

# Minneapolis Charter Commission Minutes

August 1, 2012 - 4:00 p.m.

Room 317 City Hall, Minneapolis, Minnesota

Commissioners Present: Clegg (Chair), Cohen, Dolan, Ferrara, Gerdes, Johnson, Lickness, Lazarus, Rubenstein, Sandberg, Schwarzkopf

Commissioners Excused: Connell, Kozak, Metge, Peltola

Also Present: Peter Ginder, Deputy City Attorney

## 1. Roll Call

Chair Clegg called the meeting to order at 4:01 p.m. Roll call was taken.

## 2. Adopt Agenda

*Lazarus moved adoption of the agenda, as amended to add Item 4.5, "Redistricting Student Observer Report". Seconded.*

Adopted upon a voice vote.

Absent - Connell, Johnson, Kozak, Metge, Peltola.

## 3. Approve minutes of regular meeting of July 9, 2012

*Lazarus moved approval of the minutes of the meeting of July 9, 2012. Seconded.*

Adopted upon a voice vote.

Absent - Connell, Kozak, Metge, Peltola.

## 4. Chair's Report

Clegg stated that he had no report other than what would be included in Item 5.

### 4.5 Redistricting Student Observer Report:

**Report by Commissioner Rubenstein on "Observations and Recommendations on Minneapolis Redistricting" by Volunteer Student Observer Raymond French.**

Rubenstein reported that four students volunteered to observe the redistricting process. One student, Ray French, followed it through and wrote a report/recommendation which would be distributed to all Redistricting Group members. Rubenstein indicated that she would send a letter of thanks to Mr. French on behalf of the Charter Commission.

## Discussion

### 5. Plain Language Charter Revision: Strategy for 2012.

Clegg stated that he would work with former Commissioner Brian Melendez to finalize the most recent version of the Plain Language Charter Revision (PLCR) so the Charter Commission could adopt it as Version 13. Before the revision is placed on the 2013 ballot, he suggested that the Charter Commission continue to work with the City Attorney's Office to see if they had additional items of concern, hold at least one study session with the City Council, and develop strategies to engage the public.

Lickness suggested using the public engagement process followed during redistricting such as creating a DVD, cable television show, coverage in neighborhood newspapers, and holding regional public hearings. Clegg noted that the Charter Commission was given a budget for public engagement during the redistricting process.

Ferrara suggested forming an outreach/communications committee to develop the story behind the revision project, including why the Charter Commission felt that the revision should receive a 13-0 Council vote, and why that will not occur even though the Commission had attempted to create the revision with non-substantive, non-controversial changes. He felt the Charter Commission could request a budget, but might need to do some of the work on their own. Considering other forms of government is a very important part of the Charter Commission's task, and some proposals have been on hold for several years. The PLCR should be one question on the 2013 ballot and other charter amendment proposals should be separate.

Dolan stated that the public wasn't concerned about the organizational and bureaucratic factors involved in the revision. They would want to know how it affected them individually, and that should be the thrust of whatever material is developed to engage the public. The Commission's first priority should be the PLCR before considering other amendments to the charter.

Clegg noted that Mr. Melendez had drafted an introduction to the PLCR and he would attempt to re-work that document for use by the public and to provide basic charter history.

Schwarzkopf stated that it was his impression that the City Attorney's Office would find it difficult to ever recommend that the Council support the PLCR. If most Council members do not support the document, he felt it would be defeated. He had contacted the National Civic League and found that their model charter reflected a city manager form of government, so he did not feel that the Civic League's model would help answer any of the questions raised at last month's meeting. He would obtain the sample charter and circulate it to Commissioners.

Rubenstein stated that a conflict was created by the fact that the Charter Commission and the City Council both receive advice from the City Attorney's Office. The Charter Commission and the City Council have different interests and that conflict should be resolved.

Sandberg stated that developing information for public outreach regarding the revision should include language about the philosophical reasons why the entire City Council might not support the PLCR. The Commission should also determine if there are any circumstances under which the City Attorney's Office would support the PLCR. She noted that it was possible that a petition proposal for a city manager form of government could be brought forward next year creating another charter ballot question.

Lazarus stated that he was very disappointed with the report of the City Attorney regarding the Plain Language Charter Revision. The Charter Commission had worked diligently and in good faith for many years in an attempt to restate the Charter. During that time the Commission was led to believe that the City Attorney's Office was working to aid them in that process but found that was not the case. The Charter Commission must resolve the issue of receiving conflicted legal advice. He suggested that the state statute and/or the charter be amended to allow the Chief Judge to determine if there is a conflict, and if so, it would be incumbent upon the City to provide a budget for an independent legal advisor to the Charter Commission. The

City Attorney's Office has stated that it would not support the PLCR in part because it would create a lot of work to translate sections of the Charter into ordinance. Moreover, it has only been in the last two years that the city actually came to the Charter Commission with recommendations regarding the PLCR. These events prompted him to make the decision to resign from the Charter Commission. He thanked his fellow Commissioners, present and past. He enjoyed his time serving on the Commission and would be submitting his resignation following the meeting.

Commissioners expressed their appreciation of Commissioner Lazarus's work on the Charter Commission and asked him to reconsider his decision.

Ferrara stated that he would be close behind Commissioner Lazarus because the Charter Commission's purpose was to create a better city through a better charter, and it was frustrating not to receive the assistance and support needed.

### **Public Commentary**

There was no one present wishing to address the Charter Commission.

*Lazarus moved to adjourn.* Seconded.

Adopted upon a voice vote.

Absent - Connell, Kozak, Metge, Peltola.

The meeting was adjourned at 4:31 p.m.

Submitted by Peggy Menshek, Charter Commission Coordinator