

City of Detroit


CITY COUNCIL

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TO: The Internal Operations Standing Committee
Kwame Kenyatta, Chair

FROM: David D. Whitaker 
Research and Analysis Division Staff

DATE: October 21, 2009

RE: Elected Officials Compensation Commission

The Research and Analysis Division (RAD) reviewed the City Code relative to the Elected Officials Compensation Commission. The governing authority for the commission is the Home Rule City Act, MCL 117.5c, which mandates the procedures as set out in the City Code at sections 2-3-16 through 2-3-20 (attached). The code provides that the Mayor shall appoint the seven-member commission, subject to City Council approval, and the commission shall meet in odd numbered years. (Detroit City Code section 2-3-17, 2-3-19.)

If the Council has further questions, please advise.

Attachment

ARTICLE III. BOARDS, COMMISSIONS, COMMITTEES AND AUTHORITIES*

***Charter references:** Advisory commissions, § 7-103.

Cross references: Governing board for employees hospital, surgical and death benefit plan, § 13-8-31 et seq.; downtown development authority, § 14-2-1 et seq.; economic development corporation, § 14-3-1 et seq.; building authority, § 14-4-1 et seq.; housing commission, § 14-5-1 et seq.; citizens district councils, § 14-6-1 et seq.; board of city canvassers, § 15-2-1 et seq.; fire department auxiliary, § 19-2-19 et seq.; board of appeals for fire prevention code, § 19-3-21; board of trustees for hospitals, § 24-2-2; historic designation advisory board, § 25-2-34 et seq.; historic district commission, § 25-2-50 et seq.; solicitations authority committee, § 41-5-16 et seq.; board of examiners for television service and installation, § 54-2-1 et seq.; committee to pass on rewards for turning in unlicensed drivers, § 55-3-5; towing rate commission, § 55-15-2.

DIVISION 1. GENERALLY

Secs. 2-3-1--2-3-15. Reserved.

DIVISION 2. ELECTED OFFICIALS COMPENSATION COMMISSION*

***Charter references:** Elective offices of the city, § 3-105.

Cross references: Elections generally, Ch. 15.

State law references: Authority to create local officers compensation commission, MCL 117.5c, MSA 5.2084(3).

Sec. 2-3-16. Created.

There is hereby created an elected officials compensation commission which shall determine the salaries of all city elected officials.

(Code 1964, § 2-7-113)

Sec. 2-3-17. Composition; appointment and terms of members; filling of vacancies.

The elected officials compensation commission shall consist of seven (7) members who are registered electors of the city, appointed by the mayor subject to confirmation by a majority of the members elected to and serving on the city council. The terms of office shall be seven (7) years; except, that of the members first appointed, one each shall be appointed for terms of one (1), two (2), three (3), four (4), five (5), six (6) and seven (7) years. All first members shall be appointed within thirty (30) days after the effective date of this division.* Thereafter members shall be appointed before October first of the year of appointment. Vacancies shall be filled for the remainder of the unexpired term. No member or employee of the legislative, judicial or executive branch of any level of government or members of the immediate family of such member or employee shall be eligible to be a member of the commission.

*Editor's note: Ordinance No. 694-G, from which this division derives, took effect June 15, 1972.

(Code 1964, § 2-7-114)

Sec. 2-3-18. Determination of salaries for city elected officials; expense allowances; etc.

The elected officials compensation commission shall determine the salaries of city elected officials which determination shall be the salaries unless the city council by resolution adopted by two-thirds of the members elected to and serving on the city council reject them. The determination of the commission shall be effective thirty (30) days following their filing with the city clerk unless rejected by the city council. In case of rejection, the existing salary shall prevail. Any expense allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of city business and accounted for to the city.

(Code 1964, § 2-7-115)

Sec. 2-3-19. Meetings; quorum; election of chairman; compensation of members.

The elected officials compensation commission shall meet for not more than fifteen (15) session days in 1972 and every odd numbered year thereafter and shall make its determination within forty-five (45) calendar days of its first meeting. A majority of the members of the commission constitute a quorum for conducting the business of the commission. The commission shall take no action or make determinations without a concurrence of a majority of the members appointed and serving on the commission. The commission shall elect a chairman from among its members. "Session days" means any calendar day on which the commission meets and a quorum is present. The members of the commission shall receive no compensation, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

(Code 1964, § 2-7-116)

Sec. 2-3-20. Assistance from city clerk.

The city clerk shall provide such administrative assistance as the elected officials compensation commission shall reasonably require.

(Code 1964, § 2-7-117)