

**MINNEAPOLIS CHARTER COMMISSION
CHARTER REVISION COMMITTEE**

**SIDE-BY-SIDE COMPARISON:
SUCCESSOR PROVISIONS TO SOURCE PROVISIONS**

Tenth Draft
5 Nov. 2007

Article I General Provisions	
<p>§ 1.1. Name</p> <p>The body corporate and politic that this charter governs is named the “City of Minneapolis.” For this charter’s purposes, the “City” means the City of Minneapolis, and its provisions refer to the City unless the context clearly indicates otherwise.</p>	<p>The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation under the name and style of the City of Minneapolis [ch. 1, § 1]</p>
<p>§ 1.2. Status</p> <p>The City is a municipal corporation having adopted this home-rule charter under the Minnesota Constitution, article XII, section 4.</p>	<p>The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation [ch. 1, § 1]</p>
<p>§ 1.3. Authority</p>	
<p>(a) Basic authority. Subject to applicable law, this charter and action taken under its authority are the basis for the conduct of all the City’s business.</p>	
<p>(b) Restatement and supersession. This charter fully restates and supersedes every prior version of, and any ordinance or other municipal act inconsistent with, this charter. But except as this charter or an amendment explicitly provides otherwise, the charter does not affect—</p>	

<p>(1) any ordinance or other municipal act adopted before its adoption or its latest revision or amendment;</p>	<p>The government of the City of Minneapolis and its several boards and departments existing at the time this Charter goes into effect shall continue as the government of said city and its several boards and departments under this Charter and all ordinances and regulations then existing and in force shall continue to exist and be in force unless otherwise provided in this Charter. [ch. 11, § 1]</p>
<p>(2) the existence, status, function, composition, powers, or duties of any board, department, or other public body; or</p>	<p>The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation under the name and style of the City of Minneapolis with the same boundaries as now are or may be hereafter established. [ch. 1, § 1]</p> <p>The government of the City of Minneapolis and its several boards and departments existing at the time this Charter goes into effect shall continue as the government of said city and its several boards and departments under this Charter and all ordinances and regulations then existing and in force shall continue to exist and be in force unless otherwise provided in this Charter. [ch. 11, § 1]</p> <p>The City of Minneapolis and the several Boards and Departments of said city, in addition to all the rights, powers, duties, functions, privileges and immunities expressly conferred upon and vested in them or any of them under and by virtue of the provisions of this charter, shall under this Charter also have, possess, perform, exercise and enjoy all other rights, powers, duties, functions, privileges and immunities held, possessed, performed, exercised or enjoyed by said city and its several departments and boards respectively at the time of the adoption of this Charter. [ch. 20, § 2]</p>
<p>(3) the office, tenure, powers, or duties of any officer.</p>	<p>Nothing in this Charter contained shall be construed as legislating out of office any elected official of the City of Minneapolis, or any officer appointed by the City Council thereof. [ch. 2, § 2]</p>
<p>(c) Laws.</p>	<p>No law heretofore passed by the Legislature of the State of Minnesota and expressly made applicable only to cities of the first class having a home-rule charter or governed under a charter adopted pursuant to Section 36, Article 4, or the State Constitution, and in force at the time of the adoption of this Charter, shall apply to the City of Minneapolis or any of its departments, boards or officers, and no such law shall confer or impose upon or vest in the City of Minneapolis or any of its departments, boards or officers any rights, powers, duties, functions, privileges or immunities whatever. [ch.</p>
<p>(1) Inconsistent laws superseded. This charter supersedes any special law in effect at the time of the charter's latest revision on _____, 200_, to the extent of any inconsistency between them.</p>	
<p>(2) Certain laws preserved. The charter does not affect any special or other law to the extent that it—</p>	

