding the number of valid signatures needed for such petitions.

D. THE CITY CLERK SHALL PROVIDE TRAINING ON MUNICIPAL GOVERNMENT AND THE ETHICS PROVISIONS OF THIS CHARTER TO ALL NEWLY ELECTED CITY OFFICIALS.²⁰

Sec. 3-404 CITY AUDITOR, APPOINTMENT AND TENURE.

The City Council shall appoint such person or persons as shall be necessary to certify an audit of the accounts of the City. Such person or firm shall serve at the ~~pleasure~~ **WILL**²¹ of the Council. The vote to appoint, remove or compensate an Auditor or Auditors, and the vote to have a special audit, shall not be subject to review by the Mayor.

Sec. 3-405 CONDUCT OF AUDIT.

- A. There shall be such annual or other accounting for all monies of the City as required by statute.
- B. If there is no such statute, an independent audit shall be made of all accounts of the City government at the close of each fiscal year, and shall be completed within ninety (90) days thereafter.
- C. Special independent audits may be made at any time the City Council designates.
- D. Each audit and reports supplemental thereto shall be made public in the manner determined by the City Council and copies of the audit shall be placed in the office of the City Clerk.
- E. All City financial records, accountings and audits and other reports shall be public records, available for inspection. A statement of all revenues and expenditures of public monies shall be published and distributed as required by State law.

SEC. 3-501 OMBUDSPERSON COMMISSION

~~THE CITY OF FLINT SHALL HAVE AN INDEPENDENT OMBUDSPERSON COMMISSION~~ ETHICS AND ACCOUNTABILITY BOARD.

²⁰ Amended in Committee of the Whole 3/2/2017

²¹ Amended in Committee of the Whole 6/14/2016

SEC. 3-502 OMBUDSPERSON COMMISSION ETHICS AND ACCOUNTABILITY BOARD APPOINTMENT, QUALIFICATIONS AND TERMS

- A. ~~THE INDEPENDENT OMBUDSPERSON COMMISSION SHALL CONSIST OF ONE MEMBER FROM EACH OF THE NINE WARDS FOR A TOTAL OF NINE (9) MEMBERS WHO AT ANY TIME DURING THEIR BOARD MEMBERSHIP WILL BE CITY RESIDENTS AND NOT ELECTIVE OFFICERS, APPOINTEES OR EMPLOYEES OF THE CITY. NO MEMBER WILL RECEIVE FINANCIAL COMPENSATION FOR SERVING AS A MEMBER OF THE OMBUDSPERSON COMMISSION. THE ETHICS AND ACCOUNTABILITY BOARD SHALL CONSIST OF ELEVEN MEMBERS APPOINTED AS FOLLOWS: THE MAYOR SHALL APPOINT TWO AT LARGE MEMBERS AND EACH COUNCILPERSON SHALL APPOINT ONE RESIDENT OF THEIR WARD. APPOINTMENTS SHALL BE SUBJECT TO THE APPROVAL OF COUNCIL. A PUBLIC HEARING SHALL BE HELD PRIOR TO COUNCIL VOTING TO APPROVE APPOINTEES. ALL APPOINTEES WHO AT ANY TIME DURING THEIR BOARD MEMBERSHIP WILL BE CITY RESIDENTS, A RESIDENT OF THE WARD FROM WHICH THEY ARE APPOINTED AND NOT ELECTIVE OFFICERS, APPOINTEES, VOLUNTEERS OR EMPLOYEES OF THE CITY. NO MEMBER WILL RECEIVE FINANCIAL COMPENSATION FOR SERVING AS A MEMBER OF THE ETHICS AND ACCOUNTABILITY BOARD.~~**
- B. ~~MEMBERS SHALL~~ may SERVE FOR A TWO TERMS OF FIVE SIX (56) YEARS, UP TO TWO (2) CONSECUTIVE FIVE YEAR TERMS. SUCH TERMS SHALL BE STAGGERED. THE INITIAL APPOINTMENTS WILL BE MADE AS FOLLOWS: ~~THE MEMBERS OF THE OMBUDSPERSON COMMISSION SHALL BE SELECTED AS FOLLOWS:~~**
- 1. ~~ONE MEMBER AT LARGE APPOINTED BY THE MAYOR AND ONE MEMBER FROM WARDS 1, 3 AND 9 APPOINTED BY THE CITY COUNCIL MEMBER TO AN INITIAL SIX FIVE-YEAR TERM AND THE MEMBER WILL BE ELIGIBLE TO SERVE ONE ADDITIONAL FIVE-YEAR TERM; THE COUNCIL MEMBER OF EACH WARD WILL NOMINATE THREE (3) PERSONS FROM THEIR RESPECTIVE WARD. SUCH NOMINATIONS SHALL BE MADE FROM PERSONS INTERESTED IN SERVING ON THE COMMISSION. THE MAYOR WILL SELECT ONE OF THE NOMINEES TO BE THE OMBUDSPERSON COMMISSIONER FOR THE RESPECTIVE WARD. IF THE MAYOR DOES NOT MAKE THE APPOINTMENT IN 60 DAYS, THEN THE COUNCIL MEMBER OF THE RESPECTIVE WARD MAY MAKE THE APPOINTMENT. IF THE COUNCIL MEMBER DOES NOT MAKE A NOMINATION WITHIN 60 DAYS OF A VACANCY, THEN THE MAYOR MAY MAKE THE APPOINTMENT.~~**
 - 2. ~~ONE MEMBERS FROM WARDS 2, 6 AND 8 TO AN INITIAL FOUR THREE-YEAR TERM AND THE MEMBER WILL BE ELIGIBLE TO~~**

