
FLINT CHARTER REVISION COMMISSION ADVISORY REPORT

Ford School Flint Charter Revision Advisory Team

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Executive Summary

In recent decades, Flint, Michigan has faced the difficulties and long-term effects of deindustrialization, depopulation, and a fiscal crisis. The Charter of the City of Flint was last revised in 1974, when the population of Flint was approximately 200,000. Today, the population stands at approximately 100,000. Since elected in May 2015, the Flint Charter Revision Commission has been engaged in a charter revision process including an examination of the government structure, the roles and responsibilities of city officials, and budgetary practices. This report provides the Charter Revision Commission with background information and research around some of the main offices and local government practices impacting the City of Flint. This report is broken down into general opportunity areas where the city can improve on observed problems, and recommendations based on our research. The main focus of our opportunity areas and recommendations are around the city council and mayor's office, key administrative offices (specifically the city administrator and civil service commission), and the overall budgetary process.

Opportunity Areas

Opportunity Area 1: Information Flow

Under the current system of government, the City of Flint has faced challenges that include (but are not limited to) limited collaboration and communication between the mayor's office and council. Informational disparity between government officials limits their ability to make informed decisions or plan for long-term growth. These challenges appear to arise chiefly from both the mayor's ability to withhold information from the council, especially regarding budget, as well as the prevalence of city administrative officials who report solely to the mayor. Transparency is essential for public faith in government, but is made difficult without shared access to relevant information. All appointed city officials with the exception of the Treasurer, Clerk, and Assessor (but including the City Administrator) report directly to the Mayor and only report to council when directed or given permission; this allows the mayor to control the flow of information and slows the policy process. An interview with a former city council member who served in the early 2000s highlighted a dissatisfaction with the mayor's ability to withhold pertinent information about the budget and policies impacting financial stability and cited this as a major obstacle to the creation of effective policy.¹

Currently, the city council's only mechanism for obtaining information from the Executive branch is to subpoena witnesses, which is a time-consuming process that may not work well for addressing imminent issues.²

We have also found the balkanization of multimember bodies established by the current charter to be a driving cause of the mayor's ability to control the flow of information to the council (and thus to stall the machinery of governance on political grounds).

Opportunity Area 2: Professionalization

A second challenge identified through our research is a lack of distinction between professional and political staff, including the city administrator, civil service commission, and other mayoral appointments. When the authority of professionals and administrators depends on the approval of political officials, day-to-day governance is politicized. When there is a political stalemate, professional operations are frozen too. Refocusing on professionalization in the management of the city, specifically in key administrative offices, is a great area of opportunity for the City of Flint.

City Administrator

Aside from the mayor, the city administrator is of particular interest as this person plays an essential role in the daily functioning and governance of the city. Currently, the mayor appoints the city administrator whose appointment is then subject to approval by city council. However, this arrangement leaves open the possibility of politicization of the city administrator role. If the city administrator, or other mayoral appointees, feels pressure to conform to the mayor's recommendations, objective decision-making will be jeopardized. When faced with difficult

decisions, policy makers should be in a position to debate and make objective decisions in the best interest of the City of Flint, and not just those that appease the mayor.

The mayor's responsibility of budget creation, as designated in the Charter, creates inherent political issues stemming from the political pressures of elected office. Shifting the responsibility of budget creation and presentation to the city administrator, who would be a hired expert in city management and municipal finance, would lessen political pressure around the budget and could improve overall budget recommendations.

The city administrator is a key figure in the governance of the City of Flint. As outlined in the 1974 charter, the role of the city administrator is to be the chief administrative officer of the city and serve at the pleasure of the mayor. However, the focus of the city administrator should be on daily management of the city, rather than being a political advisor of the mayor.

Opportunity Area 3: Cooperation between the Executive and Legislative Branch

The third opportunity area focuses on the relationship between the Executive and Legislative Branches, and how increased cooperation can yield a more efficient and collaborative political and policy process. Cooperation between branches of government ties together the information and professionalization opportunity areas. Improving information access or increasing professionalization alone are ineffective unless there is collaboration within government. The current relationship between the Executive branch and the Legislative has been characterized as adversarial and in many cases ineffective for developing effective policy solutions.