(A) confers upon the City, or upon any board, department, or officer for which this charter or an ordinance provides, a power, right, duty, or role in addition to those for which the charter or ordinance provides; or	20, § 3]
(B) covers a matter that this charter does not cover.	
(d) Construction. For this charter’s purposes, except as this charter otherwise provides—	
(1) each term used in this charter has the same meaning as in the Minnesota constitution and statutes, and other law relating to the same subject;	
(2) the canons of construction and other principles of interpretation in the Minnesota statutes apply to this charter;	The use of either the masculine, feminine or neuter gender in this Charter shall be deemed to include the other genders, unless the context clearly requires otherwise. [ch. 11, § 17] words of one gender include the other genders [Minn. Stat. § 645.08(2)]
(3) each heading is a part of the charter, and may be used in interpreting its provisions, although the heading is subject to the text;	[Compare Minn. Stat. § 645.49 (headnotes) (“The headnotes printed in boldface type before sections and subdivisions in editions of Minnesota Statutes are mere catchwords to indicate the contents of the section or subdivision and are not part of the statute.”).]
(4) any reference to population or other enumeration refers to the latest decennial federal census; and	Population shall be determined by use of the official population, as stated by census tracts and blocks in the official United States Census. [ch. 1, § 3(A)(4)]
(5) a “citizen” means an inhabitant who resides within the City, regardless of whether he or she is a citizen within the meaning of the federal or state constitution or any other law.	

<p>§ 1.4. Powers</p>	
<p>(a) Powers plenary. The City, acting through the boards, departments, and officers for which this charter or an ordinance provides, may exercise any power that a municipal corporation can lawfully exercise.</p>	<p>The City of Minneapolis may sue and be sued, plead and be impleaded, in any court; make and use a common seal and alter it at pleasure; take and hold, lease and convey all such real, personal and mixed property as the purposes of the corporation may require, or the transaction[s] or exigencies of the business may render convenient within or without the limits of such city; shall be capable of contracting and being contracted with, and shall have all the general powers possessed by municipal corporations at common law, and in addition thereto shall possess powers hereinafter specifically granted, and all the authorities thereof shall have perpetual succession. [ch. 1, § 2]</p>
<p>(1) Eminent domain. The City Council may, and any other authorized board may, establish the procedure by which the City exercises through that board its power of eminent domain, including the procedure for any appeal from an award in condemnation.</p>	<p>The City Council shall have the power to acquire by purchase or condemnation such private property as may be necessary for sites for public buildings for the use of the city and all departments thereof, for all structures connected with any department of the city, and for all streets, alleys and public squares in the city, and to ascertain and determine the value of all such private property taken for such uses, and the amount of all damages occasioned to any private property by reason of any public works or structures, and for that purpose may appoint commissioners to appraise such value or damages, or acquire information thereof in any other manner it shall deem advisable. [ch. 4, § 15]</p>
<p>(2) Infrastructure. The City may establish, plan, build, maintain, regulate, and otherwise provide for public ways and works and any other infrastructure necessary or convenient for its residential and economic development; for the comfort, convenience, health, safety, or welfare of its citizens; or for the efficient delivery of municipal services.</p>	
<p>(b) Optional powers claimed. If a municipal corporation may enjoy or exercise a certain power by charter, without forgoing any other power, then the City hereby claims and may exercise that power.</p>	

<p>(c) Laws excepting home-rule cities. Whenever a law grants a power or an option to cities generally or to cities of a certain class, but excepts cities having adopted a home-rule charter, the City may nevertheless exercise the power or option if that exercise is not inconsistent with this charter, notwithstanding its having adopted this charter.</p>	<p>No law heretofore passed by the Legislature of the State of Minnesota and expressly made applicable only to cities of the first class having a home-rule charter or governed under a charter adopted pursuant to Section 36, Article 4, or the State Constitution, and in force at the time of the adoption of this Charter, shall apply to the City of Minneapolis or any of its departments, boards or officers, and no such law shall confer or impose upon or vest in the City of Minneapolis or any of its departments, boards or officers any rights, powers, duties, functions, privileges or immunities whatever. [ch. 20, § 3]</p>
<p>(d) Unmentioned powers. This charter’s mention of certain powers does not limit the City’s powers to those mentioned.</p>	
<p>§ 1.5. Enforcement</p>	
<p>(a) Liability. An ordinance may impose a duty, and may provide that a violation will result in—</p>	<p>The City Council shall have full power and authority to make, ordain, publish, enforce, alter, amend or repeal all such ordinances for the government and good order of the City, for the suppression of vice and intemperance, and for the prevention of crime, as it shall deem expedient, and in and by the same to declare and impose penalties and punishments, and enforce the same against any person or persons who may violate the provisions of any ordinance, passed and ordained by it, and all such ordinances are hereby declared to be and to have the force of law. [ch. 4, § 5]</p> <p>The City Council may prescribe punishment for the breach of any ordinance of the City to the extent of a fine not exceeding seven hundred dollars (\$700.00), and imprisonment not exceeding ninety (90) days, or both. [ch. 4, § 6]</p> <p>The City Council may also provide by ordinance that anyone convicted of an offense</p>
<p>(1) a fine;</p>	
<p>(2) imprisonment, or labor in a workhouse or on a public improvement;</p>	
<p>(3) another penalty;</p>	
<p>(4) any combination of such penalties;</p>	
<p>(5) civil liability, including—</p>	
<p>(A) multiple damages, or</p>	

