

ORDINANCE NO. 80- 815

AN ORDINANCE TO AMEND CHAPTER 2 OF THE WARREN CODE OF ORDINANCES RELATING TO OPEN GOVERNMENT

THE CITY OF WARREN ORDAINS:

SECTION 1. That Chapter 2 of the Code of Ordinances of the City of Warren, Michigan is amended to add Article IX to be entitled "Open Government Ordinance" by adding Sections 2-400 through 2-406, as follows:

Sec. 2-400. Open Government Ordinance.

This Article may be cited as the City of Warren Open Government Ordinance.

Sec. 2-401. Intent and purpose.

- (a) It is the intent and purpose of this Article to promote transparency in the decision-making process in the City of Warren. Elected officials, commissions, boards, and authorities of the city shall undertake the people's business while committed to the highest levels of transparency so that residents can know and understand what is going on at the local level of government and participate in the process.
- (b) The State of Michigan has adopted laws designed to protect the public's access to government records and decision-making processes, through both the Open Meetings Act, PA 267 of 1976, and the Freedom of Information Act, PA 442 of 1976, but such laws set a minimum standard for all public bodies and this ordinance is intended to set a higher standard of accessibility and transparency for the City of Warren and all of its boards, commissions, and authorities.
- (c) The public should have open and free access to the recordings, agendas, agenda packets, and minutes of all city board, commission, and authority meetings.
- (d) The city should make all meeting agendas, agenda packets, minutes, videos, and audio recordings of meetings available to the public on demand at a user-friendly centralized location on the city's website.

Sec. 2-402. Scope

This Article shall apply to the following Boards, Commissions, and Authorities of the City of Warren:

Animal Welfare Commission
Beautification Commission

Board of Review
 Brownfield Redevelopment Authority
 Building Authority
 City Council
 City Historical Commission
 Civil Service Commission
 Communications Commission
 Construction Board of Appeals
 Council of Commissions
 Crime Commission
 Cultural Commission
 Disabilities Commission
 Diversity, Equity, and Inclusion Commission
 Downtown Development Authority
 Elected Officials Compensation Commission
 Election Commission
 Employee Retirement Board of Trustees
 Housing Commission
 Library Commission
 Marijuana Review Committee
 Parks and Recreation Advisory Commission
 Planning Commission
 Police & Fire Civil Service Commission
 Police & Fire Retirement Commission
 Publications and Mailings Commission
 Redistricting Commission
 Senior Health Care Commission
 Sidewalk, Tree and Sewer Board of Review
 Tax Increment Financing Authority
 Veterans Commission
 Village Historic District Commission
 Zoning Board of Appeals
 Any other board or commission created pursuant to Article V of Chapter 2 of the Code of Ordinances, as amended.
 Any other board or commission created after the adoption of this ordinance, unless specifically exempted.

Sec. 2-404. Recording requirement.

The City Council, Planning Commission, Zoning Board of Appeals, and Downtown Development Authority shall be video recorded consistent with the requirements of Sec. 10-94 of the Code of Ordinances. All other boards, commissions referenced in Sec. 2-402 of this Article shall audio record each meeting. Any board, commission, or authority that acts in an advisory capacity only may apply to the city council for an exemption from the audio recording requirement and the city council may approve an exemption by adopting a resolution.

Sec. 2-405. Public access to agendas, minutes, and recordings of meetings

Pursuant to the City Charter Sec. 7.11, the City Clerk is the custodian of the records for the city, including the custodian of the records of each board or commission; and the City Clerk shall perform all duties required of him or her by law and the ordinances of the city. The Clerk shall provide the following public records on the city's website in one centralized location for each board, commission, and authority listed in Sec. 2-403 of this Article:

- (a) All meeting agendas prepared in advance of any meeting.
- (b) All agenda packets and backup provided in advance of any meeting to the members of the boards, commissions, and authorities. Agenda packets for purposes of this Article shall mean the agenda prepared for a public meeting and the supporting documents for each item on the agenda provided to the members of the board, commission, or authority in advance of the meeting.
- (c) Proposed minutes shall be posted and available within 8 business days of any meeting pursuant to the Open Meetings Act at MCL 15.269(3).
- (d) Approved minutes shall be posted within 5 business days after the meeting at which the minutes are approved pursuant to the Open Meetings Act at MCL 15.269(4). Approved minutes shall remain accessible on the city website for 10 years.
- (e) Any audio or video recording of a meeting shall be posted and available within 5 business days of any meeting and shall remain accessible on the city website for 10 years.
- (f) The current membership roster of each board, commission, or authority shall be published with the expiration of the term of office of each member disclosed.

Sec. 2-406. Responsibility for administration

Pursuant to the City Charter Sec. 7.3(15), the Mayor shall perform duties as may be prescribed by law, or as may be required of him or her by ordinance or by direction of the council. The Mayor shall ensure that all any administrative officers that assist the boards, commissions, and authorities create and provide the documents to the City Clerk as required by this Article. Any board, commission, authority, or staff that is not under the authority of the Mayor shall create and provide the documents to the City Clerk as required by this Article.