As articulated by the current Charter, the Mayor of Flint holds the following responsibilities and powers:

- Appoints the City Administrator, who serves at the pleasure of the Mayor;
- Appoints principal officials for the day-to-day operation and maintenance of city government;
- Delivers the State of City address and brings important issues to the council
- Has veto power on ordinances proposed by the council (although that veto can be overridden with a two-thirds majority vote from council);
- Ensures the executive branch successfully administers all programs, services, and activities of the city;
- Transfers governmental functions to multiple member bodies, or to the executive branch when necessary;
- Prepares and submits an annual budget to the City Council for the next fiscal year; and
- After the City Council's review of the Mayor's proposed budget the Mayor may veto any Council amendment to the budget.

Considering ways to facilitate a more cooperative relationship between the Executive and Legislative branches would make governance more efficient and effective; this is an area of great opportunity facing the Charter Revision Commission.

Opportunity Area 4: The Size and Legacy of the Government

Past political institutions created for a larger Flint in 1974 struggle to serve the current city today. Flint's declining population has left a number of institutions and some of their functions mismatched for serving Flint's current needs. Flint's assets, needs, and priorities have changed drastically since the last charter revision in 1974, as a result of deindustrialization, depopulation, financial crisis. In order to address this issue of size and legacy the Flint Charter must be oriented towards Flint's current moment, with enough foresight and flexibility to change in the future.

City Council

The Flint City Council has legislative powers as designated by the 1974 Charter.³ These powers include:

- Selecting an ombudsman;
- Selecting the City Clerk;
- Reviewing and adopting the budget; and
- Investigating the practices of city agencies.⁴

To elect council members, Flint currently uses a system of district representation, with one council member elected from each of the city's nine wards. This is in contrast to the two other main types of municipal elections – at-large and mixed system (with some at-large and some district-based seats).⁵ The main advantage of the current district system in Flint is that it encourages council members to focus on the specific needs of their constituencies. Moreover, there is a greater likelihood that the interests of specific groups, including racial and ethnic minorities, are represented in the policy making process.⁶ A disadvantage of this system, however, is that broader city-wide needs, such as public transportation or environmental sustainability, tend to be less strongly reflected in council members' priorities. Notably, district-based systems of elections are most commonly used in cities with populations that exceed 200,000 (justifying the system in 1974 when Flint's population was approximately 200,000).

Civil Service Commission

The 1974 Charter of the City of Flint established a Civil Service Commission and described the role as follows:

- To serve in the interest of the City's employees;
- That the Commission be funded at a level sufficient to ensure the conduct of its business;
- That the Commission be constituted of members chosen based upon their merit and reputation for objectivity.

The Commission existed to ensure that hiring and firing decisions were based on merit and that City employees remained free of political pressure. While in operation, the Commission arbitrated disputes between the exempt employees of the city (this excludes all police officers and some fire department employees) who did not have alternative arbitration agreements in their employment contracts. Despite being a critical resource for City exempt employees, the Civil Service Commission also resolved disputes arising between employees of Hurley Medical Center (HMC) and their respective human resource department. This is a peculiar feature of

HMCs ownership and management structure and is reflected in the 1974 Charter. For this reason, funding for the Commission has been exclusively handled as a City budget item.

Under the 1974 Charter, the Commission is composed of three types of members: administrative appointees, employee-elected representatives, and “neutral” appointees. The Mayor, Hurley Medical Center, and two employee groups select a total of four Commissioners, who then elect three “neutral” appointees to serve at-large. The composition, as designated in the charter, looks like the following:

Current Composition of Civil Service Commission

Administrative Appointees

1x Appointed by Mayor

1x Appointed by Hurley Medical Center

Employee-Elected Representatives

1x Appointed by vote of city workers (exempts?)

1x Appointed by vote of Hurley employees

“Neutral” Appointees

3x elected by previous four commissioners

Recently, the Civil Service Commission has been a central issue in the City of Flint. In November, 2014 voters in Flint rejected Proposition 5, which would have eliminated the Civil Service Commission from the Charter. One year later, on December 8th, 2015 state-appointed emergency manager Michael Brown issued a series of orders that eliminated funding for the Civil Service Commission and Office of the Ombudsman as well as their staffs. The Civil Service Commission remains as a nominally unenforced provision of the Charter as it no longer has funding. When eliminated, the Commission had a docket of 17 open cases, of which 15 originated from discharges of HMC staff.⁷

There have been periods in which the City and its officers have impeded the ability of the Civil Service Commission to function as described in the charter, most significantly by not ensuring that the Commission be funded as required. Looking forward, the City faces significant challenges related to the Civil Service Commission. Given the development of HMC since 1974, questions of whether and how the City might share the financial burden of the Civil Service Commission with HMC, or even if the Charter should be amended in such a way as to remove this feature entirely, seem relevant.