(B) a lien against property; or

before the Municipal Court of Hennepin County subjecting such offender to imprisonment under the ordinances of said City, may be kept at hard labor either in any workhouse established for that purpose, or upon the public improvements of said City, or both; and may also provide by ordinance that anyone convicted of any offense before said Municipal Court, and committed upon nonpayment of fine imposed, may be kept at hard labor either in any workhouse of said City aforesaid; or upon the public improvements, or both, until such person shall work out the amount of such fine, at such rate of compensation as said Council may prescribe, for a time not exceeding said commitment; and the City Council shall have full power to establish by ordinance all needful regulations for the security of such persons thus employed, and to prevent escape and secure proper discipline, and shall have power to establish a proper workhouse in said City or outside thereof for the purpose aforesaid, and under such regulations as said City Council may prescribe. Provided, that the City Council aforesaid is hereby authorized to use the Hennepin County adult corrections facility and/or the Hennepin County adult detention center as the workhouse of the City of Minneapolis provided for in this Charter, the prisoners of the City to be as at present in the custody of the sheriff of Hennepin County, except while working on the improvements of said City, when they shall be under the control of the police force of said City. [ch. 4, § 7]

In all cases of imposition of penalty or fine, or the rendering of a judgment by the District Court of Hennepin County, pursuant to any statute of the State of Minnesota, or pursuant to any ordinance or regulation of the said City of Minneapolis, as a punishment for any offense or for the violation of any regulation or ordinance as aforesaid, the offender shall be forthwith committed to the city prison of said city, or if there be no city prison, to the common jail of Hennepin County, and there be imprisoned for a term not exceeding three months, in the discretion of said Court, unless the said fine or penalty be sooner paid, and from the time of the arrest of any person or persons for any offense whatever, until the time of trial, the person or persons so arrested may be imprisoned in the city prison, or in case there be no such prison, in the common jail of Hennepin County. [ch. 11, § 10]

<p>(6) forfeiture of office, in the case of an officer who violates an ordinance relating to the office.</p>	<p>Any elective or appointive officer of the City of Minneapolis, or any person employed in the services of the City of Minneapolis, who shall willfully violate or evade any of the provisions of law, or commit any fraud upon the City, or convert any of the public property to his or her own use or knowingly permit any other person to convert it, or by gross or culpable neglect of duty allow the same to be lost to the City, shall be deemed guilty of a misdemeanor and in addition to the penalties imposed by law, and on conviction, shall forfeit the office and be excluded forever after from receiving or holding any office under the Charter of the City of Minneapolis and shall be liable to refund to the City, at the suit of any taxpayer or citizen, any amount lost to said City by reason of any such violation of law. [ch. 2, § 19]</p>
<p>(b) Jurisdiction. The district court has jurisdiction—</p> <p>(1) over any case arising under this charter or an ordinance, including the prosecution for any violation; and</p>	<p>The District Court of Hennepin County shall have exclusive cognizance and jurisdiction of all suits, prosecutions and proceedings for the recovery of all forfeitures, fines and penalties or inflictions of punishments, for the breach of any city charter provision, regulation or ordinance of said city, and of all offenses against the same. And in all cases of convictions for assaults, batteries and affrays, disorderly conduct, breach of the peace, keeping or frequenting disorderly houses or houses of ill-fame, the District Court of Hennepin County may, in addition to any fine or punishment authorized or imposed, or without such fine or other punishment, compel the accused to give security to keep the peace and be of good behavior All fines and penalties imposed by said Court (for the violation of any ordinance or regulation of the city) shall belong to and be a part of the revenue of said city. Said court shall also have power in all criminal actions within its jurisdiction, when the punishment is by imprisonment, or by imprisonment in default of payment of fine, to sentence offenders to hard labor in any workhouse established by the city for that purpose, or to sentence them to labor on any public work or improvement, in like manner and under the same qualification as hereinafter provided in cases of offenses against city ordinances. [ch. 11, § 9]</p> <p>the Municipal Court of Hennepin County shall have jurisdiction of all offenses against such ordinances [ch. 16, § 16]</p>
<p>(2) for enforcing any subpoena issued by an officer or board under this charter who can lawfully compel the attendance or testimony of any witness or the production of any book, document, or thing.</p>	<p>The commission may make complaint to the District Court of disobedience of its subpoenas or orders under this section, and the court shall prescribe notice to the person accused and require that the person obey the commission's subpoenas and order, if found within the lawful powers of the commission, and punish disobedience as a contempt of the court. [ch. 19, § 19]</p>

