

Minneapolis Charter Commission Minutes

April 7, 2010 - 4:00 p.m.

Room 317 City Hall, Minneapolis, Minnesota

Commissioners Present: Bernstein (Chair), Bujold, Connell, Dolan, Ferrara, Lichty, Metge, Rubenstein, Stade, Street

Commissions Excused: Jancik, Kadwell

Commissioners Absent: Clegg, Lazarus, Remme

Also Present: Dana Banwer, Assistant City Attorney

1. Roll Call

Chair Bernstein called the meeting to order at 4:07 p.m. Roll call was taken.

2. Adopt Agenda

Bujold moved adoption of the agenda. Seconded.

Adopted upon a voice vote.

3. Approve minutes of regular meeting of March 3, 2010

Metge moved approval of the minutes of the meeting of March 3, 2010. Seconded.

Adopted upon a voice vote.

Old Business

4. Redistricting Process: Task Force update.

Ferrara provided an update on the meetings held by the Redistricting Task Force. Outside organizations reported to the Task Force at their March 25 open forum meeting. The Task Force is continuing to gather criteria and consider options for changes to the Charter regarding redistricting. Two more meetings are planned for April 14 and 28.

Rubenstein added that Commissioner Ferrara had also met with City staff to discuss the research that might be needed. The meeting on March 25 was an open forum meeting for people to educate the Task Force and make comments and suggestions. A good part of the meeting included a presentation by representatives of Common Cause and the League of Women Voters. The next meeting on March 31 was a smaller meeting with Commissioners Dolan, Stade, Ferrara, and Rubenstein in attendance, as well as two members of the City Clerk's Office, and Council Member Gordon and his Aide. Discussion at that meeting revolved around what research questions would be helpful going into the next phase, which would be making any type of proposal to the Charter Commission. Relating to best practices, it was decided that the Task Force basically wanted information about how redistricting processes have varied and how those different processes have worked in cities comparable to Minneapolis. At their next two meetings, the Task Force will try to finalize what their recommendations might be for the May 5th Charter Commission meeting. If there is going to be something on the ballot, it is possible that a Special Charter Commission meeting may be required.

After discussion, it was decided that the meeting notes and documents discussed and presented at the March 25 open forum meeting would be linked to the marked agenda for the April 7th Charter Commission meeting.

Dana Banwer, Assistant City Attorney, requested clarification as to what was expected of the City Attorney's Office regarding research assistance prior to the next Task Force meeting.

Stade recalled that the Task Force had requested more research assistance from the Clerk's Office than from the Attorney's Office.

Rubenstein agreed. The Task Force had initially talked about pulling statutes, but decided that wasn't necessary at this point.

Roann Cramer, 1914 West 49th Street, was present on behalf of the Minneapolis DFL. She stated that the Minneapolis DFL would be in a position to entertain any proposed ballot measure most efficiently at their May convention. Even if they only had proposed language at that point, they could bring it to that body and have them vote whether to support the proposed language and then possibly ratify it at a follow-up meeting. Additionally, they would be able to support the Charter Commission by getting the word out about public meetings.

New Business

5. Report by Commissioner Ferrara regarding "Update Minneapolis".

Bernstein clarified that the Charter Commission is not represented, a participant, nor in any way engaged in "Update Minneapolis".

Ferrara reported that in January 2009, he was invited to sit in on "Update Minneapolis" meetings regarding Charter changes and improvements to the current structure of the city and independent boards. Former City Council Member Paul Ostrow was a part of that group which last year proposed some Charter amendments. Ferrara was called last month by one of the members of the League of Women Voters (LWV) who are interested in some of the activities of the "Update Minneapolis" group and asked Ferrara to inform the Charter Commission that they are going to start meeting again and that they would like the Commission to consider potential Charter changes for 2011. He also called the Charter Commission's attention to two articles published by the League of Women Voters, "A Balancing Act", published in April 2005, and "A Balancing Act 2 - The Independent Boards", published in April 2006.

Metge inquired if the League of Women Voters and/or the "Update Minneapolis" group would make their meeting dates available to the public. She had received a number of calls about the recommendations and reports of the LWV and knew that people would like to participate and provide input.

Ferrara suggested contacting the groups for more information. He didn't know if the meetings would be public meetings, but he would let the Commission know if he heard anything.

Bernstein reminded Commissioners that if anyone attended the meetings, they would be attending on their own behalf as a citizen, not as a representative of the Charter Commission.

Michael Kimble, Minneapolis Park & Recreation Board, was present and requested copies of all the documents that the Charter Commission might have regarding anything submitted to Mr. Ferrara about the proposed meetings to be held by the League of Women Voters and "Update Minneapolis". He assumed that since it had been discussed at the meeting, it was now public information.

Ferrara noted that it was not on behalf of the Charter Commission that some of the documents were shared with him. He didn't think those documents would be public information documents.

Dana Banwer, Assistant City Attorney, stated that the Government Data Practices Act refers to government documents. Any documents in the possession of the Charter Commission would be government documents and subject to production by the Commission. While she didn't know the specifics about how Commissioner Ferrara came to obtain the documents being discussed, it appeared that they were given to him by another entity, not a government entity, almost in the nature of a private individual or a private entity. They are not in the possession of the rest of the Commission or the City and, in her opinion, would not be subject to the Data Practices Act.

Ferrara noted that the documents were not sent to him in his capacity as a Charter Commission member.

Bernstein stated that the reports could be obtained from the League of Women Voters and he assumed that the Park Board Commissioners all received copies when the reports were first published.

Dolan moved to adjourn. Seconded.

Adopted upon a voice vote.

The meeting was adjourned at 4:32 p.m.

Postponed

6. City Council Briefing:

Consider request from the Elections Committee that the Charter Commission, along with Election staff, brief the Elections Committee of the City Council on the current redistricting process and the history leading up to it.

3/3/2010: Postponed to April 7, 2010, meeting.

Bernstein reconvened the meeting to consider Item 6. A Task Force briefing would be held when the City Elections Committee chose to hold it.

Rubenstein stated that this topic was briefly discussed at the March 31 meeting, and the Task Force members did not feel the Charter Commission was the appropriate group to brief the Elections Committee on the redistricting process. They hoped that the City Attorney might instead be invited to do so.

Bernstein suggested that perhaps the City Elections staff would be part of that process. Ginny Gelms, Interim Elections Director, stated that Elections staff would act at the direction of the Elections Committee's.

Dolan moved to adjourn. Seconded.

Adopted upon a voice vote.

The meeting was adjourned at 4:34 p.m.

Peggy Menshek
Council Committee Coordinator