Recommendations

Recommendation 1: Shifting of Responsibilities

Based on research consisting of peer reviewed articles, scholarly journals, and interviews with Flint political officials, a governance system in which responsibilities are shifted between the mayor, council and manager has emerged as a potential option for the City of Flint. This system would increase political collaboration between the mayor and council, increase transparency in government, distribute responsibilities and power more evenly throughout the Flint city government, and strengthen policy efficiency and efficacy.

Implement a New Form of Government

The main recommendation along these lines is to implement a form of government with a popularly elected mayor who serves as head of the council but some of whose current responsibilities, especially those related to the budget, would be shifted to the city administrator and city council. A study from Wayne State University surveyed the governance systems of 236 Michigan municipalities. The results found that the majority of Michigan cities have a governance system that falls somewhere between complete power and authority invested in the Executive branch and complete power invested in the Council. Most cities had a system that allowed for the sharing of responsibility and policy making between the Mayor and Council.

The study also highlighted the flexibility and efficiency of these adapted governance structures that stems from the closer collaboration between Mayor and Council, and the ability for checks on all three branches to be exercised when needed.⁸ Furthermore, a study of 100 American cities found municipalities where political and policy making responsibilities and powers are shared between the Mayor and Council are approximately 10% more efficient than systems where the Mayor holds all policy power and is completely separated from Council.⁹ Efficiency was based on the ability to maintain a balanced budget, propose and pass local ordinances, and time it took to respond to issues that required the attention of the Mayor and Council.

A key element of this proposed form of government would give the Mayor a seat on the Council, thereby integrating the Mayor into the policy side of governance and addressing many of Flint's political issues around the flow of information and cooperation between branches. Many cities have a model similar to this, one of the closest being Ann Arbor. While Ann Arbor and Flint are different in many ways, this governance model as aforementioned has shown promise for other smaller cities as well. The Ann Arbor charter lays out this new model, and clearly enumerates the power of the mayor within this structure.¹⁰

Under this model, the mayor would:

- Be elected at large in even numbered years, with council members;
- Act as the presiding officer of the council and have the powers and duties of a council member, including the power and duty to vote;
- Have veto powers for all council votes;

- Provide council with information concerning the affairs of the City and recommend measures as needed;
- Serve as ceremonial designee for the City of Flint, which includes delivering the annual State of the City address;
- As a member of Council, appoint the city administrator, city attorney and city clerk; and
- Vote on/approve the budget presented by the city administrator.

Placing the mayor on city council would ease collaboration between the Executive and Legislative branches and improve the flow of information between branches, as the two main policy making bodies would have a closer working relationship united by the mayor on city council. In addition, this new system would decrease the number of political appointees, as the mayor would no longer be responsible for appointing city staff to run day-to-day operations. This would allow the Mayor to focus on important political and policy issues, while the city administrator could focus on professional management of city operations. The city administrator would absorb the role of managing the City and appointing department heads like safety, sanitation, and public health. The mayor and council would jointly appoint a city clerk and attorney that would serve at their pleasure. By transferring appointment power to the city administrator, the professional sphere of governing municipal operations would be insulated from the political pressures associated with an elected office like that of the mayor.

All elected officials, however, including the mayor, would be responsible for selecting a city administrator and keeping this person and the people they hire accountable. By shifting day-to-day management to the city administrator, the mayor would more efficiently work with council and have the chance to focus on larger policy issues. As the presiding member of council, the mayor would also have veto power on council decisions, thus maintaining their role as the city's policy leader.

Other Appointments

All other appointments (which the mayor has the burden and responsibility of handling in the current Charter) should be made by the city administrator and confirmed by a majority of the council, except for the city attorney, city clerk, and ombudsman. These positions should be selected by the council with the city administrator able to submit formal recommendations but unable to vote on selection. This ensures that appointed positions are clearly divided in responsibility as either professional (appointed by the city administrator) or political (appointed by the council).