Article II Boundaries	
<p>§ 2.1. City</p> <p>The City has the boundaries established under law.</p>	<p>The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation . . . with the same boundaries as now are or may be hereafter established. [ch. 1, § 1]</p>
<p>§ 2.2. Wards</p>	
<p>(a) Number. The City comprises 13 wards, designated by number. If possible, a redistricted ward keeps the number of the former ward from which its population mostly came.</p>	<p>The City shall consist of thirteen Wards [ch. 1, § 3(A)]</p> <p>all newly drawn Wards shall retain the same numerical designation as the then currently existing Ward from which the newly drawn ward received the largest portion of its population. [ch. 1, § 3(A)(3)]</p>
<p>(b) Characteristics. The wards must be as equal in population as practicable. Each ward must—</p>	<p>with as nearly equal population as practicable [ch. 1, § 3(A)]</p>
<p>(1) not deviate from the mean ward population by more than five percent of that average, according to—</p>	<p>A population quota for each Ward shall be determined by dividing the total population of the City by 13. In no case shall any Ward, when readjusted, have a population more than five percent over or under such population quota. [ch. 1, § 3(A)(1)]</p>
<p>(A) the latest decennial federal census; or</p>	<p>Population shall be determined by use of the official population, as stated by census tracts and blocks in the official United States Census. [ch. 1, § 3(A)(4)]</p>
<p>(B) a special computation or enumeration ordered by the Redistricting Commission with respect to any particular block or tract, computed or enumerated as of the same time and in the same manner as the latest decennial federal census;</p>	<p>Whenever it is necessary to modify census data in fixing a Ward boundary, the Redistricting Commission may compute the population of any part by use of other pertinent data or may have a special enumeration made of any block or blocks using the standards of the United States Census. If the population of any block or blocks is so determined, the Redistricting Commission may assume that the remainder of the census tract has the remaining population shown by the census. In every such case, the determination of the Redistricting Commission as to population shall be conclusive, unless clearly contrary to the census. [ch. 1, § 3(A)(4)]</p>

<p>(2) consist of a compact, contiguous area, not longer than twice its width, whose boundaries lie along the centerline of public ways and, as far as practicable, run due north–south or east–west. A waterway or other body of water within a ward does not affect these characteristics;</p>	<p>Each Ward shall consist of contiguous compact territory not more than twice as long as it is wide, provided that the existence of any lake within any Ward shall not be contrary to this provision. Wherever possible, Ward boundary lines shall follow the centerline of streets, avenues, alleys and boulevards and as nearly as practicable, shall run due East and West or North and South. [ch. 1, § 3(A)(2)]</p>
<p>(3) 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; and</p>	<p>The districts must not dilute the voting strength of racial or language minority populations. Where a concentration of a racial or language minority makes it possible, the districts must increase the probability that members of the minority will be elected. [1992 Minn. Laws ch. 362, § 2(4)]</p>
<p><i>Note.</i> This provision comes from a special law that originally applied only to the Park & Recreation Board.</p>	
<p>(4) minimize change in existing boundaries, except as necessary in order to effect the foregoing criteria.</p>	<p>The districts should attempt to preserve communities of interest where that can be done in compliance with the preceding standards. [1992 Minn. Laws ch. 362, § 2(4)]</p>
<p><i>Note.</i> This provision comes from a special law that originally applied only to the Park & Recreation Board.</p>	
<p>(c) Redistricting.</p>	
<p>(1) Policy. The City must redistrict the wards, as this section 2.2(c) provides,—</p>	<p>Within the time specified in paragraph C hereof the Redistricting Commission shall readjust the boundaries of the Wards in accordance with the following standards [ch. 1, § 3(A)]</p>
<p>(A) after each decennial federal census;</p>	<p>In each year ending in the number two, or whenever the number of Wards is changed, or when required by court order, Redistricting Commission shall be established to draw Ward boundaries. [ch. 1, § 3(B)]</p>
<p>(B) as required by general or special law or by judicial decree; or</p>	
<p>(C) when the number of wards changes,</p>	
<p>and may not otherwise redistrict them.</p>	<p>Whenever Wards have been so readjusted, no further Ward adjustment shall be made until the announcement of the next decennial United States Census. [ch. 1, § 3(C)]</p> <p>The method herein provided shall be the sole method for readjusting Ward boundaries, and the City Council shall have no power to readjust Ward boundaries except as in this section provided. [ch. 1, § 3(H)]</p>

