



500 West Big Beaver  
Troy, MI 48084  
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## CITY COUNCIL AGENDA ITEM

Date: August 10, 2020

To: Honorable Troy City Council Members

From: Mark F. Miller, City Manager  
Lori Grigg Bluhm, City Attorney  
M. Aileen Dickson, City Clerk

Subject: Delay in Oath of Office (Introduced by: Lori Grigg Bluhm and M. Aileen Dickson)

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The first item on the August 10, 2020 Regular City Council Agenda is the oath of office for Council Member Chamberlain Creanga, who was elected with a margin of approximately 2000 votes higher than her opponent, according to the Unofficial August 4, 2020 Election results. This result is not expected to change. However, there is a formal process that must be observed under Michigan law, where an election remains unofficial until after the Board of Oakland County Canvassers officially declares the election results (MCL 168.826). This is just one more system of checks and balances to preserve the integrity of the election, and to the best of our knowledge, the City of Troy has not ever experienced a surprise, where the successful candidate in the official results differs from the unofficial results.

In previous years, the Board of Oakland County Canvassers meets almost immediately after the election, and quickly certifies the election results. However, the state statute provides them up to 14 days after an election to complete their necessary review for mathematical errors or incomplete results, and require any necessary compliance. Because of the Covid-19 pandemic, this process is expected to take a little longer for the August 2020 election. Although the City Clerk and staff have met with the Board of Oakland County Canvassers over the weekend, it is likely that Troy's election results will not be certified prior to the Troy City Council meeting of August 10, 2020 at 7:30 pm.

Under Section 6.7 of the Troy Charter, an appointed elected official retains the office until the successor takes office. The successor cannot take office until the election results are certified by the Board of Oakland County Canvassers. Following this, Ms. Chamberlain Creanga remains as an appointed City Council Member until the election results are official, and she has taken her constitutional oath of office for the elected position, which will be the August 24, 2020 Regular City Council meeting. However, since August 24, 2020 is more than 10 days after the date of the election, Section 6.9 of Troy's City Charter requires Council to extend the date for her to take the constitutional oath, based on extenuating circumstances.

City Administration has prepared a proposed resolution for City Council consideration, in the event that the election results are not certified prior to the start of the August 10, 2020 City Council meeting.



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## CITY COUNCIL AGENDA ITEM

### FIRST- Waiver of the Rules of Procedure to Add the Item to the Agenda

*RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #5a Regular Meeting Agendas to consider an item not on the Agenda.*

### SECOND- Proposed Resolution to Delay the Oath of Office for Council Member Rebecca Chamberlain-Creanga

*RESOLVED, That as allowed under Section 3.5 and Section 6.9 of the Troy City Charter, the Troy City Council hereby **RECOGNIZES** that there are extenuating circumstances that prevent newly elected Council Member Rebecca Chamberlain Creanga from taking the official oath of office within 10 days of the August 4, 2020 election, and **DETERMINES** that she shall continue to serve as a Troy City Council Member, holding that office until 7:30 pm on August 24, 2020, as set forth in Troy's Charter, Section 6.7. At the August 24, 2020 City Council meeting, the elected City Council Member, as certified by the Board of Oakland County Canvassers, shall take the constitutional oath of office and shall commence the elected term immediately afterwards.*