



**TO:** Mayor and Members of Troy City Council  
**FROM:** John Szerlag, City Manager  
John Lamerato, Assistant City Manager/Finance and Administration  
Tonni Bartholomew, City Clerk  
Lori Grigg Bluhm, City Attorney  
**DATE:** August 11, 2005  
**SUBJECT:** Replacement of November 2005 Ballot Proposals

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In Resolution # 2005-07-346 and Resolution # 2005-08-382, the Troy City Council approved twelve separate ballot proposals for the November 8, 2005 General election. These resolutions were then forwarded to the Governor and her legal counsel, the Attorney General, the Secretary of State, and the Oakland County Clerk. However, it is the Attorney General's Office that serves as the gateway to allowing ballot proposals to go forward. Assistant Attorney General George Elworth has reviewed Troy's 2005 ballot proposals, and has authorized the consolidation of the first four proposed ballot questions into two separate questions. He has also offered suggested replacement language for the remaining proposals, which does not change the initial intent of the proposals. City Administration recommends approval of the ten replacement ballot questions.

In an effort to clarify the issue, a document has been prepared that sets forth the suggested replacement ballot language for the ten proposals (black lettering). For each recommended proposal, the document also sets forth the previously approved ballot proposals, Resolutions #2005-07-346 and #2005-08-382 (red lettering); the current charter language (green lettering); and the language as it would appear in the Charter if the proposal is adopted in blue lettering.

City Administration recommends approval of the replacement ballot questions, as recommended by the Attorney General. If you have any questions concerning the above, please let us know.

## **Charter Amendment Proposal 1**

**(consolidates previous proposals A and B- after consultation with Michigan Attorney General's office)**

### **AMENDMENT OF SECTIONS 3.4 (TERMS OF OFFICE) AND 7.5 (ELECTIVE OFFICERS AND TERMS OF OFFICE) OF THE TROY CITY CHARTER TO REFLECT THE CURRENT FOUR-YEAR TERMS OF THE MAYOR AND CITY COUNCIL MEMBERS**

Shall Sections 3.4 (Terms of Office) and 7.5 (Elective Officers and Terms of Office) of the Troy City Charter be amended by deleting section 7.5 and incorporating the former section 7.5 as the first sentence of section 3.4 with the terms of the Mayor and the Council Members being four years to reflect the change from three years to four years on account of the 2004 Election Consolidation Legislation and providing that these terms expire at 7:30 pm (rather than 8 pm) on the first Monday following the regular City election in the fourth year of these terms? (98 words)

### **Previously approved Charter Amendment Proposal A and B**

#### **Charter Amendment Proposal 05-A**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 3.4 – TERMS OF OFFICE – TO MOVE AND INCORPORATE SECTION 7.5 – ELECTIVE OFFICERS-TERMS OF OFFICE**

Shall Section 3.4 (Terms of Office) of the Troy Charter be amended by moving and incorporating Section 7.5 (Elective Officers – Terms of Office) of the Troy Charter in its entirety?

#### **Charter Amendment Proposal 05-B**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 3.4 – TERMS OF OFFICE – TO REVISE THE TERMS OF THE MAYOR AND COUNCIL MEMBERS FROM THREE (3) TO FOUR (4) YEAR TERMS TO IMPLEMENT ELECTION CONSOLIDATION REVISIONS TO THE MICHIGAN ELECTION LAW**

Shall Section 3.4 of the Troy Charter be amended to implement election consolidation revisions to Michigan Election Law, by revising the term of Troy City Council Members and the Mayor from the current three (3) year terms that expire at 8:00 PM of the third year of the term to provide for four (4) year terms that expire at 7:30 PM of the first Monday following the Regular Election of the fourth year of their term?

