

Proposal Number: 7

Name of Proposed Section: Qualifications of ~~Appointed~~ **PRINCIPAL** Officers

Suggested Article: In General

Introduced by: Commissioner Cherry

Date Introduced: 10/8/2015

Date Reported for Second Reading: 5/12/2016

Date of Second Reading: 5/26/2016

Date Reported for Third Reading:

Date Passed:

Text:

- A. All ~~appointed~~ **PRINCIPAL**¹ Officers of the City shall possess, **MAINTAIN AND DOCUMENT**² the background and experience appropriate to the position. In such instances where official certification or license is required of an ~~appointed~~ **PRINCIPAL** officer for the City, the officer shall be required to demonstrate possession of said certificate **AND MAINTAIN THE CERTIFICATION FOR AS LONG AS THEY REMAIN IN THE POSITION. EVIDENCE OF THE BACKGROUND AND EXPERIENCE APPROPRIATE TO THE POSITION AS WELL AS REQUIRED CERTIFICATES SHALL BE PRESENTED TO CITY COUNCIL. CITY COUNCIL MUST REVIEW THE PRINCIPAL OFFICER'S BACKGROUND, EXPERIENCE, AND CERTIFICATIONS PRIOR TO CONFIRMATION OF THE APPOINTMENT. THE DOCUMENTATION SHALL BE MAINTAINED BY THE CITY AND MADE AVAILABLE FOR PUBLIC INSPECTION** ~~or~~ license.³
- B. **THE JOB DESCRIPTION AND QUALIFICATIONS FOR EACH APPOINTED PRINCIPAL OFFICER POSITION SHALL BE SET FORTH BY ORDINANCE PROPOSED INTRODUCED BY THE MAYOR. THE ORDINANCE SHALL DESCRIBE THE DUTIES AND RESPONSIBILITIES OF EACH POSITION AS WELL AS REQUIRED QUALIFICATIONS, TRAINING, CREDENTIALS, LICENSING AND EXPERIENCE THE PRINCIPAL OFFICERS MUST POSSESS. THE ORDINANCE SHALL COMPLY WITH ALL APPLICABLE LAWS AND ANY QUALIFICATIONS REQUIRED BY THIS CHARTER. THE CITY**

¹ Amended in Committee of the Whole 12/10/2015 and 2/28/2017

² Amended in Committee of the Whole 12/10/2015 and 2/28/2017

³ Amended in Committee of the Whole 12/10/2015 and 2/28/2017

COUNCIL MUST ACT ON THE PROPOSED ORDINANCE(S) REQUIRED IN THIS SECTION WITH 30 DAYS OF INTRODUCTION.⁴ ~~THE MAYOR SHALL PROPOSE AND THE CITY COUNCIL SHALL ADOPT RESOLUTIONS SETTING FORTH THE JOB DESCRIPTION AND THE QUALIFICATIONS FOR EACH APPOINTED PRINCIPAL OFFICER POSITION. ALONG WITH A DESCRIPTION OF DUTIES AND RESPONSIBILITIES, THE JOB DESCRIPTION SHALL STATE THE QUALIFICATIONS, TRAINING, CREDENTIALS, LICENSING AND EXPERIENCE THE PRINCIPAL OFFICER MUST POSSESS FOR THE POSITION. CITY COUNCIL MUST APPROVE THE JOB DESCRIPTION BY MAJORITY VOTE OF THE CITY COUNCIL MEMBERS PRIOR TO THE APPOINTMENT OF THE PRINCIPAL OFFICER. CITY COUNCIL MUST ACT IN 30 DAYS OF RECEIVING THE JOB DESCRIPTION. WITHOUT CITY COUNCIL APPROVAL OF THE JOB DESCRIPTION, NO APPOINTMENT CAN BE MADE.~~⁵