~~SERVE TWO ADDITIONAL FIVE YEAR TERMS; MEMBERS OF THE OMBUDSPERSON COMMISSION ARE SUBJECT TO REMOVAL FOR CAUSE.~~

3. ~~ONE MEMBER AT LARGE APPOINTED BY THE MAYOR AND ONE MEMBER FROM WARDS 4, 5 AND 7 TO AN INITIAL TWO ONE YEAR TERM AND WILL BE ELIGIBLE TO SERVE TWO ADDITIONAL FIVE YEAR TERMS. MEMBERS SHALL SERVE FOR A TERM OF FIVE (5) YEARS, UP TO TWO (2) CONSECUTIVE FIVE YEAR TERMS. SUCH TERMS SHALL BE STAGGERED: FOR THE FIRST YEAR, OMBUDSPERSON COMMISSIONS FROM WARDS 1,3 AND 9 APPOINTED TO AN INITIAL FIVE YEAR TERM AND WILL BE ELIGIBLE TO SERVE ONE ADDITIONAL FIVE YEAR TERM; COMMISSIONS FROM WARDS 2, 6 AND 8 TO AN INITIAL THREE YEAR TERM AND WILL BE ELIGIBLE TO SERVE TWO ADDITIONAL FIVE YEAR TERMS; AND WARDS 4, 5 AND 7 TO AN INITIAL ONE YEAR TERM AND WILL BE ELIGIBLE TO SERVE TWO ADDITIONAL FIVE YEAR TERMS. THERE AFTER EACH OMBUDSPERSON COMMISSIONER WILL BE APPOINTED TO FIVE YEAR TERMS.~~
4. THEREAFTER EACH MEMBER WILL BE APPOINTED TO FIVE YEAR TERMS.

C. MEMBERS OF THE ETHICS AND ACCOUNTABILITY BOARD ARE SUBJECT TO REMOVAL FOR CAUSE.

D. IN THE EVENT OF A VACANCY ON THE ETHICS AND ACCOUNTABILITY BOARD, THE APPOINTING AUTHORITY SHALL APPOINT A REPLACEMENT FOR THE REMAINDER OF THE TERM.

SEC. 3-503 DUTIES OF THE ETHICS AND ACCOUNTABILITY BOARD OMBUDSPERSON COMMISSION

**IT IS THE ROLE AND DUTY OF THE ETHICS AND ACCOUNTABILITY BOARD
OMBUDSPERSON COMMISSION AND THEIR APPOINTED OMBUDSPERSON TO:**

- A. WHEN THERE IS NO TIMELY OR APPROPRIATE RESPONSE FROM THE CITY OF FLINT, TO INVESTIGATE COMPLAINTS AGAINST PUBLIC SERVANTS AND CITY AGENCIES FOR FAILURE TO ADEQUATELY PERFORM SERVICES AS IS REQUIRED BY THE CITY OF FLINT CHARTER, ORDINANCES, REGULATIONS AND POLICIES.
- B. INVESTIGATE VIOLATIONS OF AND ENFORCE THE PROVISIONS OF THE CITY OF FLINT CHARTER.