### **Existing Charter Language**

#### **Section 3.4- Terms of Office:**

**City Council Members and the Mayor shall be elected for terms of three (3) years and shall serve until 8 o'clock p.m. on the first Monday following the regular election of the third year of their term.**

#### **Section 7.5- Elective Officers and Terms of Office:**

**The elective officers of the City shall be the six (6) members of council and the Mayor all of whom shall be nominated and elected from the city at large for the terms provided herein.**

### **Revised Charter Provision (If Proposal Passes)**

#### **Section 3.4- Elective Officers and Terms of Office:**

**The elective officers of the City shall be the six (6) members of council and the Mayor all of whom shall be nominated and elected from the city at large for the terms provided herein. City Council Members and the Mayor shall be elected for terms of four (4) years and shall serve until 7:30 PM on the first Monday following the regular election of the fourth year of their term.**

## **Charter Amendment Proposal 2**

(consolidates previous proposals C and D- after consultation with Michigan Attorney General's office)

**AMENDMENT TO RE-NUMBER SECTION 7.5.5 OF THE TROY CITY CHARTER AS SECTION 3.4.1, ADD A TITLE TO THE SECTION, AND CHANGE THE SECTION'S DEFINITION OF "TERM" IN ITS THIRD SENTENCE**

Shall Section 7.5.5 of the Troy City Charter be re-numbered as section 3.4.1 to state as follows:

"3.4.1- Elective Officers Term Limitations

Any elected member of the City Council shall not serve more than three terms as Councilperson. The Mayor shall not serve more than two terms as Mayor. Any service greater than two (2) years plus one (1) month shall constitute a term. This amendment shall apply only to terms starting after passage of this amendment" ? (77 words)

## **Previously approved Charter Amendment Proposal C and D**

### **Charter Amendment Proposal 05-C**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.5.5 – TO RENUMBER SECTION 7.5.5 TO 3.4.1 AND TITLE THE NEW SECTION AS "ELECTIVE OFFICERS TERM LIMITATIONS"**

Shall Section 7.5.5 of the Troy Charter be renumbered as 3.4.1 and titled as Elective Officers Term Limitations?

### **Charter Amendment Proposal 05-D**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.5.5 – TO REVISE THE DEFINITION OF THE TERM OF OFFICE OF THE MAYOR AND CITY COUNCIL MEMBERS**

Shall Section 7.5.5 be amended to revise the definition of a term from the current language that "any portion of a term served shall constitute one full term" to "Any service greater than two (2) years plus one (1) month shall constitute a term"?

## **Existing Charter Language**

### **Section 7.5.5**

**Any elected member of the City Council shall not serve more than three terms as Councilperson. The Mayor shall not serve more than two terms**

**as Mayor. Any portion of a term served shall constitute one full term. This amendment shall apply only to terms starting after passage of this amendments.**

**Revised Charter Provision (If Proposal Passes)**

**Section 3.4.1- Elective Officers Term Limitations**

An elected member of the City Council shall not serve more than three terms as Councilperson. The Mayor shall not serve more than two terms as Mayor. Any service greater than two (2) years plus one (1) month shall constitute a term. This amendment shall apply only to terms starting after passage of this amendment.

### **Charter Amendment Proposal 3**

(After consultation with Michigan Attorney General's office)

#### **PROPOSAL FOR A NEW SECTION 3.4.2 (STAGGERING TERMS OF OFFICE) OF THE TROY CITY CHARTER TO PROVIDE FOR THREE COUNCIL MEMBERS TO BE ELECTED TO FOUR-YEAR TERMS EVERY TWO YEARS**

In lieu of the current provision under the 2004 election consolidation legislation for four council members and the Mayor to be elected in 2007 and every four years thereafter and two council members to be elected in 2009 and every four years thereafter, shall section 3.4.2 be added to the Troy City Charter to provide for a two-year transitional term (2007-2009) for one council member, so that the Mayor and three members of the council will be elected in 2007 and every four years thereafter and three members will be elected in 2009 and every four years thereafter? (98 words)

### **Previously approved Charter Amendment Proposal E**

#### **Charter Amendment Proposal 05-E**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 3.4.2 – CITY COUNCIL MEMBER STAGGERING OF TERMS – TO RE-ESTABLISH THE STAGGERING OF CITY COUNCIL MEMBERS DISTRUPLTED BY THE IMPLEMENTATION OF ELECTION CONSOLIDATION REVISIONS TO THE MICHIGAN ELECTION LAW**

Shall Section 3.4.2 be created to implement election consolidation revisions to Michigan Election Law, by providing for the re-establishment of the staggering of City Council terms by providing for three (3) City Council Members to be elected in one election cycle and the remaining three (3) Council Members and the Mayor to be elected in a subsequent election cycle, which will be accomplished through an election of a one-time two (2) year City Council Member term?