These appointees will be required to have the proper certification or licensing for their associated positions. Since the current charter does not enumerate these requirements, a revision should add language that states that the city attorney position requires a license to practice law in the state, and the financial manager requires at least a CPA or other financial degree.

Recommendation 2: Establish a Mixed-Council System

Implementing a mixed-council system with both at-large and district representation

Implementing a *mixed-council system* would ensure the needs of each ward are prioritized while also focusing on the success of the entire city. Distributing Flint's population more evenly throughout the wards and reducing the number of total wards would address the population decline that Flint has experienced. These changes would improve the efficiency of Flint's city council and level the playing field for council members by making the size of their constituencies roughly the same. Recommendations for a specific number of wards and size of city council is an area for further research, but the mixed-council system would address some of the size and legacy issues identified in areas of opportunity.

Switching to a mixed system of at-large and district representation invokes the question of *size* and whether the size of city council would need to be increased, decreased, or left the same. Considering Flint's rapid population decline in recent decades, it is also vital to consider whether redistricting should result in a decrease of the total number of wards, based on the current population. This would decrease the number of council members elected through the district system. Having fewer council members and fewer wards could be more efficient for the long-term effectiveness of city council operations. Nonetheless, this change brings up the concern of overlooking the interests of current wards by combining them with other wards, especially in light of Flint's social and geographic diversity. This issue could be mitigated through a system that combines elements of district representation and an at-large system, resulting in a hybrid type of city council.

One version of this hybrid council entails giving the mayor—who would be elected at-large—a voting seat on council, similar to the first recommendation. This would give the city council relatively more power in decision-making while still granting the mayor a key role in the process. Examples of this mixed system in Michigan include Detroit and Ann Arbor. Detroit has seven council members elected by district and two at-large members, one of whom is the council president. In Ann Arbor, all ten council members are elected by district from five wards.¹¹ Ann Arbor's mayor, the presiding officer and eleventh member of city council, has the same voting powers as council members but is considered the ceremonial head of the city.¹² Day-to-day operations in Ann Arbor are under the power of the city administrator, while the mayor is still involved in legislative affairs.¹³

In a potential *redistricting* process, Flint would need to consider the various interests throughout the city, including the University of Michigan-Flint, Mott Community College, Kettering University, low-income African American communities and the elderly population. Other Michigan cities with a university presence redrew districts to ensure parts of the university fell into each ward, thus decreasing the potential for university interests to weigh heavily in one district over another, and ensuring the university's preferences are just one group that is pivotal to the success of the city.¹⁴ Issues of equity must be incorporated into any discussion of redistributing to make sure the voices of minorities and the economically disadvantaged are considered and avoid concentrating certain populations into the boundaries of individual wards.

Voter participation in municipal elections remains a challenge across the United States.¹⁵ A *modification to the current election schedule* could combat this challenge and potentially increase voter turnout. Holding mayoral and city council elections in even-numbered years would align with gubernatorial and presidential elections and likely increase participation rates. Another option includes holding more frequent elections to maintain political debate and a degree of accountability for the current city council, although further research would be needed to make a recommendation of how often elections should be held.

Recommendation 3: Change the Selection Process for City Administrator and Administrative Appointments

As identified in the opportunity areas, day-to-day management of city operations should be reserved for a professional position like that of the city administrator. As such, the charter should address issues around qualifications, appointment and removal and duties, to ensure the position remains insulated from political pressures.

Qualifications for City Administrator

An analysis of other municipal charters and experiences from advisory commission meetings in Flint has highlighted a potential difficulty in enumerating extremely specific qualifications for the city administrator position in the city charter. Ties to the Flint area, membership in the International City/County Management Association (ICMA),¹ ICMA accreditation, prior municipal experience, financial background, and prior executive or managerial experience have all been identified as potential requirements of a successful professional administrator. However, specifying each of these in the charter would limit flexibility in choice. Instead, the charter could include language that requires an ordinance that will define the specific requirements for the city administrator. Leaving requirements to be determined by ordinance allows for future modifications without a full charter revision.

