

Special City Council Meeting

1:15 p.m.

Call to Order.

A. Roll Call.

B. Review of Petition from Community Action Michigan.

1. Receive the Charter amendment proposal petition from Community Action Michigan, and adopt the Resolution confirming the ballot proposal language for the November 3, 2026 General Election.

C. Statements of Citizens (3 mins. per speaker).

Adjournment.



QR Code to Access the Agenda & Agenda Packet

Use the camera on your phone or mobile device to scan the QR Code and then follow the instructions that appear on your screen.

The link will take you to <https://portagemi.portal.civicclerk.com/> where you can view the meeting agendas and agenda packets.

There is one opportunity for public comment during meetings. Each comment is limited to 3 minutes. The Americans with Disabilities Act (ADA) requires reasonable accommodations for participation. Please contact the City Clerk regarding accommodations.

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: City Charter Amendment Proposal Resolution

SUPPORTING PERSONNEL: Erica Eklov, City Clerk
Catherine Kaufman, City Attorney

ACTION RECOMMENDED: Receive the Charter amendment proposal petition from Community Action Michigan, and adopt the Resolution confirming the ballot proposal language for the November 3, 2026 General Election.

Per the Michigan Home Rule City Act (MCL 117.21), "an amendment to an existing city charter... may be proposed by the legislative body of a city on a 3/5 vote of the members-elect or by an initiatory petition." Under this provision, the Office of the City Clerk received an initiative petition on June 30, 2026, totaling 447 pages from a group registered as Community Action Michigan. The initiative proposes the following:

An amendment to the Charter of the City of Portage to require the creation of a Healthcare Action Plan: to establish a Citizens' Advisory Healthcare Action Board ("Citizens' Action Board") to create the Healthcare Action Plan and make recommendations to address healthcare costs and healthcare inaccessibility; to prescribe the powers and duties of the Citizens' Action Board; to prescribe the Citizens' Action Board's composition and organization; and to require the publication, a public overview, and adoption of the Healthcare Action Plan. This petition is addressed to the City Clerk. For the full text of the proposal, see the reverse side of this petition.

The Home Rule City Act (HRC) goes on to state that such a petition shall be signed by no less than five percent of the "qualified and registered electors" of the municipality. Based on a report from the Michigan Qualified Voter File run July 1, 2026, the total number of "active" registered voters on that date was 37,702, with five percent of that being 1,885.

Of note, the group is seeking similar Charter amendments in the cities of Lansing, East Lansing, Kalamazoo, Battle Creek, and Benton Harbor. The petition group's website states that Community Action Michigan is "fighting to make healthcare affordable and accessible for working families across the state..." as well as "Local Healthcare Action Plans empower voters in Michigan cities to develop real solutions on healthcare costs and access." The City of East Lansing approved the proposal on July 21, 2026, and the cities of Kalamazoo and Lansing will review their respective proposal (same language) at their meetings on August 10, 2026. The other municipalities' local elected bodies have yet to review the proposal. For the City of Portage, the change will entail the creation of a Health Insurance Advisory Council, which can be administered similarly to other city boards, through the Office of the City Clerk.

In accordance with Michigan Election Law, the Clerk's Office has verified that each signer of the petition

included the required registered voter information and each petition paper had the required circulator's sworn and notarized affidavit. Staff also confirmed that all signatures were less than a year old from the filing date as required by the HRC. Following this review, the Clerk's Office has determined the petition has at least 1,885 valid signatures and is sufficient to be presented to the voters. The HRC stipulates that any petition with a sufficient number of signatures shall have the proposal presented to the electors at the next regular municipal or general state election in the city. Based on this information, the Charter amendment proposal should be on the ballot for the General Election scheduled on November 3, 2026. Per MCL 168.646a, to place a local ballot question on the November ballot, the wording of the proposal must be certified by the local clerk by 4:00 p.m. on Tuesday, August 11, 2026. The MCL then states the local clerk must relay the ballot wording via a resolution passed by the legislative body to the County Clerk on or before August 13, 2026. Furthermore, as the petition involves a proposed Charter amendment, the HRC requires the text of the proposal be submitted to the Michigan governor, via the state Attorney General, for approval.

Each petition page created and circulated by Community Action Michigan included a summary paragraph for voters to understand the topic to which they were affixing their signature, in addition to a full text of the proposed amendment to the City Charter. That language has been carried over, with modifications as proposed by the petitioner, into the attached Resolution.