C. CITY COUNCIL CONSENT OF APPOINTMENTS

- a) ~~CITY COUNCIL SHALL CONSENT BY A SIMPLE MAJORITY VOTE ALL PRINCIPAL OFFICER APPOINTMENTS WITHIN 90 DAYS FROM THE TIME OF APPOINTMENT. ALL PRINCIPAL OFFICER APPOINTMENTS, WITH THE EXCEPTION OF OMBUDSPERSON, SHALL BE MADE WITH THE CONSENT OF COUNCIL. A VOTE OF CONSENT SHALL BE HELD WITHIN 90 DAYS FROM THE TIME OF APPOINTMENT.~~
- b) **IF THE PRINCIPAL OFFICER APPOINTMENT, WITH THE EXCEPTION OF OMBUDSPERSON, RECEIVES THE CONSENT OF A MAJORITY OF CITY COUNCIL MEMBERS IN ATTENDANCE AT A CITY COUNCIL MEETING, THEN THE APPOINTMENT IS APPROVED.**
- c) **IF CITY COUNCIL FAILS TO TAKE A VOTE FOR CONSENT WITH 90 DAYS FROM THE TIME OF THE APPOINTMENT, THEN THE APPOINTMENT SHALL BECOME APPROVED.⁶**
- d) **THE MAYOR MAY NOT MAKE AND THE CITY COUNCIL MAY NOT CONSENT TO ANY PRINCIPAL OFFICER APPOINTMENT, WITH THE EXCEPTION OF OMBUDSPERSON, IF THERE IS NOT A JOB DESCRIPTION AND QUALIFICATIONS FOR THE POSITION SET FORTH IN ORDINANCE.⁷**
- e) **APPOINTMENTS, WITH THE EXCEPTION OF OMBUDSPERSON, SHALL NOT TAKE EFFECT UNTIL CITY COUNCIL CONSENT OR 90 DAYS AFTER THE APPOINTMENT HAS BEEN MADE.**

D. INTERIM APPOINTMENTS

⁴ Amended in Committee of the Whole 5/12/2016 and 12/20/2016

⁵ Amended (added) in Committee of the Whole 4/28/2016, Amended (struck out) in Committee of the Whole 5/12/2016

⁶ Amended in Committee of the Whole 4/28/2016

⁷ Amended in Committee of the Whole 5/12/2016, 12/20/2016, 3/7/2017

- a) **THE APPOINTING OFFICER OR BODY MAY APPOINT A PRINCIPAL OFFICER AS AN INTERIM FOR A TIME PERIOD NOT TO EXCEED NINETY (90) DAYS WHILE THE CITY COUNCIL REVIEWS THE APPOINTMENT.**
- b) **THE PERSON APPOINTED AS AN INTERIM CANNOT BE RE-APPOINTED FOLLOWING THE EXPIRATION OF THE APPOINTMENT PERIOD.⁸**

~~E. Every person serving at the pleasure of the Mayor, City Council or any multiple member body shall, within three (3) months after the date of appointment, possess the same qualifications for office as those required for the Mayor.⁹~~

- ~~F. **LICENSES AND CERTIFICATES REQUIRED OF PRINCIPAL OFFICERS SHALL INCLUDE BUT ARE NOT LIMITED TO:**~~
- ~~1. **THE CITY ADMINISTRATOR SHALL BE A CREDENTIALLED MANAGER THROUGH THE INTERNATIONAL CITY MANAGER ASSOCIATION OR ANOTHER WIDELY ACCEPTED CITY MANAGER ASSOCIATION.**~~
 - ~~2. **THE CITY ATTORNEY SHALL BE A MEMBER IN GOOD STANDING OF THE STATE BAR OF MICHIGAN.**~~
 - ~~3. **THE CITY ASSESSOR SHALL BE A CERTIFIED ASSESSOR WITH THE STATE OF MICHIGAN.**~~
 - ~~4. **THE DIRECTOR OF FINANCE SHALL BE A CERTIFIED PUBLIC ACCOUNTANT.¹⁰**~~

⁸ Amended in Committee of the Whole 4/28/2016

⁹ Amended in Committee of the Whole 5/12/2016

¹⁰ Amended (added) in Committee of the Whole 12/10/2015, Amended (struck out) in Committee of the Whole 4/28/2016