One model for determining the qualifications could involve a novel “point system” taking the following form:

- The six key qualifications for city administrator, as listed above, each takes the value of one “point.” These points could be weighted according to the preferences of the council and mayor. (For instance, if the council highly valued ICMA certification, they could weight it as 2 points.)
- City council and the mayor could determine a threshold point value that candidates must meet to be considered eligible for the position of city administrator.
- Approval of the candidate would depend on the outcome of the approval process, discussed below. However, city council and the mayor could override the point system with a unanimous vote to approve a candidate.
- Once the candidate is deemed qualified under the “point system” (or through HR if the current system is maintained), the council and mayor must approve the candidate by a two-thirds majority. The mayor will have a veto over the appointment, thus retaining a degree of unilateral power while sharing the decision making with city council.

¹ ICMA accreditation acts as another check on the ethics and performance of the City Administrator, as the organization vets its members and holds reviews of good standing. Accreditation also ensures a baseline competency with city management

The point system allows for the valuing of a range of prior experiences and ensures the candidate is sufficiently qualified without putting rigid requirements in the charter. For instance, experience in Flint could make up for lack of ICMA membership, or a lack of municipal experience could be offset by extensive executive or managerial work. Overall, this framework operates with the goal of giving the council specific traits to discuss when debating their selection of candidate, and depoliticizes the process by forcing the council to focus on the professional aspects of the position.

Appointment and Removal

Appointment of the city administrator should be made after undertaking a nationwide search for qualified candidates. In order to give the city administrator the flexibility to make difficult decisions in times of financial distress, the position should be approved by a two-thirds majority vote by city council, and only be removed by the same. The mayor's vote will count as a veto in appointment, preserving mayoral control over the appointment process.

Duties

The city administrator should have responsibility for a subset of clearly defined professional administrative duties, such as performance reviews of department heads and the delivery of the budget address. The budget address should be carried out on a set schedule and presented to city council regularly. Additionally, the administrator should be a nonvoting member of the council, able to attend all meetings as the administrative expert on city affairs.

Recommendation 4: Reduce the number of administrative offices required within the charter

Establishing departments through ordinance instead of through charter language allows for flexibility that can help the charter remain effective over time. Including defunct commissions, departments, and offices in the text of the charter, undermines the overall culture of enforcement. A charter mandating nonessential bodies creates unrealistic expectations for government. When such nonessential bodies fall into disuse, the charter authorizing them loses its force as a legal authority, making it harder to justify the enforcement of its other provisions. If there is doubt as to whether the city will fund a department or office indefinitely, even in instances of financial or political difficulty, those departments should be established by ordinance.

The City Administrator should be given the authority to combine any administrative office or department in any manner consistent with state law. The City of Dearborn has a clause in their charter (Section 10.1) whereby the Mayor with City Council approval can combine administrative offices or departments as consistent with state law, for the most efficient functioning of the city.¹⁶ In Flint, this responsibility should be granted to the City Administrator, as the office with responsibility for the professional management of the city.

Ombudsman

Merging the office of the Ombudsman with the Standards of Conduct Board or the Human Relations Commission (or both) helps to de-balkanize the administration. Under the current charter, responsibilities have been delegated so that none of these agencies is powerful or

necessary on its own. As a result, none of these offices have been funded steadily in Flint's history. Combining offices that share goals relating to good governance and/or ethics would establish an office that justifies continued funding and would act as a counterbalance to the newly professionalized (nonpolitical) expanded powers of the City Administrator.

Regardless of the Ombudsman's placement within another department or on its own, the office should be established by ordinance in accordance with the previous administrative departments. Taking the Ombudsman's position out of the charter and adding it through ordinance will allow for the position to be adapted and/or suspended more easily in times of financial strain, and enable the council to combine or merge its authority in accordance with above recommendations. This could be accomplished through a charter provision authorizing council to establish any further offices or departments deemed necessary for the execution of municipal priorities. Such a provision would encompass the creation of departments, commissions, boards, and offices to improve flexibility and the flow of information between the mayor and city council.

Recommendation 5: Civil Service Commission

Explore changes to commissioner composition/meeting requirements.

The difficulty of scheduling meetings around the schedules of seven Commissioners is an inherent issue in the ability of the Civil Service Commission to function effectively. The Charter Commission should explore alternate means by which the Civil Service Commission could constitute a quorum so as to ensure that scheduling conflicts do not impede the work of the commission.

Relax procedural requirements and time guidelines.