### **Existing Charter Language**

None

### **Revised Charter Provision (If Proposal Passes)**

#### **Section 3.4.2- Staggering Terms of Office:**

City Council Members with terms expiring April 2006 shall have their terms extended until November 2007; City Council Members with terms expiring April 2007 shall have their terms extended until November 2007. The Mayor's term,

expiring April 2007, shall be extended until November 2007. The staggering of terms shall be established as follows:

November 8, 2005- Two (2) Council Members shall be elected for four (4) year terms with the terms expiring on November 9, 2009;

November 6, 2007- One (1) Council Member shall be elected for a two (2) year term with the term expiring on November 9, 2009;

November 6, 2007- Three (3) Council Members shall be elected for four (4) year terms with the terms expiring on November 14, 2011;

November 6, 2007- Mayor shall be elected for a four (4) year term with the term expiring November 14, 2011.

## **Charter Amendment Proposal 4**

(After consultation with the Michigan Attorney General's office)

### **AMENDMENT OF SECTION 7.3 (ELECTION DATE) OF THE TROY CITY CHARTER TO REFLECT THE CURRENT REQUIREMENT FOR REGULAR ELECTIONS IN NOVEMBER OF EACH ODD- NUMBERED YEAR**

Shall Section 7.3 (Election Date) be amended to provide for regular City elections in November of each odd-numbered year to reflect the current requirements of the 2004 election consolidation legislation? (30 words)

## **Previously approved Charter Amendment Proposal F**

### **Charter Amendment Proposal 05-F**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.3 – ELECTION DATE - TO CHANGE THE CITY REGULAR GENERAL ELECTION DATE FROM APRIL TO NOVEMBER TO IMPLEMENT THE ELECTION CONSOLIDATION REVISION TO THE MICHIGAN ELECTION LAW**

Shall Section 7.3 of the Troy Charter be amended to implement election consolidation revisions to Michigan Election Law, by changing the election date from the “first Monday in April of each year” to the “first Tuesday after the first Monday of every odd-year November” and eliminating “if some other date in the months of March, April or May is fixed by law for the holding of the state biennial election, then the regular City election shall be held on the date so fixed”, since these provisions conflict with Michigan Election Law?

## **Existing Charter Language**

### **Section 7.3- Election Date:**

A regular City election shall be held on the first Monday in April of each year, but if some other date in the months of March, April or May is fixed by law for the holding of the state biennial election, then the regular city election shall be held on the date so fixed.

## **Revised Charter Provision (If Proposal Passes)**

### **Section 7.3- Election Date:**

A regular City election shall be held on the first Tuesday after the first Monday of every odd year November.

**Charter Amendment Proposal 5**  
(After consultation with Michigan Attorney General's office)

**PROPOSAL TO RE-STATE SECTION 7.6 (SPECIAL ELECTION) OF THE TROY CITY CHARTER**

Shall Section 7.6 of the Troy City Charter be re-stated by providing: "Special City elections shall be called in the manner and time as provided by State Statute" and eliminating "Special City elections shall be held when called by resolution of the Council at least 40 days in advance of such election, or when required by this charter or statute. Any resolution calling a special election shall set forth the purpose of such election. No more special city elections shall be called in any one year than the number permitted by statute"? (92 words)

**Previously approved Charter Amendment Proposal G**

**Charter Amendment Proposal 05-G**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.6 – SPECIAL ELECTIONS – TO SCHEDULE SPECIAL ELECTIONS IN ACCORDANCE WITH MICHIGAN ELECTION LAW AS REQUIRED BY THE IMPLEMENTATION OF ELECTION CONSOLIDATION REVISIONS TO THE MICHIGAN ELECTION LAW**

Shall Section 7.6 of the Troy Charter be revised to implement election consolidation, by providing "Special City Elections shall be called as provided in Michigan Election Law" and eliminating "Special City elections shall be held when called by resolution of the Council at least 40 days in advance of such election, or when required by this charter or statute. Any resolution calling a special election shall set forth the purpose of such election. No more special City elections shall be called in any one year than the number permitted by statute"?