It is therefore recommended that the Council receive the Charter amendment proposal petition from Community Action Michigan, and adopt the Resolution confirming the ballot proposal language for the November 3, 2026 General Election.

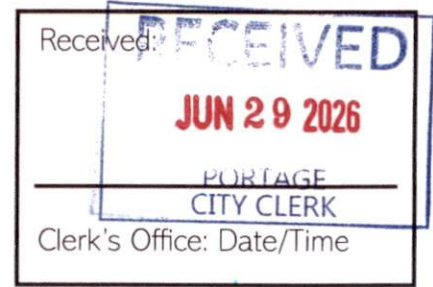
FUNDING: The State of Michigan already has a general election scheduled for November 3, 2026. The City of Portage will only be required to pay a small portion of the election's cost, approximately less than \$10,000.

Attachments:

1. 2026 07 01 CAM Submission Cover Letter
2. 2026 07 23 Ellenburg-ELE Ballot Proposal Language (Portage)
3. MML One-Pager for HRC Petitions
4. Resolution

7/1/26

Erica Eklov
Portage City Clerk
7900 South Westnedge Avenue
Portage, MI 49002



11:00 a.m.

Re: Community Action Michigan Petition

Dear Clerk Erica Eklov,

Community Action Michigan ("CAM"), a ballot question committee formed to seek the initiation of an amendment to the City Charter ("Charter") for the City of Portage (the "City") to be voted on at the November 3, 2026 general election, pursuant to the Michigan Home Rule City Act, 1909 PA 279, MCL 117.1 et seq. ("Act") and City Charter.

Accompanying this letter are 433 petition sheets containing approximately 2,686 signatures. Under the Act, the petition must be signed by at least five percent of the number of qualified and registered electors in the City. MCL 117.25(1). According to the Qualified Voter File, there are approximately 36,483 registered voters in the City. Thus, CAM's proposal contains sufficient signatures to qualify for placement on the November ballot.

We respectfully request that you follow the statutory process established under the Act for canvassing the petition and transmitting it to the Governor. MCL 117.22; 117.25. We also request the opportunity to provide comments on the ballot wording for the proposal prior to its certification. To that end, please direct all communications regarding this petition to Jason Ellenburg (jellenburg@gmail.com), with a courtesy copy to CGrossi@honigman.com.

If you have any questions regarding this matter, please do not hesitate to contact me at your convenience at email address above, or at the telephone number below.

Sincerely,

A handwritten signature in black ink that reads "Jason Ellenburg".

Jason Ellenburg

248-840-3544

July 23, 2026

Ms. Erica Eklov
Portage City Clerk
7900 South Westnedge Avenue
Portage, MI 49002

Re: Community Action Michigan Petition

Dear Clerk Eklov,

On June 29, 2026, Community Action Michigan submitted petition sheets containing more than the requisite number of signatures needed to seek the initiation of an amendment to the City of Portage Charter under the Michigan Home Rule City Act, 1909 PA 279, MCL 117.1 et. seq.

Thank you for confirming on the above-captioned date that, following a canvass of the signatures, you have determined that the petition was found to contain a sufficient number of valid signatures. We appreciate your quick work in completing the canvass.

Pursuant to MCL 117.21, the purpose of the proposed charter amendment must be designated on the ballot in not more than 100 words, exclusive of caption, that shall consist of a true and impartial statement of the purpose of the amendment or question in language that does not create prejudice for or against the amendment or question. Consistent with those requirements, Community Action Michigan submits the following proposal:

Proposal __, A PROPOSAL TO AMEND THE PORTAGE CITY CHARTER TO ESABLISH A CITIZENS' ADVISORY HEALTHCARE ACTION BOARD AND REQUIRE A HEALTHCARE ACTION PLAN

A proposal to amend the City of Portage Charter to establish a Citizens' Advisory Healthcare Action Board appointed by the City Council to address healthcare affordability and access. The Board would gather public testimony from the community; analyze data; review how federal, state, and local policies have affected healthcare affordability and access; and produce a biennial Healthcare Action Plan. The Healthcare Action Plan must evaluate changes in health insurance and benefit coverage, track actions of federal and state officials, and recommend solutions. The City Council must adopt and publish a Healthcare Action Plan.

Shall this proposal be adopted?