<p>(2) Redistricting Commission. For this section 2.2(c)'s purposes, the "Commission" means the Redistricting Commission for which this section 2.2(c)(2) provides.</p>	
<p>(A) Composition. The Commission comprises—</p>	<p>The Redistricting Commission shall be appointed as follows: [ch. 1, § 3(B)]</p>
<p>(i) one commissioner elected by but not from the greatest number of Council members who are members of the same political party (or, if there is more than one such number, from the majority that elected the Council president);</p>	<p>The largest number of City Council members who consider themselves to be affiliated with the same political party shall appoint one person to the Commission. [ch. 1, § 3(B)(1)]</p>
<p>(ii) one commissioner elected by but not from the remaining Council members;</p>	<p>The remaining members of the City Council shall appoint one person to the Commission. [ch. 1, § 3(B)(1)]</p>
<p>(iii) two commissioners elected by the Charter Commission from each major political party, at least one of whom was nominated by the party;</p>	<p>the Charter Commission shall select by a majority vote of all of its members, two members from each major party to serve on the Redistricting Commission, at least one of which must be from the lists submitted by the parties. Remaining members may be chosen from either the lists submitted by the political parties or from the list of self nominees affiliated with that party. [ch. 1, § 3(B)]</p>
<p>(iv) up to two commissioners elected by the Charter Commission who are either—</p>	<p>The Charter Commission at its discretion may also select by majority vote up to two other members from a list of names limited to those submitted only by: [ch. 1, § 3(B)]</p>
<p>(I) members of a political party or parties that are not a major political party, or</p>	<p>political parties who do not qualify as major parties; or [ch. 1, § 3(B)(a)]</p>
<p>(II) unaffiliated with any political party; and</p>	<p>self nominees who are not affiliated with any political party. [ch. 1, § 3(B)(b)]</p>
<p>(v) a chair elected by but not from the other commissioners.</p>	<p>The members selected by the Charter Commission, and the Council appointees shall then . . . elect by a majority vote one more person to serve on the Redistricting Commission who shall serve as its chair. [ch. 1, § 3(B)]</p>
<p>No political party's members may constitute a majority of the commissioners.</p>	<p>No political party shall constitute a majority of the Redistricting Commission. [ch. 1, § 3(B)]</p>
<p>(B) Qualifications. Each commissioner must be a qualified voter in the City.</p>	<p>The Commission shall consist of members, as provided herein, who are eligible voters of the City. [ch. 1, § 3(B)]</p>