**Existing Charter Language**

**Section 7.6- Special Election:**

Special city elections shall be held when called by resolution of the Council at least 40 days in advance of such election, or when required by this charter or statute. Any resolution calling a special election shall set forth the purpose of such election. No more special city elections shall be called in any one year than the number permitted by statute.

**Revised Charter Provision (If Proposal Passes)**

**Section 7.6- Special Election:**

Special City Elections shall be called in the manner and time as provided by State Statute.

## **Charter Amendment Proposal 6**

(After consultation with the Michigan Attorney General's office)

### **PROPOSAL TO AMEND SECTION 7.9 (NOMINATIONS) OF THE TROY CITY CHARTER TO DELETE A PROVISION THAT IS INCONSISTENT WITH MICHIGAN ELECTION LAW**

Shall the second and third sentences of Section 7.9 (Nominations) of the Troy City Charter, rejecting any signatures on nominating petitions where a voter has signed more nominating petitions for candidates for any city office than there are persons to be elected to that office, be deleted to reflect that the counting of some of these signatures is permitted under the provisions of section 547(a) of the Michigan Election Code (MCL 168.547(a))? (72 words)

## **Previously approved Charter Amendment Proposal H**

### **Charter Amendment Proposal 05-H**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.9 – NOMINATIONS - TO ELIMINATE A CONFLICT IN THE CHARTER WITH THE MICHIGAN ELECTION LAW**

Shall Section 7.9 of the Troy City Charter be revised to eliminate a conflict with Michigan Election Law, by eliminating “No person shall sign his name to a greater number of petitions for any office than there are persons to be elected to said office at the following City election? If the signature of any persons appears on more petitions than permitted by this section, such signatures shall not be counted on any one of the petitions so signed for that office”?

## **Existing Charter Language**

### **Section 7.9- Nominations:**

The method of nomination of all candidates at city elections shall be by petition. Each petition may comprise one or more pages. The petition for each candidate must be signed by not less than sixty registered electors of the City. No person shall sign his name to a greater number of petitions for any office than there are persons to be elected to said office at the following City election. If the signature of any persons appears on more petitions than permitted by this section, such signatures shall not be counted on any one of the petitions so signed for that office.

Nomination petitions for candidates for regular city elections are to be filed with the Clerk on or before 4 o'clock p.m. of the one hundredth (100<sup>th</sup>) day preceding the City election for each election year.

The Clerk shall, prior to every election, publish notice of the last day permitted for filing nomination petitions and of the number of persons to be elected to each office, at least one week and not more than three weeks before such day.

**Revised Charter Provision (If Proposal Passes)**

**Section 7.9- Nominations:**

The method of nomination of all candidates at city elections shall be by petition. Each petition may comprise one or more pages. The petition for each candidate must be signed by not less than sixty registered electors of the City.

Nomination petitions for candidates for regular city elections are to be filed with the Clerk on or before 4 o'clock p.m. of the one hundredth (100<sup>th</sup>) day preceding the City election for each election year.

The Clerk shall, prior to every election, publish notice of the last day permitted for filing nomination petitions and of the number of persons to be elected to each office, at least one week and not more than three weeks before such day.

## **Charter Amendment Proposal 7**

(After consultation with the Michigan Attorney General's office)

### **PROPOSAL TO AMEND SECTION 7.10 (FORM OF PETITIONS) OF THE TROY CITY CHARTER TO DELET A PROVISION THAT IS INCONSISTENT WITH MICHIGAN LAW**

Shall the first sentence of Section 7.10 of the Troy City Charter be re-stated by striking "The Council shall approve a form of nominating petition with spaces thereon for address and date of signing for each signer, an affidavit form for the circulator to sign affirming that he and the petitioners are registered electors and a summary of the qualifications required of candidates and the regulations governing the petition" and substituting "Nominating petitions shall be in a form as provided by Michigan Election Law"? (80 words)

### **Previously approved Charter Amendment Proposal I**

#### **Charter Amendment Proposal 05-I**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.10 – FORM OF PETITIONS - TO ELIMINATE A CONFLICT IN THE CHARTER WITH MICHIGAN ELECTION LAW**

Shall Section 7.10 of the Troy City Charter be revised to eliminate a conflict with Michigan Election Law by striking "The Council shall approve a form of nominating petition with spaces thereon for address and date of signing for each signer, an affidavit form for the circulator to sign affirming that he and the petitioners are registered electors and a summary of the qualifications required of candidates and the regulations governing the petition" and providing that "Nominating petitions shall be in a form as provided by Michigan Election Law"?