- C. CONDUCT PERFORMANCE AUDITS TO ENSURE EFFICIENT AND EFFECTIVE GOVERNMENTAL OPERATIONS.**
- D. INVESTIGATE ALLEGATIONS OF DERELICTION OF DUTY AND/OR MISCONDUCT IN OFFICE BY PUBLIC SERVANTS AND PROVIDE RECOMMENDATIONS FOR POLICY CHANGES WHEN A PATTERN AND PRACTICE OF MISCONDUCT IS IDENTIFIED.**

**SEC. 3-504 POWERS OF THE ETHICS AND ACCOUNTABILITY BOARD
~~OMBUDSPERSON COMMISSION~~**

- A. INVESTIGATE, HOLD HEARINGS AND INQUIRIES REGARDING THE MEANING, APPLICATION OF PROVISIONS, AND VIOLATIONS OF THIS CHARTER, CITY OF FLINT ORDINANCES, REGULATIONS, POLICIES, PROCEDURES AND STANDARDS OF CONDUCT BY PUBLIC SERVANTS AND ISSUE ADVISORY OPINIONS, PUBLIC REPORTS OR RECOMMEND FOR REMEDIAL ACTIONS TO THE APPROPRIATE GOVERNMENTAL OR JUDICIAL UNIT INCLUDING PURSUIT OF RECOMMENDATIONS FOR LEGAL REMEDIES.**
 - 1. NO REPORT OR RECOMMENDATION THAT CRITICIZES AN OFFICIAL ACT SHALL BE ANNOUNCED UNTIL EVERY AGENCY OR PERSON AFFECTED IS ALLOWED REASONABLE OPPORTUNITY TO BE HEARD WITH THE AID OF COUNSEL.**
 - 2. THEREAFTER, IF THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ BELIEVES IT NECESSARY TO MAKE A FORMAL REPORT, A COPY OF ANY STATEMENT MADE BY AN AGENCY OR PERSON AFFECTED SHALL ACCOMPANY THE REPORT.**
- B. INVESTIGATE, HOLD HEARINGS AND INQUIRIES AND ISSUE PUBLIC REPORTS AND RECOMMEND REMEDIAL ACTIONS CONCERNING THE POLICIES, ACTIONS, ACTIVITIES, OR PERFORMANCE BY ANY CITY OF FLINT UNIT OF GOVERNMENT, OFFICE OR DEPARTMENT; OR ANY PUBLIC SERVANT.**
- C. CONDUCT INVESTIGATIONS ON ITS OWN INITIATIVE, SUBPOENA WITNESSES, ADMINISTER OATHS, TAKE TESTIMONY, REQUIRE THE PRODUCTION OF EVIDENCE RELEVANT TO A MATTER UNDER INVESTIGATION, APPOINT INDEPENDENT COUNSEL WHEN NECESSARY, CONDUCT FINANCIAL AND PERFORMANCE AUDITS, AND TO PERFORM OTHER FUNCTIONS ESSENTIAL TO ENSURE THE INTEGRITY OF CITY GOVERNMENT. THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSMAN COMMISSION~~ MAY SEEK ENFORCEMENT THROUGH APPROPRIATE COURT ACTION.**

D. PREPARE AN ANNUAL REPORT FOR SUBMISSION TO THE MAYOR AND CITY COUNCIL. CONSISTENT WITH STATE LAW, THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSMAN COMMISSION~~ MAY RECOMMEND IMPROVEMENTS IN THE STANDARDS OF CONDUCT TO ENSURE THE ETHICAL BEHAVIOR OF CITY ELECTIVE OFFICERS, APPOINTEES AND EMPLOYEES, OR IN THE ORGANIZATION AND PROCEDURES RELATED TO THE ADMINISTRATION AND ENFORCEMENT OF THOSE STANDARDS.