(C) Nominations.	
(i) Political parties. For this section 2.2(c)'s purposes—	major political party, as defined by Minnesota Statute 200.02, Subdivision 7, whose candidate for governor or for United States senator in the preceding election received five (5) percent of the total ballots cast for that office in the City of Minneapolis. [ch. 1, § 3(B)(2)]
(I) a “political party” has the same meaning as in the Minnesota election law; and	
(II) a “major political party” means one within the Minnesota election law’s meaning, whose nominee for governor or for United States senator received more than five percent of the votes in the City at the last gubernatorial or senatorial election.	
(ii) Nomination by party. Each major political party may nominate six to ten members for commissioner.	Each party list shall contain at least six, but not more than ten, names of persons [ch. 1, § 3(B)(2)]
The party’s list must broadly reflect the City’s population and must include racial minorities and other groups historically underrepresented in City government.	Each party list shall contain . . . names of persons broadly representative of the city population. [ch. 1, § 3(B)(2)] Each party list shall include persons from groups traditionally under represented in city government, including racial minorities. [ch. 1, § 3(B)(2)]
A party may not nominate anyone who, since two years before the process began, is or has—	Nominees shall not currently be or within two years previous to appointment, have been, [ch. 1, § 3(B)(2)]
(I) held any elected public office;	an elected official of municipal, county, state or federal government, [ch. 1, § 3(B)(2)]
(II) appeared on a ballot listing his or her partisan affiliation in any election;	nor a candidate, in a primary or general election, for a public office for which the ballot indicates a political party designation of candidates, [ch. 1, § 3(B)(2)]
(III) worked as an employee of any political party; or	nor an employee of a political party, [ch. 1, § 3(B)(2)]
(IV) worked as an employee for the City.	nor an employee of city government. [ch. 1, § 3(B)(2)]
If any major political party does not communicate its list to the Charter Commission by the applicable deadline, or if the list does not comply with this section 2.2(c)(2)(C)(ii), then the Charter Commission may elect a commissioner from the party without regard to the party’s list.	

<p>(iii) Nomination by voter. Any eligible voter may nominate himself or herself or any other eligible voter for commissioner. The nomination must identify the political party of which the nominee is a member or state that the nominee is unaffiliated with any political party.</p>	<p>The Charter Commission shall accept letters of nominations from duly eligible voters of the City. The letters may be self-nomination or the nomination of another, all of whom must be eligible voters of the City. [ch. 1, § 3(B)(3)]</p>
<p>(3) Schedule. Subject to any applicable ordinance, general or special law, or judicial decree:</p>	<p>At or within the times prescribed by law, [ch. 1, § 3(C)]</p>
<p>(A) Nominations. At least 45 days before the process begins, the Charter Commission must request nominations by letter to each major political party’s city chair (or, if there is no city chair, its state chair); and by public notice inviting nominations by voters. The deadline for nominations is 15 days before the process begins.</p>	<p>The Charter Commission shall request a list of nominees from the following sources: [ch. 1, § 3(B)(2)]</p> <p>Requests for appointees and nominees shall be made by the Charter Commission 45 days prior to the above deadline. [ch. 1, § 3(B)(2)]</p> <p>The City Chair, or if there is no City Chair, the State Chair, of each major political party, [ch. 1, § 3(B)(2)]</p> <p>Notice of the request for letters of nomination shall be a public notice made by the Commission 45 days prior to February 1 in years ending in two. [ch. 1, § 3(B)(3)]</p> <p>Within 15 days after receiving the lists of party nominees and self nominees, the Charter Commission shall select . . . [ch. 1, § 3(B)]</p>
<p>(B) Process begins. The redistricting process begins—</p>	
<p>(i) after a decennial census, on February 1 in the calendar year ending in —2;</p>	
<p>(ii) when required by general or special law or judicial decree, as the law or decree provides, otherwise 60 days after it takes effect; or</p>	
<p>(iii) when the number of wards changes, 60 days after the amendment takes effect (even if the change takes effect later).</p>	
<p>(C) Election by Council members. The Council members must elect their commissioners within 45 days before the process begins.</p>	<p>The names of the Council appointees and the lists of party nominees shall be submitted to the Charter Commission not later than February 1 in years ending in two. [ch. 1, § 3(B)(2)]</p>