Once you determine that the petition contains a sufficient number of valid signatures to qualify for placement on the ballot, MCL 117.21 requires the City Council to approve the ballot wording for the proposal. To facilitate that process, we respectfully request that you transmit our proposed ballot language to the City Council as soon as possible. We offer this language for the City Council's consideration as it exercises its statutory duty to determine the final ballot wording.

Please don't hesitate to contact me if you have any questions or concerns. Thank you.

Sincerely,

Jason Ellenburg

cc: City Council

Introduction

Home rule cities may amend their charters in accordance with procedures found in MCL 117.21-117.25 of the Home Rule City Act (Act 279 of 1909). The amendment process may be used to change details in the charter. It is not permissible to change the form of government by charter amendment (e.g. providing for a city-manager system in place of a mayor-council form). Examples of changes that can be made by amendment are changes to increase or decrease the number of councilmembers, changing the position of clerk or treasurer from an elected to an appointed one, setting the purchasing dollar amount limit that can be spent before the municipality is required to establish a bid process, and establishing pension plans.

Another important restriction on the amendment process is that any proposed amendment must be confined to one subject. If a subject embraces more than one related proposition, each proposition must be separately stated to afford electors the opportunity to vote for or against each proposition (MCL 117.21).

Proposal

Charter amendments may be proposed in one of two ways, either by resolution of 3/5 of the members of the city's governing body (MCL 117.21) or by initiatory petition (MCL 117.21, 117.25).

Initiatory petitions are filed with the city clerk. The petition shall state what body, organization or person is interested in and responsible for the circulation of the petitions and the securing of the amendment, and must contain the signatures of at least 5% of the qualified registered electors of the city (MCL 117.25).

Publication

If the initiatory petition provides language for the ballot, the legislative body may add an explanatory caption. If the petition does not include ballot language, then ballot language shall be determined by resolution of the legislative body. The proposed charter amendment must be published in full with existing charter provisions which would be altered or abrogated by the amendment (MCL 117.21). The manner of publication shall be as prescribed by the city governing body (MCL 117.23). The publication requirement may be met by setting forth the amendment and the existing sections altered or abrogated in:

- the resolution proposing the amendment, if proceedings are published; or
- the election notice; or
- a separate publication.

Submission to the Governor

All proposed charter amendments must be submitted to the Governor for approval. This should be done immediately after the council resolution to submit the amendment to a vote of the electors is adopted. The amendment is approved by the Governor if it is found to be legally unobjectionable. Amendments proposed by initiatory petition shall be submitted to the electors notwithstanding any objection by the Governor.

Statement of Purpose

The act requires that a statement of the purpose of the proposed charter amendment be prepared to consist of a true and impartial statement of the purpose in not more than 100 words, including the short title or caption, in such language as shall create no prejudice for or against such amendment. The statement is prepared for printing on the ballot. However, the act requires that the text of the statement be

submitted to the Attorney General for approval as complying with the act. It is necessary that it be submitted for such approval as early as conveniently possible. (This latter requirement is not to be confused with the requirement for submission of the proposed amendment to the Governor).

Frequently the “statement of purpose” is framed as a question and in this form is submitted directly to the electors. This has been held to be a valid method (Thompson v Dearborn, 348 Mich. 23)

Election Procedure

(a) *Election Date.* The amendment shall be submitted to the electors at the next regular city election or general state election to be held not earlier than 90 days after submission of the initiatory petition to the city clerk (MCL 117.21).

(b) *Election Notice.* Notice of the proposition to be voted on shall be added to the regular election notice, by including a caption or brief description of the proposal along with the location where an elector can obtain the full text (MCL 168.653a). The publication of the election notice must be at least 7 days before election day, while the publication of the notice of last day of registration must be at least 7 days before the last day for receiving registrations. (See Appendix B for suggested election notice form).

(c) *Form of Ballot.* In the case of an initiatory petition, the form of ballot customarily is established by the petition language. If the petition does not include ballot language, then the governing body is to determine the ballot language by resolution. If the section of the charter to be amended is reasonably short, the ballot will usually set forth the section in its amended form in full. Occasionally in such cases both the section in its existing form and in its proposed amendment form will be set forth on the ballot. However, it is required only that the statement of purpose appear on the ballot (MCL 117.21), and the statement of purpose may be in the form of the question itself. If it is not, then the question can be framed with reference to the statement of purpose somewhat like this:

“Shall Section_____of the city charter be amended to provide_____, as explained above?”