SEC. 3-505 VIOLATIONS AND PENALTIES.

A. ANY INTENTIONAL, WILLFULLY NEGLIGENT OR GROSSLY NEGLIGENT VIOLATION OF THIS CHARTER SHALL SUBJECT THE VIOLATOR TO ANY ONE OR MORE OF THE FOLLOWING:

- 1. PUBLIC ADMONISHMENT ISSUED BY THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~;**
- 2. IF AN EMPLOYEE, A RECOMMENDATION THAT HE OR SHE BE REVIEWED FOR DISCIPLINARY ACTION;**
- 3. IF AN ELECTIVE OR APPOINTIVE OFFICER, A RECOMMENDATION TO THE CITY COUNCIL FOR REMOVAL OR FORFEITURE PROCEEDINGS AS PROVIDED FOR IN THIS CHARTER;**
- 4. ADMINISTRATIVE SANCTION RECOMMENDED BY THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ TO THE EXTENT ALLOWED BY LAW;**
- 5. MEDIATION BY A JUDGE, REFEREE OR THIRD PARTY;**
- 6. PROSECUTION BY THE CITY OF FLINT'S LAW DEPARTMENT IN A COURT OF JURISDICTION AND, UPON CONVICTION, TO A FINE AND/OR IMPRISONMENT UP TO THE MAXIMUM ALLOWED BY LAW, WHETHER THE OFFICIAL OR EMPLOYEE IS ELECTED OR APPOINTED, PAID OR UNPAID. NOTHING IN THIS SECTION SHALL BE INTERPRETED TO CONFLICT WITH STATE LAW.**

B. ANY VIOLATIONS BY CONTRACTORS, IN ADDITION TO THE REMEDIES IN PARAGRAPH (A), THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ MAY RECOMMEND TO THE CITY'S PURCHASING DIRECTOR ONE OR MORE OF THE FOLLOWING:

- 1. SUSPENSION OF A CONTRACTOR;**

2. **DISQUALIFICATION OR DEBARMENT FROM CONTRACTING OR SUBCONTRACTING WITH THE CITY OF FLINT;**
3. **ADMINISTRATIVE SANCTION ASSESSED BY THE OMBUDSPERSON COMMISSION. SUBJECT TO ANY RELEVANT STATE LAW, SUCH FINE SHALL BE DETERMINED BY CONSIDERING THE AMOUNT OF DAMAGES INCURRED BY THE CITY BECAUSE OF THE SUBJECT VIOLATION; AND/OR**
4. **PROSECUTION BY THE CITY'S LAW DEPARTMENT IN A COURT OF JURISDICTION AND, UPON CONVICTION, A FINE FOR EACH VIOLATION AND IMPRISONMENT UP TO THE AMOUNT AND TIME ALLOWED BY LAW, RESPECTIVELY. NOTHING IN THIS SECTION SHALL BE INTERPRETED TO CONFLICT WITH STATE LAW. ALL PENALTIES ASSOCIATED WITH THIS SECTION OF THE CHARTER ARE IN ADDITION TO THE CIVIL AND CRIMINAL PENALTIES AVAILABLE TO THE CITY OF FLINT UNDER APPLICABLE LAW.**

C. THE REMEDIES OF THIS CHAPTER ARE ADDITIONAL TO THOSE PROVIDED UNDER ANY OTHER LAW.

SEC. 3-506 APPOINT AN OMBUDSPERSON

- A. **THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ SHALL APPOINT AN OMBUDSPERSON WHO SHALL SERVE AT THE WILL OF THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~.**
- B. **THE COMPENSATION FOR THE OMBUDSPERSON SHALL BE AT THE SAME AMOUNT AS THE COMPENSATION FOR THE CITY CLERK.**
- C. **THE OMBUDSPERSON MAY NOT HOLD ANY OFFICE OF TRUST OR PROFIT OTHER THAN THAT OF OMBUDSPERSON, OR ENGAGE IN ANY OCCUPATION FOR PROFIT OUTSIDE THE DUTIES OF THIS OFFICE.**
- D. **NO PERSON SHALL BE ELIGIBLE TO APPOINTMENT TO THE OFFICE OF OMBUDSPERSON WHO HAS HELD ANY ELECTIVE CITY OF FLINT OFFICE WITHIN TWO (2) YEARS PRIOR TO THE TIME OF APPOINTMENT. THE OMBUDSPERSON IS NOT ELIGIBLE TO HOLD ANY CITY OF FLINT OFFICE FOR TWO (2) YEARS AFTER LEAVING THE POSITION.**