### **Existing Charter Language**

#### **Section 7.10- Form of Petitions:**

The Council shall approve a form of nominating petition with spaces thereon for address and date of signing for each signer, an affidavit form for the circulator to sign affirming that he and the petitioners are registered electors and a summary of the qualifications required of candidates and the regulations governing the petition. A supply of official petition forms shall be provided and maintained by the Clerk.

### **Revised Charter Provision (If Proposal Passes)**

#### **Section 7.10- Form of Petitions:**

Nominating Petitions shall be in a form as provided by State Statue. A supply of official petition forms shall be provided and maintained by the Clerk.

## **Charter Amendment Proposal 8**

(After consultation with the Michigan Attorney General's office)

### **PROPOSAL TO AMEND SECTION 5.13 (SUBMISSION OF INITIATORY AND REFERENDARY ORDINANCES TO ELECTORS) OF THE TROY CITY CHARTER, REGARDING ITS REQUIREMENTS FOR SPECIAL ELECTIONS FOR INITIATIVE PROPOSALS**

Shall section 5.13 of the Troy City Charter be amended to delete the 60 day deadline for the City Council to call a special election for an initiative proposal, where the Council declines to enact the proposal as an ordinance and no election is to be held in the City for any other purpose within 150 days from the date the proposal is presented to the Council, to provide that these special elections shall be scheduled in accordance with Michigan election law and to specify that Council decisions under this section shall be by affirmative vote of the members elect? (100 words)

### **Previously approved Charter Amendment Proposal J**

#### **Charter Amendment Proposal 05-J**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 5.13 – SUBMISSION OF INITIATORY AND REFERENDARY ORDINANCE TO ELECTORS – TO SCHEDULE SPECIAL ELECTIONS IN ACCORDANCE WITH MICHIGAN ELECTION LAW AS REQUIRED BY THE IMPLEMENTATION OF ELECTION CONSOLIDATION REVISIONS TO THE MICHIGAN ELECTION LAW**

Shall Section 5.13, Submission of Initiatory and Referendary Ordinance to Electors, be amended to implement election consolidation revisions to Michigan Election Law, by providing for the scheduling of the election in accordance with State Election Law and striking “within sixty days from such date of presentation for the submission of the initiative proposal” with the submittal to be made by an affirmative vote of the Council members elect?

### **Existing Charter Language**

#### **Section 5.13- Submission of Initiatory and Referendary Ordinances to Electors:**

Should the Council decide to submit the proposal to the electors, it shall be submitted at the next election held in the city for any other purpose, or, in the discretion of the Council, at a special election called for that specific purpose. In the case of any initiatory petition, if no election is to be held in the city for any other purpose within one hundred fifty days from the time the petition is presented to the Council and the Council does not enact the ordinance, then the Council shall call a special election within sixty days from such date of presentation for the submission of the initiative proposal. The result of all

elections held under the provisions of this section shall be determined by a majority vote of the electors voting thereon, except in cases where otherwise required by statute or the Constitution.

**Revised Charter Provision (If Proposal Passes)**

**Section 5.13- Submission of Initiatory and Referendary Ordinances to Electors:**

Should the Council, by an affirmative vote of the members elect, decide to submit the proposal to the electors, it shall be submitted at the next election held in the City for any other purpose, or, in the discretion of the Council, at a special election called for that specific purpose in accordance with State Election Law. In the case of any initiatory petition, if no election is to be held in the City for any other purpose within one hundred fifty days from the time the petition is presented to the Council and the Council does not enact the ordinance, then the Council shall call a special election in accordance with State Election Law. The result of all elections held under the provisions of this section shall be determined by a majority vote of the electors voting thereon, except in cases where otherwise required by Statute or the Constitution.

