

Minneapolis Charter Commission Minutes

Regular Meeting

Wednesday, March 1, 2006 - 4:00 p.m.

Council Chamber, Room 317 City Hall, Minneapolis, Minnesota

Commissioners Present: Bernstein, Clegg, Bujold, Collier, Dolan, Ferrara, Klassen, Lichty, Metge, Ponsford, Thaden, Theurer

Commissioners Absent: Lazarus, Dziedzic (excused), Melendez

Also Present: Mary Al Barber, City Attorney

1. Roll Call

Chair Bernstein called the meeting to order at 4:10 p.m. Roll call was taken.

2. Adopt Agenda

Commissioner Ponsford moved adoption of the agenda. Seconded.

Commissioner Collier moved an addition to the agenda, adding an Item 5 A - "Formal submission of proposed Charter to the City Council." Seconded.

The agenda, as amended, was adopted upon a voice vote.

3. Approve Minutes of February 8, 2006.

Commissioner Thaden moved approval of the minutes. Seconded.

Adopted upon a voice vote.

Thaden later requested that on Page 4 of the minutes, under Article VI, fourth paragraph, last sentence, the word "demoted" be changed to "moved". The corrected sentence now reads as follows:

"From the second draft forward, the Commission has recommended that that provision be moved to ordinance."

Unfinished Business

4. Proposed Charter Change:

Increase the pay of Board of Estimate and Taxation Members. (Bernstein)

Commissioner Bernstein stated that he had placed this item on the agenda at the request of the two newly-elected public members of the Board of Estimate and Taxation. The Commission has actually dealt with this item in the revised Charter. The new Charter does not contain any specific reference to the amount of money that the public members of the Board of Estimate and Taxation can receive. Therefore, it will ultimately be up to the City Council to decide what the wage scale should be. **No action was necessary on this item.**

5. 9th Draft to City Charter Revisions (submitted February 7, 2006):

Chair Bernstein stated that Commissioner Melendez is working on the summary report and side-by-side comparison of the revision with the current Charter for submittal to the City Council. Melendez stated at the last meeting that it would take him up to 60 days to complete the project. **No action was necessary on this item.**

Commissioner Bujold asked if there had been discussion at the last meeting regarding Article II, Boundaries, which deals with wards. §2.2(b)(3) states, Each ward must — “not dilute the voting strength of a racial or linguistic minority or other cohesive community of interest and, where possible, increase the probability that a member of such a minority or community will be elected.” He found the use of the language “cohesive community of interest” puzzling.

Ponsford stated the language most likely meant that in places where there are minority communities, a ward line would not be drawn down the middle of the community to divide it into two wards. “Community of interest” probably refers to religious groups, etc.

Bernstein recalled that Commissioner Melendez extracted the language from State Statute to protect particular groups, including racial minorities and communities of kind.

Commissioner Collier stated that the language is most likely referring to redistricting and how that works with communities of interest. Those guidelines are set by State law. It doesn't make any difference what is in the Charter. That situation occurred while she and Commissioner Ferrara were on the Redistricting Committee. New ward lines were drawn on computer and, as it turned out, divided the Little Earth community, so more boundary changes had to be made in order not to divide that community into two different wards.

Thaden referred Commissioner Bujold to Senate Research at the Minnesota Legislature. One of the researchers there, an attorney by the name of Peter Watson, is an expert at redistricting and election law and has a number of his papers and speeches on the Senate Council Website.

5a Formal Submission of Charter Amendment to the City Council: Proposed procedure. (Collier)

Commissioner Collier stated she felt there should be a formal process for submitting the proposed Charter revision to the City Council asking for a 13-0 vote. *Collier moved the following:*

That the Charter Commission:

- a) Send an official letter to the City Council indicating that the Commission has completed the work of modernizing the Charter;
- b) Include in the letter the number of public hearings held;
- c) Include with the letter statements from the Park Board, Library Board, AFSCME, and any other organizations that appeared before the Charter Commission, indicating their support of the revision. Although they may not agree with it totally, they could indicate that they agree in principle with the revision.
- d) Indicate to the City Council that the Commission is prepared to go to the voters in November, but only as a last resort. The Commission would prefer the Council's 13-0 vote;

- e) Indicate that the Commission would be happy to conduct a Study Session for Council Members and City staff at any time;
 - f) Include the timeline so the Council understands that the Commission is open to any changes they wish to make, as long as they are not substantial and do not change the intent of the Charter; and
 - g) Brief the StarTribune Editorial Board on what has been done. (Recommendation that Chair Bernstein and Commissioner Melendez make that visit.) Let StarTribune Editorial Board know that the Commission did heed their extensive articles about Charter changes regarding City structure, and that this is a first step, but hopefully not the last.
- Seconded.

Ferrara thought this was an excellent idea and a good process for communicating information to the City Council. The Commission truly needs to shepherd the revision through the Council. He thanked Commissioner Collier for her suggestion.

Bujold suggested that the Commission consider adding specific data on the number of hours that have been devoted to this project, principally by Commissioner Melendez, but also by other Commissioners so that the City Council understands that this is the fruit of a lot of hard work.

Collier accepted the suggestion as a friendly amendment.

Bernstein stated that he and Commissioner Clegg would draft a letter.

Clegg stated that while he also felt the Commission should solicit letters from the various boards, he did not feel the letters would be quickly forthcoming. He suggested that the Commission proceed with the submission process, and the letters from the various boards could follow the Commission's formal letter to the Council.

Collier agreed with Commissioner Clegg, but felt it was important to make the request, and then if the letters were not forthcoming within a reasonable length of time, indicate to the Council that as soon as they are received, the letters will be forwarded.

Thaden stated that he would convey this request to the Library Board.

The motion was adopted, as amended, upon a voice vote.

Declining to vote - Thaden.

Receive and File

6. Charter Commission Vacancies:

Receive and file informational update: On March 6, 2006, a Notice of Vacancy will be placed on the City's website and sent out in accordance with City requirements. Applications will be forwarded to the Chief Judge.

Action Taken: Received and filed.

Commissioner Thaden stated that he had been appointed as the City Council's representative on the Library Board. His term on the Charter Commission expires March 26. He agreed to continue serving on the Commission until a replacement had been

appointed, however, he will decline to vote on anything pertaining to the Library Board, including motions on the current revision to the Charter.

Commissioner Theurer indicated that he also will not be seeking reappointment. He stated that he appreciated the efforts of the Commission and enjoyed being a part of it.

Commissioners Metge and Dolan stated that they would both seek reappointment.

Bernstein stated that Commissioners Dziejczak and Melendez had indicated that they will not be seeking reappointment. There are now four vacancies on the Charter Commission. He encouraged members to promote the Charter Commission to citizens and encourage people to apply.

Ferrara stated that he had been invited to be a guest on Judy Corrao's cable television program to talk about the Charter Commission. He has also extended that invitation to Commissioner Melendez. This will present an opportunity to make a public announcement about the membership issue. The show will be filmed in April.

Bernstein stated that Commissioners Theurer and Thaden have been valuable members of this Commission and wished them well in the future.

Thaden stated that the intellectual and legal challenges of being a Charter Commission member had been fascinating, and he had enjoyed it immensely.

Item 6 was received and filed by unanimous consent.

Collier asked if assignments had been made as to which Commission Members would speak to individual Council Members regarding their support of the revised Charter.

Bernstein stated that it had been discussed two years ago. There are now new City Council Members and new Charter Members. This could be discussed at the April meeting.

The meeting adjourned at 4:50 p.m.

Peggy Menshek
Charter Commission Clerk