SEC. 3-507 POWER AND DUTIES OF THE OMBUDSPERSON

- A. **RECEIVE COMPLAINTS, CONCERNS, REPORTS AND ISSUES FROM THE PUBLIC AND PUBLIC SERVANT AGAINST PUBLIC SERVANTS AND CITY AGENCIES FOR FAILURE TO ADEQUATELY PERFORM SERVICES AS IS**

**REQUIRED BY THE CITY OF FLINT CHARTER, ORDINANCES,
REGULATIONS AND POLICIES; AND FOR DERELICTION OF DUTY AND/OR
MISCONDUCT IN OFFICE BY PUBLIC SERVANTS.**

- 1. COMPLAINTS MAY BE MADE PUBLICLY, ANONYMOUSLY AND CONFIDENTIALLY.**
 - 2. COMPLIANT WHO DO NOT MAKE KNOWINGLY FALSE COMPLAINTS SHALL NOT BE RETALIATED AGAINST OR PUNISHED.**
- B. UNDER THE AUTHORITY OF THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~, THE OMBUDSPERSON MAY INVESTIGATE ACTS OF ANY CITY AGENCY OR PUBLIC SERVANT**
- C. THE OMBUDSPERSON MAY SUBPOENA WITNESSES, ADMINISTER OATHS, TAKE TESTIMONY, REQUIRE THE PRODUCTION OF EVIDENCE RELEVANT TO A MATTER UNDER INVESTIGATION, ENTER AND INSPECT PREMISES WITHIN THE CONTROL OF ANY CITY OF FLINT AGENCY DURING DEPARTMENT NORMAL OPERATING HOURS. THE OMBUDSPERSON SHALL ESTABLISH RULES OF PROCEDURE IN ACCORDANCE WITH SEC. 1-801 OF THIS CHARTER.**
- D. TO ENFORCE A SUBPOENA OR ORDER FOR PRODUCTION OF EVIDENCE OR ORDER TO ENTER AN OFFICE OR FACILITY OF THE CITY OF FLINT, TO IMPOSE ANY PENALTY PRESCRIBED FOR FAILURE TO OBEY A SUBPOENA OR ORDER, THE OMBUDSPERSON MAY APPLY TO THE APPROPRIATE COURT.**
- E. THE OMBUDSPERSON MAY REQUEST THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ TO ISSUE OPINIONS, HOLD HEARINGS OR INQUIRIES, ISSUE FINDINGS, AND REPORTS.**
- F. IF THE OMBUDSPERSON HAS CAUSE TO BELIEVE THAT ANY PUBLIC SERVANT OR ANY PERSON DOING OR SEEKING TO DO BUSINESS WITH A CITY AGENCY HAS COMMITTED OR IS COMMITTING ANY ILLEGAL ACT, THE OMBUDSPERSON SHALL PROMPTLY REFER THE MATTER TO THE APPROPRIATE AUTHORITIES.**
- G. THE OMBUDSPERSON WILL RECEIVE AND SEEK TO RESOLVE COMPLAINTS ARISING UNDER THE ETHICS ACT OF THIS CHARTER.**
- H. THE OMBUDSPERSON SHALL HAVE NO POWER TO INVESTIGATE ANY MATTER UNDER THE JURISDICTION OF THE CIVIL SERVICE COMMISSION OR UNION GRIEVANCE PROCEDURE.**

- I. THE OMBUDSPERSON, IN ACCORDANCE WITH SEC. 1-801 OF THIS CHARTER, SHALL ESTABLISH RULES FOR RECEIVING AND PROCESSING COMPLAINTS, CONDUCTING INVESTIGATIONS AND HEARINGS, AND REPORTING FINDINGS.**
- J. THE OMBUDSPERSON SHALL HAVE THE AUTHORITY AS DELEGATED BY THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON~~ COMMISSION.**
- K. NO FEE SHALL BE LEVIED FOR THE FILING OR INVESTIGATION OF COMPLAINTS.**
- L. THE OMBUDSPERSON MAY REQUEST AND SHALL BE GIVEN NECESSARY ASSISTANCE AND INFORMATION BY EACH CITY AGENCY.**