<p>(D) Election by Charter Commission. The Charter Commission must elect its commissioners within 15 days before or after the process begins.</p>	
<p>(E) Organizational meeting. Within 30 days after the process begins, the Commission must convene at the Charter Commission’s call, and must elect its chair by simple majority.</p>	
<p>If the Commission has not elected a chair within 15 days after convening, then each commissioner may cast a written ballot for chair and, if no chair is thereby elected, the city clerk will draw one ballot by lot and the person named on that ballot is the chair.</p>	<p>If a chair is not selected within fifteen (15) days after the time set for the initial meeting, each contending faction shall name the person of their choice for chair and the selection shall be made by lot. [ch. 1, § 3(B)]</p>
<p>(F) Tentative plan. Within 60 days after the process begins, the Commission must—</p>	
<p>(i) give public notice of a tentative plan or plans; and</p>	
<p>(ii) invite comments from each neighborhood organization recognized in a manner for which the City Council provides.</p>	<p>Neighborhoods, as delineated by the Planning Department, shall be solicited for their input. [ch. 1, § 3(C)]</p>
<p>(G) Public hearings. Between seven and 30 days after giving public notice, the Commission must hold a public hearing on its tentative plan or plans. At least seven days after the first public hearing, and before adopting a final plan, the Commission must hold a second public hearing, either on a tentative plan or on its proposed final plan.</p>	<p>the Redistricting Commission shall adopt a Ward boundary plan in accordance with the standards of paragraph A hereof. The Commission, with appropriate notice, shall hold at least two public hearings prior to adoption of the plan. At least one of the public hearings shall be for the purpose of reviewing the tentative plan. A copy of the tentative plan shall be published as a legal notice for the public at least seven (7) days prior to the public hearing on the tentative plan. [ch. 1, § 3(c)]</p>
<p>(H) Final plan. Within 90 days after the process begins, the Commission must—</p>	
<p>(i) adopt a final plan redistricting the wards and delineating each redistricted ward’s boundaries and stating its population, and</p>	<p>The plan shall state the boundaries and population of each Ward [ch. 1, § 3(C)]</p>
<p>(ii) file the plan with the city clerk.</p>	<p>and shall be deemed completed when filed with the city Clerk with the signatures of a majority of the members of the commission. [ch. 1, § 3(C)]</p>
<p>If the Commission has not adopted a final plan by the deadline, then each commissioner may cast a written ballot identifying a proposed final plan, and the city clerk will draw one ballot by lot and the plan identified on that ballot is the final plan.</p>	<p>Should the Redistricting Commission fail to adopt a plan within the time prescribed, each of the contending factions on the Redistricting Commission shall submit a plan, and one plan shall be selected by lot. Determinations by lot shall be supervised by the City Clerk. [ch. 1, § 3(D)]</p>

<p>(I) Effective date. The final plan takes effect upon, and applies to the first general election for which filing opens after, its adoption (or its being drawn by lot). A redistricting does not affect the eligibility or term of any incumbent holding office when the plan takes effect, and does not apply to any special election held before the next regular election.</p>	<p>No readjustment of Ward boundaries shall apply to any City election if the adopted plan goes into effect after the first date for filing for such elections. All Council Members, including those who take office as provided in Chapter 2, Section 16 or 16A of this Charter, may complete the term for which they are elected, or appointed notwithstanding changes in Ward boundaries. [ch. 1, § 3(F)]</p>
<p>(J) Expiration. The Commission expires when the final plan takes effect, but must reconvene for the purpose of conforming the plan to the law if the district court finds that the plan is unlawful.</p>	<p>The Redistricting Commission shall, at this time, be dissolved; however, if the District Court finds the plan improper and returns it, the Commission shall reconvene for the purpose of revising and readopting the redistricting plan. [ch. 1, § 3(c)]</p> <p>If a redistricting plan is questioned in a proceeding before the Court, and the Court finds the plan is improper, the Court shall return the plan to the commission for revision and reoption. [ch. 1, § 3(E)(3)]</p>
<p>(4) Funding. The City Council must provide for the staff and other resources that the Commission needs.</p>	<p>The City Council, upon request of the Redistricting Commission, shall promptly provide funding for such staff and other assistance as the Commission deems necessary to complete its work in a timely manner. [ch. 1, § 3(B)]</p>
<p>(5) Ordinances. The City Council may enact any necessary or prudent ordinance implementing this section 2.2(c). No such ordinance applies to any redistricting process that begins within 30 days.</p>	<p>The City Council shall enact the ordinances necessary to implement this section, provided that redistricting shall be governed by the law in effect on January 1 of the year in which a Redistricting Commission is established. [ch. 1, § 3(F)]</p>
<p>(6) Jurisdiction. The district court enjoys original jurisdiction over any case arising out of redistricting under this section 2.2(c).</p>	<p>The District Court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law, and upon application by an appropriate party and after notice and hearing may compel the execution of any action required hereunder. [ch. 1, § 3(E)(1)]</p>
<p>§ 2.3. Park districts</p>	
<p>The provisions of the preceding section 2.2 regarding redistricting wards likewise apply as far as possible to redistricting park districts, except as this section 2.3 otherwise provides.</p>	
<p>(a) Number. The City comprises six park districts, designated by number.</p>	<p>There are hereby created six Park and Recreation Districts within the city, [ch. 16, § 1]</p>

