

Article VIII
Park & Recreation Board

For this article VIII's purposes, the "Board" means the Park & Recreation Board.

§ 8.1.

Functions and powers

(a) General function and powers.

(1) **Charter powers.** The Board holds, improves, designs, develops, establishes, governs, administers, and maintains—

(A) the parks, parkways, and recreational opportunities in and adjacent to the City;

(B) each body of water in the park system, including lakes, streams, waterways, ponds and any body of water whose shore it owns; and

(C) any gallery or museum in the park system, for which purpose it may act on the City's behalf and enjoys all the City's lawful powers, including eminent domain and power over public ways that pass through, over, or adjacent to property that it owns or governs. The Board may likewise design, develop, or improve any property under its control or acquired for its purposes.

(2) **Legislatively granted powers.** The Board may also, without regard to this charter, exercise any power, right, or role provided or authorized by a general or special law provides in addition to those for which this charter provides, including Special Laws of Minnesota 1889, Chapters 30 and 103.

(b) **Body corporate and politic.** The Board is a body corporate and politic and, in the exercise of its general functions and powers, may—

(1) adopt a seal,

(2) make contracts,

(3) buy and sell property in and adjacent to the City of Minneapolis,

(4) accept and administer, invest, or otherwise dispose of gifts,

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Through the Park & Recreation Board, the City provides for parks, parkways, and recreational opportunities for its current and future residents' free use.

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(5) sue and be sued,

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(6) exercise any other lawful power that a municipal corporation enjoys at common law or by legislative enactment,

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(7) acquire lands by means of contract or mortgage through benefits assessed or benefitted property on account of the lands acquired and determine the appropriate percentage of the costs for the purchase or condemnation of any park or parkway and assess upon the benefitted property the cost of the park or parkway.

(8) vacate and close up any and all public road and highways, except railroads, which pass through, divide or separate any park lands; layout, construct or consent to all public roads, highways or railroads; construct all necessary bridges and viaducts over water courses and railroads within or adjacent to the parks and parkways; and open, improve and vacate streets.

(9) regulate and control by ordinance or rule, the use of shores and waterways contiguous to any stream, lake or pond for which the fee title to the land had been acquired by the Park Board; have exclusive charge and control, regulate and govern use by rules or ordinance the waters of any lake or pond where the Park Board owns the entire shore of such lake or pond, and

(10) direct and regulate the planting, trimming, maintenance, removal and preservation of shade and ornamental trees and shrubbery on the streets, alleys and public lands of the City.

(c) **Ordinances.** The Board may enact any necessary or prudent ordinance within this article VIII's purposes. The authority to regulate by ordinance extends to the use of parks and parkways whether within or without the corporate boundaries of the City. An ordinance may provide for a fine, imprisonment, other penalty, or any combination of such penalties for its violation.

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(d) **Park police.** The Mayor must appoint as many police officers for the parks and parkways as the Board requests. The Board must pay for such police out of the park & recreation fund, may regulate and direct them, and may discipline or discharge them (subject to the Civil Service Commission's rules).

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(e) **Realty.** The Board may designate, dedicate, buy, lease, or name or rename realty in or adjacent to the City of Minneapolis with at least six affirmative votes. The Board may issue or give back a mortgage with or without bonds to secure the unpaid purchase price that evidences its indebtedness for any such realty. The

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Board may sell realty only if it has abandoned the realty, and the district court approves the sale.

(f) **Compensation.** The Board may provide for the commissioners' compensation.

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(g) **Employment.**

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(1) **Employment and Compensation.** The Board may employ and dismiss subject to the provisions of the Civil Service Chapter of the Charter, all of its employees and agents and may provide for the compensation of all of its employees'.

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(2) **Unclassified service.** The Board may employ in the unclassified service—

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(A) the superintendent,

(B) its attorney,

(C) the park police chief,

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(D) a landscape architect and,

(E) any other position as authorized by law.

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(h) **Purchases.** The Board may buy supplies for the recreational and eating facilities under its charge without going through the City's purchasing department.

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(i) **Mayor's signature or veto.** The Board must present each ordinance, resolution, appropriation, or other act of a legislative nature (except an act that relates to the Board's internal organization or procedure) to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect—

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(1) when the Mayor signs it;

(2) five days after its presentation to the Mayor, if he or she neither signs nor vetoes it; or

(3) if the Mayor vetoes it by returning it with an objection within five days (excluding Sundays) after its presentation, only if the Board at its next meeting by two-thirds of its membership again passes the act over the Mayor's veto.

§ 8.3. **Organization**

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(a) **Composition.** The Board comprises nine commissioners: ~~three~~ commissioners at large and ~~six~~ commissioners elected by district, elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four and at the same time as the election of the Mayor.

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(b) **Removal.**

(1) **Petition.** On a petition sworn by at least 10 citizens, the district court, after notice and hearing, may remove any commissioner for malfeasance or misdemeanor in office.

(2) **Nonattendance.** The Board may remove any commissioner absent from its meetings for 90 days.

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(c) **Vacancies.** The Board, with at least six affirmative votes, may fill any vacancy in its membership.

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(d) **Secretary.** The Board elects a secretary who does not serve on the Board.

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(e) **Attorney.** The Board may appoint its own attorney at law.

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§ 8.4. **Meetings**

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(a) **Organizational meeting.** The Board must annually hold an organizational meeting on the first weekday after January 1.

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(b) **Special meetings.** The Mayor may call a special meeting by notice to each member. A special meeting may transact only the business stated in the notice.

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§ 8.5. **Borrowing power**

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The Board, with at least six affirmative votes, may borrow an amount on which the annual interest does not exceed \$50,000, for up to 50 years, with the debt secured by the parks and parkways.

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§ 8.6. **Taxing power**

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Subject to article XI's provisions:

(a) **Park & recreation fund.** The Board may annually tax up to 0.10415 percent of the total value of the property in the City.

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(b) **Park museum fund.** The Board may annually tax up to 0.0125 percent of the total value of the property in the City for the benefit of a park, museum, gallery, or school of arts and crafts.

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(c) **Tree fund.** The Board may annually tax up to 0.02753 percent of the total value of the property in the City for taking care of shade and ornamental trees and shrubbery in the streets.

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Certified as an official action of the City Council:

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
President Ostrow							Goodman						
							Lilligren						
Zerby							Schiff						
Samuels							Niziolek						
Johnson							Benson						
Johnson Lee							Colvin Roy						
Zimmermann							Lane						

ADOPTED _____
DATE

APPROVED NOT APPROVED VETOED

ATTEST _____
CITY CLERK

MAYOR DATE