Several procedural features of the Civil Service Commission may offer opportunities for greater efficiency. Chief among these are a requirement that written records be prepared for all Civil Service cases (as opposed to only those which will be appealed to the courts) and the time requirements related to the conduct of investigations. Under the current charter, at the conclusion of each investigation, the Civil Service Commission issues a report in which relevant findings and conclusions are laid out, and this report becomes an important document in cases that are appealed to the civil courts. However, historically, the small minority of cases appealed to the courts was reported to be almost exclusively employer initiated¹⁷. The courts rarely overturn Civil Service Commission decisions, so in most instances, preparation of this report seems to be little more than an additional administrative burden. Since proceedings of the Commission are video and audio recorded, investigations could be accurately recorded without incurring the high administrative cost associated with transcribing the case and producing a report.

Recommendation 6: Increase the Specificity of the Budget Process within the Charter

Research and interviews have helped us to identify some of the challenges that Flint has faced relative to the budgetary process in the past and that need to be addressed to ensure consistent fiscal health in the future. Prior to emergency management, Flint faced declining population and, therefore, declining property and income tax revenue each year, along with rising pension costs.

In addition, it appears that estimates of revenue and expenditures were often inaccurate, and approved budgets were not followed.

Interviews with municipal finance directors highlighted the importance of comprehensive prior planning before developing a budget. This planning should analyze the cost and revenue side of the budget. While this might not make sense to include in charter language, budgetary best practices and interviews alike suggest that planning beforehand is one of the most important factors in determining whether a budget is followed faithfully.

Since entering emergency management in 2011, Flint's budgetary and financial processes have been adapted through orders by the emergency manager including the introduction of many generally accepted budgetary best practices. These include strategic planning, multiyear financial projections, and fund reserve requirements.¹⁸ However, as the charter revision commission considers ways in which to update the charter, many of these best practices, even those that are already commonplace in Flint, should be written into charter language to ensure that these practices extend past the period of Emergency Management and receivership.

Based on Flint's specific challenges, as well budgetary best practices gathered from literature and other cities, the following preliminary recommendations could help improve accurate budgeting and financial management.

Refer specifically to state law and enforcement mechanisms within the charter.

The Uniform Budget and Accounting Act specifically requires balanced budgets and delineates requirements to ensure that municipalities are not spending more than they have. The State is then in charge of enforcement. These provisions and mechanisms for enforcement should be explicitly laid out within the charter, ensuring a strong and explicit explanation of required practices and clear link to enforcement.

Require regular budget reporting to City Council to increase transparency around the financial condition of the city.

As mentioned throughout this report, information flow has emerged as a consistent challenge for the City of Flint. To increase transparency around the budget, the charter should include language that requires regular budget reporting to City Council either by the Mayor (under the current governance system) or by the city administrator (if the city administrator takes on more of the budget responsibilities). A 2014 charter amendment (Proposal 3, 2014)¹⁹ already requires the annual budget to be presented to City Council accompanied by a budget message, which explains the budget, as well as multiyear financial plans and revenue projections. In addition to this annual report, more regular budget reporting (quarterly or monthly) should also include comparisons of estimated and actual revenue and expenditures along with the actual financial reports provided to city council members. At this time, budget amendments should be presented that will balance the budget in light of any unexpected changes. Budget reporting to city council should occur frequently enough to stay up to date with the changing financial situation, but not too often as to add an additional burden to city officials. Many cities require this budget reporting on a quarterly schedule.

Create mechanisms for extra approval for unanticipated fund withdrawals after budget has been approved.

The charter should lay out a process that makes it more challenging to get approval for funding that was not originally in the budget. For example, it could require super majority approval from city council if a department needs to withdraw extra funds. This process provides an extra layer of outside scrutiny from council and helps to ensure that unanticipated fund withdrawals are all carefully explained and accounted for. At the same time, it provides enough flexibility to allow governments to react appropriately to events throughout the year that were not originally in the budget.

Require within the charter specific levels of reserve for each fund to be set by ordinance to ensure savings for surprise events.

One important way to safeguard the fiscal health of the city is to require each fund to have specific reserve levels at all times and, when a fund drops below that level, to specify a process by which the fund reserve level is restored. Placing the actual level of the fund reserve balance in the charter, however, creates an inflexibility that could cause challenges in the future. Instead, the charter should require these levels be set by ordinance and reviewed regularly to ensure they still fit the current needs of the city.