### **Charter Amendment Proposal 9**

(After consultation with the Michigan Attorney General's office)

#### **A PROPOSAL TO ADD SECTION 7.9.5 (COUNCIL INITIATED BALLOT QUESTIONS) TO THE TROY CITY CHARTER TO ALLOW CITY COUNCIL TO PLACE ADVISORY QUESTION ON REGULAR CITY ELECTIONS BALLOTS**

Shall Section 7.9.5 (Council Initiated Ballot Questions) of the Troy City Charter be added to provide a mechanism for the City Council to place advisory ballot questions on the Regular City Election Ballot, by an affirmative majority vote of the members elect? (42 words)

### **Previously approved Charter Amendment Proposal K**

#### **Charter Amendment Proposal 05-K**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.9.5 – COUNCIL INITIATED BALLOT QUESTIONS - TO ALLOW CITY COUNCIL TO PLACE ADVISORY QUESTION ON REGULAR CITY ELECTIONS BALLOTS**

Shall Section 7.9.5 – Council Initiated Ballot Questions, of the Troy City Charter be added to provide a mechanism for the City Council to place advisory ballot questions on the Regular City Election Ballot, by an affirmative majority vote of the members elect?

### **Existing Charter Language**

None

### **Revised Charter Provision (If Proposal Passes)**

#### **Section 7.9.5- Submission of Council Initiated Advisory Ballot Questions to Electors:**

Should the Council, by an affirmative vote of the members elect, decide to submit an advisory ballot question to the electors, it shall be submitted at the next Regular City Election. The results of all elections held under the provisions of this section shall be determined by a majority vote of the electors voting thereon except in cases where otherwise required by Statue or the Constitution.

## **Charter Amendment Proposal 10**

(After consultation with the Michigan Attorney General's office)

### **PROPOSAL TO AMEND SECTION 12.3 (RESTRICTION ON POWERS TO LEASE PROPERTY) OF THE TROY CHARTER TO SUBJECT LONG TERM USE AGREEMENTS TO THE RESTRICTIONS ON LEASING AND RENTING CITY PROPERTY SET FORTH IN THAT SECTION**

Shall Section 12.3 of the Troy City Charter be amended to subject long-term (more than 3 years) use agreements to the restrictions in this section for the leasing or renting of City property, including the requirements for fair consideration as determined by the city council and the provision for referendum petitions for such agreements? (54 words)

## **Previously approved Charter Amendment Proposal L**

### **Charter Amendment Proposal 05-L**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 12.3 – RESTRICTION ON POWERS TO LEASE PROPERTY - TO INCLUDE LONG-TERM USE AGREEMENTS AS AN ADDITIONAL TYPE OF OWNERSHIP**

Shall Section 12.3, Restriction on Powers to Lease Property, be amended to include long-term use agreements as an additional type of ownership that is subject to the City's same restriction on powers to lease property procedure for renting or leasing of public property?

## **Existing Charter Language**

### **Section 12.3- Restriction on Powers to Lease Property:**

Any agreement or contract for the renting or leasing of public property to any person for a period longer than three years shall be subject to the same referendum procedure as is provided in the case of ordinances passed by the Council but any petition for such referendum must be filed within thirty days after publication of the proceedings of the meeting of the Council at which such agreement or contract is authorized.

The transfer or assignment of any agreement or contract for such renting or leasing of public property may be made only upon approval of the Council but approval of such transfer shall not be subject to referendum.

Rentals and leases and renewals thereof shall be for a fair consideration as determined by the Council.

**Revised Charter Provision (If Proposal Passes)**

**Section 12.3- Restriction on Powers to Lease Property:**

Any agreement or contract for the renting or leasing or long term use of public property to any person for a period longer than three years shall be subject to the same referendum procedure as is provided in the case of ordinances passed by the Council, but any petition for such referendum must be filed within thirty days after publication of the proceedings of the meeting of the Council at which such agreement or contract is authorized.

The transfer or assignment of any agreement or contract for such renting or leasing or long-term use agreements exceeding three years for public property may be made only upon approval of the Council, but approval of such transfer shall not be subject to referendum.

Rentals, leases, and long-term use agreements exceeding three years, and renewals thereof shall be for a fair consideration, as determined by the Council.