In addition to the 100-word statement of purpose, a short title or caption may be used on the ballot for quick identification.

The proposed charter amendment in full shall be posted in a conspicuous place in each polling place (MCL 117.21).

Filing

If the amendment is approved by the electors, two printed copies must be filed within 30 days after the election with the Secretary of State and two copies with the county clerk, together with a statement certified by the city clerk of the vote for and against the amendment. Upon such filing, the amendment becomes effective unless a different date for taking effect is set forth in the amendment (MCL117.24).

Resubmission

A proposed charter amendment defeated in an election may not be resubmitted to the electors for a period of two years (MCL 117.21).

RESOLUTION
CITY OF PORTAGE
COUNTY OF KALAMAZOO, MICHIGAN

**TO ADOPT CHARTER LANGUAGE FOR THE INITIATORY PETITION TO ESTABLISH A
CITIZENS' ADVISORY HEALTHCARE ACTION COMMITTEE AND REQUIRE A
HEALTHCARE ACTION PLAN**

Minutes of a regular meeting of the City Council of the City of Portage, Kalamazoo County,
Michigan, held in the City Hall, in said city, on the 11th day of August 2026, at 6:00 p.m., local time.

PRESENT: Members: _____

ABSENT: Members: _____

The following was offered by Councilmember _____ and supported by Councilmember
_____:

WHEREAS, the City of Portage is organized and operates as a Home Rule City pursuant to its Charter of the City of Portage adopted December 16, 1963, as amended, under the provisions of the Home Rule Cities Act, 1909 PA 279, as amended, MCL 117.1, et. Seq.; and,

WHEREAS, The Home Rule City Act, Michigan Public Act 279 of 1909 authorizes the public to bring forward initiatory petitions to place proposed Charter amendments on the ballot; and,

WHEREAS, One such initiatory petition was timely submitted to the Portage City Clerk by Community Action Michigan ("CAM") and was deemed to have the requisite number of qualifying signatures for placement on the ballot; and,

WHEREAS, The aforementioned initiatory petition did not include proposed ballot language; and,

WHEREAS, The Home Rule City Act, at Section 21 being MCL 117.21, states that when ballot language is not included in an initiatory petition, "The form in which a proposed charter amendment or question shall appear on the ballot, unless provided for in the initiatory petition, shall be determined by resolution of the legislative body, and if provided for by the initiatory petition, the legislative body may add an explanatory caption."; and,

WHEREAS, Community Action Michigan ("CAM") provided proposed ballot language after the petition was accepted, which Council can choose to use; and,

WHEREAS, The initiatory petition is to establish a citizens' advisory healthcare action committee and require a healthcare action plan to be placed on the November 3, 2026 General Election ballot; and,

NOW THEREFORE, BE IT RESOLVED, that the City Council approves for the November 3, 2026, ballot regarding the initiatory petition regarding a Citizens' Advisory Healthcare Action Committee the following Ballot Question and Statement of Purpose:

A PROPOSAL TO AMEND THE PORTAGE CITY CHARTER TO ESTABLISH A CITIZENS' ADVISORY HEALTHCARE ACTION BOARD AND REQUIRE A HEALTHCARE ACTION PLAN

A proposal to amend the City of Portage Charter to establish a Citizens' Advisory Healthcare Action Board appointed by the City Council to address healthcare affordability and access. The Board would gather public testimony from the community; analyze data; review how federal, state, and local policies have affected healthcare affordability and access; and produce a biennial Healthcare Action Plan. The Healthcare Action Plan must evaluate changes in health insurance and benefit coverage, track actions of federal and state officials, and recommend solutions. The City Council must adopt and publish a Healthcare Action Plan.

Shall the proposed be adopted?

ADOPTED:

Yeas: _____

Nays: _____

Absent: _____

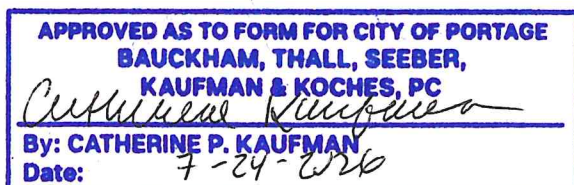
Erica L. Eklov, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting Clerk of the City of Portage, Kalamazoo County, Michigan (the "City"), do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City of Portage City Council at a regular meeting held on the 11th day of August 2026, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 11th day of August 2026.



Erica L. Eklov, City Clerk