SEC. 3-508 OFFICE OF THE OMBUDSPERSON

- A. THE OMBUDSPERSON MAY, UNDER POLICIES ESTABLISHED BY THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~, ESTABLISH THE OFFICE OF OMBUDSPERSON.**
- B. THE OMBUDSPERSON SHALL BE GRANTED A BUDGET ALLOCATION EQUAL TO A MINIMUM OF 0.4 MILS OF THE CITY OF FLINT'S GENERAL OPERATING PROPERTY TAX INCOME. ~~ADEQUATE TO ALLOW FOR THE OPERATIONS OF THE OFFICE OF OMBUDSPERSON AND FOR STAFF AS IS REASONABLE AND PROPER FOR THE PERFORMANCE OF THE DUTIES OF SAID OFFICE. ALL STAFF MEMBERS SHALL BE APPOINTED BY AND SERVE AT THE WILL OF THE OMBUDSPERSON.~~**
- C. THE OMBUDSPERSON MAY DELEGATE IN WRITING TO A MEMBER OF HIS OR HER STAFF THE POWER TO ADMINISTER OATHS AND TAKE TESTIMONY. A DELEGATION IS REVOCABLE AT WILL AND DOES NOT PREVENT EXERCISE OF ANY POWER BY THE OMBUDSPERSON.**

SEC. 3-509 IMMUNITY

THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON~~ COMMISSIONERS, OMBUDSPERSON AND STAFF SHALL BE, TO THE FULL EXTENT PERMITTED BY STATE LAW, IMMUNE FROM ANY SUIT BASED ON ANY REPORT OR COMMUNICATION PERFORMED WITHIN THE SCOPE OF OFFICIAL DUTIES.

SEC. 3-510 CORRESPONDENCE FROM PERSON DETAINED

ANY LETTER TO THE OMBUDSPERSON FROM A PERSON IN A PLACE OF DETENTION, PENAL OR OTHERWISE, UNDER THE CONTROL OF AN AGENCY SHALL IMMEDIATELY BE FORWARDED, UNOPENED, TO THE OMBUDSPERSON.

SEC. 3-511 COOPERATION IN INVESTIGATIONS; OBSTRUCTION

- A. IT SHALL BE THE DUTY OF EVERY PUBLIC SERVANT, CONTRACTOR AND SUBCONTRACTOR AND LICENSEE OF THE CITY OF FLINT, AND EVERY APPLICANT FOR CERTIFICATION OF ELIGIBILITY FOR A CITY OF FLINT CONTRACT OR PROGRAM, TO COOPERATE WITH THE OMBUDSPERSON OR THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ IN ANY INVESTIGATION PURSUANT TO THIS ARTICLE.**
- B. ANY PUBLIC SERVANT WHO WILLFULLY AND WITHOUT JUSTIFICATION OR EXCUSE OBSTRUCTS AN INVESTIGATION OF THE OMBUDSPERSON OR THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ BY WITHHOLDING DOCUMENTS OR TESTIMONY IS SUBJECT TO FORFEITURE OF OFFICE, DISCIPLINE, OR ANY OTHER APPLICABLE PENALTY BY THE APPROPRIATE AGENCY.**
- C. THE REQUIREMENTS UNDER THIS SECTION SHALL BE INCORPORATED INTO ALL CITY OF FLINT CONTRACTS, WHERE LEGALLY NECESSARY FOR APPLICATION AND ENFORCEMENT.**