Further Questions and Considerations

Due to the time constraints imposed on this project, we see this as a preliminary set of recommendations and findings. Further considerations and areas of research include the following:

- **Office of the Mayor:** There are still questions regarding how other cities have successfully managed altering their executive branches through charter revisions. More research is needed to assess how the citizens of Flint would react to the shift of powers in city government as any changes to this office should be taken with the utmost care.
- **Redistricting:** Further research is needed on the impacts of redistricting, including the number of wards in similar cities and examples of cities that have switched from pure district to a mixed district and at-large system. Close attention must be paid to equity issues involved with any change to the current districts.
- **City Council:** Term limits are another relevant area for research including the implications on electoral competition, political accountability, and the overall effectiveness of legislators in municipal government.
- **Civil Service Commission:** Preliminary research on the civil service commission identified cities that combined the Civil Service Commission with the personnel office and other administrative sections to provide an onboard-to-off board office for managing city employees. Further study of this model is needed.
- **Charter Enforcement:** The issue of charter enforcement underlies all these recommendations as they will have little impact if not enforced. Discussions with local finance directors and local government officials referred to charter enforcement as a cultural phenomenon that requires a level of respect for the document. While writing this “culture” into charter language might be impossible, we believe it can be achieved by keeping the charter a realistic document with obtainable goals and requirements. Outlining procedures that get followed repeatedly, like a specific budget process, will result in a document that self-reinforces and becomes stronger every time a procedure is followed correctly. Furthermore, by eliminating elements of the charter that are not followed, the document will be seen as intricately linked and relevant to the city, and respected as the document that defines local governance in Flint. Other methods of enforcement include punitive measures, but we believe this would discourage talent from wanting to work for the city. Exploring the culture of enforcement in other cities could be a promising avenue of research to inform how Flint’s charter incorporates enforcement.

Cities and Sample Charter Language

The following is a compilation of cities that have implemented a range of the recommendations we have included in this report. This table is meant as a sample of cities and their specific charter language and not an exhaustive list. It is meant to give a representation of the cities implementing similar recommendations to those included in this document.

City charters for every Michigan city, including those listed here, can be found using the Michigan Municipal League’s Charter Database available here:

<https://www.mml.org/resources/information/charter/charter-search.html>

Charter Language from Michigan Cities Implementing Similar Recommendations

Recommendation	City	Charter Language
<p>#1: Shifting of Responsibilities</p> <p>#2: Establish a Mixed-Council System</p> <p>Mayor as President of City Council</p>	<p>Ann Arbor, MI</p>	<p>SECTION 4.2. In addition to any powers and duties otherwise provided by law, the Mayor shall: (1) be the presiding officer of the Council; Ann Arbor, Michigan City Charter 13 (2) have all the powers and duties of a Council Member, including the power and the duty to vote; (3) have the veto powers as provided in Section 4.5 of this charter; (4) give the Council information concerning the affairs of the City and recommend such measures as deemed expedient; (5) in emergencies, have the powers conferred by law upon sheriffs to prevent disorder, preserve the public peace and health, and provide for the safety of persons and property; (6) execute or authenticate by signature such instruments as the Council, this charter, or any State or federal law shall require; (7) be the ceremonial head of the City; (8) appoint all Council Committees and be a member thereof and make other appointments</p>

as provided in this charter or by the Council.

#2 Establish a Mixed-Council System

Detroit, MI

Sec. 3-108. Geographical Basis for Electing Council Members. There shall be seven (7) non at-large districts and one (1) at-large district established in the City and one (1) member shall be elected from each non at-large district and two (2) members shall be elected from the at-large district. New district boundaries created within one hundred twenty (120) days of a City Primary Election shall become effective after the General Election. City Council shall establish district wards that are as nearly of equal population as practicable, contiguous, compact and in accordance with any other criteria permitted by law. District wards shall be apportioned in subsequent years as required by, and in accordance with, the Home Rule City Act, MCL 117.27a, and other applicable law.

At large and ward representation

#3 City Administrator

Jackson, MI

7.5. Appointed Officers:
The council shall appoint the manager, the clerk, the attorney and the assessor, who shall each appoint a deputy. All other department heads shall be appointed by the manager subject to council confirmation. All persons appointed under this section by the council shall be residents of the city or shall become residents, within 12 months from the date of appointment, and shall continue such residency for the entire tenure of their appointments. The manager shall appoint persons to all positions for which no other method of appointment is provided in this charter. All persons appointed under this section shall hold indefinite terms. Officers appointed by the council shall serve at the pleasure of the council.

Appointments and Removals

<p>#4: Administrative Offices</p> <p>Department Merger Authority</p>	<p>Dearborn, MI</p>	<p>10.1. Administrative officers: The administrative officers of the City shall be the Mayor, Clerk, Treasurer, Assessor, Corporation Counsel, Chief of Staff, Chief Labor Negotiator and all directors of departments and members of multi-member bodies of the city government. The Mayor, with Council approval may combine any administrative offices and departments, or separate, or eliminate them, in any manner it considers advisable for the proper and efficient operation of the City, except as may be otherwise provided by law.</p>
<p>#6: Budget Specificity</p> <p>Requirements for Unanticipated fund withdrawals</p>	<p>Dearborn, MI</p>	<p>Section 13.6. Budget transfers. Neither the Council or any other officer or agency of the City shall have the authority to transfer budgeted funds from one departmental budget to another. An emergency appropriation may be made by the Council from the contingency reserve within the general fund when any budgeted appropriation shall be exhausted. Emergency appropriations shall be made by a vote of at least five council members and shall not be subject to veto. Appropriations from the contingency reserve may be made to provide for unforeseen and unusual expenditures.</p>
<p>#6: Budget Specificity</p> <p>Regular Reporting to City Council</p>	<p>East Lansing, MI</p>	<p>10.84 Budget Control: Within 30 days after the end of each quarterly period during the budget period, and more often if required by the Council, the City Manager shall submit to the Council a budget report showing the relation between the estimated and actual revenues and expenses during the previous quarter; and if the report indicates that revenues will be less or expenses greater than anticipated for the budget period, the Council shall reduce or amend appropriations, except</p>

amounts required for debt and interest charges, to such a degree as may be necessary to keep the budget balanced.

End Notes

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- ¹ Horrigan, Mark (2015) Interview with former City Council member Michael Horrigan conducted on October 21, 2015.
- ² Blue Ribbon Committee on Governance Final Report (2014) pg. 9
- ³ The City of Flint, "City Council." <https://www.cityofflint.com/city-council/>
- ⁴ The National League of Cities. "City Councils." <http://www.nlc.org/build-skills-and-networks/resources/cities-101/city-officials/city-councils>
- ⁵ Ibid.
- ⁶ Ibid.
- ⁷ Civil Service Commission docket as of December 11, 2011.
- ⁸ Carr, J, & Karuppusamy, S. (2009) Beyond Ideal Types of Municipal Structure Adapted Cities in Michigan, The American Review of Public Administration
- ⁹ Edwards, D. (2011). Smarter Faster Cheaper: An Operations Efficiency Benchmarking Study of 100 American Cities. IBM Global Business Services.
- ¹⁰ City of Ann Arbor Michigan City Charter, Adopted April 9, 1956
- ¹¹ City of Ann Arbor. "City Council." <http://www.a2gov.org/departments/city-council/Pages/Home.aspx>
- ¹² City of Ann Arbor, Michigan. City Charter. https://web.archive.org/web/20111003030858/http://www.a2gov.org/government/city_administration/City_Clerk/Documents/charter.pdf
- ¹³ Ibid.
- ¹⁴ Example from Ann Arbor, Michigan. <http://www.a2gov.org/departments/city-council/Pages/Home.aspx>
- ¹⁵ The Center for Voting and Democracy. "City Council and Election Methods." http://archive.fairvote.org/media/documents/City_Council_Manual.pdf
- ¹⁶ City of Dearborn City Charter, Section 10.1 https://www.municode.com/library/mi/dearborn/codes/code_of_ordinances?nodeId=PTICH_CH10THEXDE_S10.1 ADOF
- ¹⁷ Personal interview with Ed Parker, former Director of the Civil Service Commission.
- ¹⁸ City of Flint, "Executive Orders." <https://www.cityofflint.com/rtab/executive-orders/>
- ¹⁹ Fonger, Ron. "Flint Voters OK first Review of City Charter in 40 Years, Work To Start After February Election." (November 5, 2014) http://www.mlive.com/news/flint/index.ssf/2014/11/flint_voters_city_charter.html