SEC. 3-512 HUMAN RELATIONS COMMISSION ~~COUNCIL~~

- A. OFFICE OF OMBUDSPERSON ~~OMBUDSPERSON COMMISSION~~ SHALL ESTABLISH THE HUMAN RELATIONS COMMISSION ~~COUNCIL~~ CHARGED WITH THE RESPONSIBILITY OF REDUCING UNLAWFUL DISCRIMINATION AND INCREASING MUTUAL UNDERSTANDING AMONG THE RESIDENTS OF THE COMMUNITY.**
- B. THE HUMAN RELATIONS COMMISSION SHALL BE COMPRISED OF NINE MEMBERS, ONE FROM EACH WARD IN THE CITY. EACH COUNCIL PERSON SHALL APPOINT ONE RESIDENT OF THEIR WARD. ALL APPOINTEES WHO AT ANY TIME DURING THEIR BOARD MEMBERSHIP WILL BE CITY RESIDENTS, A RESIDENT OF THE WARD FROM WHICH THEY ARE APPOINTED AND NOT ELECTIVE OFFICERS, APPOINTEES, VOLUNTEERS OR EMPLOYEES OF THE CITY. NO MEMBER WILL RECEIVE FINANCIAL COMPENSATION FOR SERVING AS A MEMBER OF THE HUMAN RELATIONS COMMISSION. ~~THE COUNCIL SHALL CONSIST OF ONE MEMBERS FROM EACH WARD FOR A TOTAL OF NINE.~~**
- C. DUTIES**

1. ~~THE HUMAN RELATIONS COMMISSION COUNCIL~~ WILL ASSIST IN THE ELIMINATION OF PREJUDICE, HATE AND DISCRIMINATION AND PROMOTE EQUALITY IN TREATMENT OF ALL RESIDENTS OF FLINT REGARDLESS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, CITIZENSHIP STATUS, DISABILITY, SEX, MARITAL STATUS, POLITICAL ORIENTATION, AGE, SEXUAL ORIENTATION, OR GENDER IDENTITY.
2. ~~THE FOCUS OF THE HUMAN RELATIONS COMMISSION COUNCIL~~ SHALL BE TO PROMOTE AND FOSTER POSITIVE RELATIONSHIPS AMONG RESIDENTS TO ENSURE FAIR TREATMENT IN HOUSING ACCOMMODATION, EMPLOYMENT, PLACES OF PUBLIC ACCOMMODATION, HEALTH, PLANNING AND EDUCATION.
3. ~~THE HUMAN RELATIONS COMMISSION COUNCIL~~ WILL BE CHARGED WITH THE COORDINATION OF COMMUNITY EFFORTS TO RESPOND TO AND ELIMINATE TENSIONS WITHIN NEIGHBORHOODS AND THE CITY OF FLINT.
4. ~~THE HUMAN RELATIONS COMMISSION COUNCIL~~ WILL WORK TO ASSIST IN RESOLVING EXTERNAL ISSUES PROACTIVELY.
5. THE HUMAN RELATIONS COMMISSION WILL WORK TO EDUCATE THE PUBLIC ON THE STRUCTURE OF CITY GOVERNMENT AND HOW TO AFFECT THE OPERATION OF CITY GOVERNMENT.
6. ISSUE AN ANNUAL PUBLIC REPORT TO THE CITY COUNCIL AND THE MAYOR.

SEC. 3-513 MEETINGS

ALL MEETINGS OF THE ETHICS AND ACCOUNTABILITY BOARD ~~OMBUDSPERSON COMMISSION~~ AND THE HUMAN RELATIONS COMMISSION ~~COUNCIL~~ SHALL BE SUBJECT TO THE MICHIGAN OPEN MEETINGS ACT MCL 15.261, *ET AL.*, AND OPEN TO THE PUBLIC.²²

~~Sec. 3-501 OMBUDSMAN.~~

- A. ~~The Ombudsman shall be appointed by a two-thirds (2/3) majority of City Council members elect.~~
- B. ~~The initial appointment shall be made within three (3) months after the date on which the first City Council elected under this Charter takes office.~~

~~Sec. 3-502 TERM OF OFFICE.~~

²² Amended in Committee of the Whole 11/29/2016, 3/2/2017, 3/7/2017

- A. ~~The Ombudsman's term is seven (7) years.~~
- B. ~~The Ombudsman may be removed for cause by three-fourths (3/4) of the City Council members elect.~~
- C. ~~Any person who has held the position of Ombudsman under this Charter is not eligible for reappointment.~~

~~Sec. 3-503 VACANCY.~~

~~If a vacancy occurs in the office of Ombudsman, the City Council shall, within sixty (60) days, fill the office for a seven (7) year term.~~

~~Sec. 3-504 JURISDICTION.~~

- A. ~~The Ombudsman may investigate official acts of any agency which aggrieve any person. The authority of the Ombudsman extends equally to all agencies.~~
- B. ~~The Ombudsman shall have no power to investigate any matter under the jurisdiction of the Civil Service Commission.~~
- C. ~~The Ombudsman, in accordance with Sec. 1-801 of this Charter, shall establish rules for receiving and processing complaints, conducting investigations and hearings, and reporting findings. No fee shall be levied for the filing or investigation of complaints.~~

~~Sec. 3-505 POWERS OF INVESTIGATION.~~

- A. ~~The Ombudsman may request and shall be given necessary assistance and information by each agency.~~
- B. ~~The Ombudsman may subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, enter and inspect premises within the control of any agency during regular business hours, and establish rules of procedure in accordance with Sec. 1-801 of this Charter.~~
- C. ~~To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the Ombudsman shall apply to the appropriate court.~~

~~Sec. 3-506 DELEGATION OF POWERS.~~

~~The Ombudsman may delegate in writing to a member of his or her staff the power to administer oaths and take testimony. A delegation is revocable at will and does not prevent exercise of any power by the Ombudsman.~~

~~Sec. 3 507 CORRESPONDENCE FROM PERSON DETAINED.~~

~~Any letter to the Ombudsman from a person in a place of detention, penal or otherwise, under the control of an agency shall immediately be forwarded, unopened, to the Ombudsman.~~

~~Sec. 3 508 CONSULTATION REQUIRED.~~

- ~~A. No report or recommendation that criticizes an official act shall be announced until every agency or person affected is allowed reasonable opportunity to be heard with the aid of counsel.~~
- ~~B. Thereafter, if the Ombudsman believes it necessary to make a formal report, a copy of any statement made by an agency or person affected shall accompany the report.~~

~~Sec. 3 509 REPORTS.~~

~~The Ombudsman shall report at least annually to the City Council action taken under this Chapter. All reports shall be made public.~~

~~Sec. 3 510 DUTY TO REPORT ILLEGAL ACTS.~~

~~If the Ombudsman has probable cause to believe that any elective officer, appointee, employee, or member of an agency, or any person doing or seeking to do business with an agency has committed or is committing any illegal act, the Ombudsman shall promptly refer the matter to the appropriate authorities.~~

~~Sec. 3 511 OBSTRUCTION.~~

~~The office or position of any elective officer or appointee who willfully and without justification or excuse obstructs any investigation of the Ombudsman by withholding documents or testimony may be forfeited.~~

~~Sec. 3 512 IMMUNITY.~~

~~The Ombudsman and staff shall be, to the full extent permitted by State law, immune from any suit based on any report or communication performed within the scope of official duties.~~

~~Sec. 3 513 LIMITATIONS.~~

~~The Ombudsman may not hold any office of trust or profit other than that of Ombudsman, or engage in any occupation for profit outside the duties of this office.~~

~~No person shall be eligible to appointment to the office of Ombudsman who has held any elective City office within two (2) years prior to the time of appointment. The Ombudsman is not eligible to hold any City office for two (2) years after leaving the position.~~

~~Sec. 3-514 REMEDIES CUMULATIVE.~~

~~The remedies of this Chapter are additional to those provided under any other law.~~

~~Sec. 3-515 SALARY AND OTHER COMPENSATION.~~

~~The salary and other compensation of the Ombudsman is equal to that of the City Clerk.~~

~~Sec. 3-516 STAFF.~~

~~The Ombudsman shall be granted a budget adequate to allow such staff as is reasonable and proper for the performance of the duties of said office. All staff members shall be appointed by and serve at the pleasure **WILL**²³ of the Ombudsman.~~

~~Sec. 3-517 REFERENDUM.~~

~~The question of whether the office of Ombudsman shall be retained shall be submitted to the voters of the City of Flint at the general election of November, 1980. If the question fails, the office will terminate on the first day of the following January.²⁴~~

²³ Amended in Committee of the Whole 6/14/2016

²⁴ Amended in Committee of the Whole 11/29/2016