<p>If possible, a redistricted park district keeps the number of the former district from which its population mostly came.</p>	<p>To the extent possible, each newly drawn district shall retain the same numerical designation as the previously existing district from which the newly drawn district received the largest portion of its population. [1992 Minn. Laws ch. 362, § 2(3)]</p>
<p>(b) Commission. The Redistricting Commission must redistrict the park districts in the same manner as it redistricts the wards, for which purpose the Commission includes two commissioners elected by but not from the Park & Recreation Board’s commissioners, in the same manner as and in place of the commissioners elected by the Council members under section 2.2(c)(2)(A)(i)–(ii), but without regard to political affiliation. If the park districts are redistricted when the wards are not being redistricted, then the Charter Commission must convene a new Commission, with the Park & Recreation Board serving in the City Council’s place. For this section 2.3’s purposes, the “Commission” means the Redistricting Commission for which this section 2.3(b) provides.</p>	<p>Whenever Ward boundaries within the City are officially changed, but not later than twenty-one (21) days prior to the opening of filings for city office, the Reapportionment Commission shall propose a plan for changing the boundaries of the six (6) Park and Recreation Districts and notify the Park and Recreation Board of the proposed plan. [ch. 16, § 1]</p> <p>Notwithstanding chapter 1, section 3, of the home rule charter of the city of Minneapolis, the Minneapolis park and recreation board may appoint two members to serve on the Minneapolis reapportionment commission to replace the two members of the commission appointed by the majority and minority caucuses of the city council for the purpose of determining the reapportionment of Minneapolis park and recreation districts. The two members appointed by the park and recreation board shall participate with the other appointed members of the reapportionment commission to determine the reapportionment of park board districts. . . . City council appointees shall not sit in considering the reapportionment of park district boundaries. [1992 Minn. Laws ch. 362, § 1]</p>
<p>(c) Park & Recreation Board. Before holding a public hearing on any tentative plan, the Commission must—</p>	<p>Whenever Ward boundaries within the City are officially changed, but not later than twenty-one (21) days prior to the opening of filings for city office, the Reapportionment Commission shall propose a plan for changing the boundaries of the six (6) Park and Recreation Districts and notify the Park and Recreation Board of the proposed plan. The Park and Recreation Board shall then review the proposed plan and make recommendations to the Reapportionment Commission. The Reapportionment Commission shall consider any recommendations made by the Park and Recreation Board . . . [ch. 16, § 1]</p>
<p>(1) notify the Park & Recreation Board of its tentative plan; and</p>	
<p>(2) consider any recommendation by the Board.</p>	
<p>(d) Schedule. Before filing opens for the first general election after the process begins, the Commission may extend its schedule for redistricting park districts if—</p>	<p>The Reapportionment Commission shall consider any recommendations made by the Park and Recreation Board and shall adopt the Park and Recreation District boundaries no later than fourteen (14) days prior to the opening of filings for city offices. [ch. 16, § 1]</p>
<p>(1) at least 14 days before, it notifies the Park & Recreation Board of its tentative plan, and</p>	
<p>(2) at least seven days before, it files a final plan with the city clerk.</p>	

<p>§ 2.4. Precincts</p>	<p>The City Council shall, from time to time as it shall deem necessary, by a resolution adopted at least 90 days previous to the general City election, designate the boundaries of the several election districts of the City, and for that purpose, may divide the several wards into such number of precincts as it may deem necessary; but no election precinct shall cover any territory of more than one (1) ward. The City Council shall also designate the place of holding elections in each precinct. In case the City Council shall neglect or refuse to provide such election precincts and places of holding election as herein provided, and in all cases of special elections, the election precincts and places of holding elections shall continue to be the same as at the general election next preceding said election: Provided, that when it may be necessary to designate any other place for holding a special election than the place where was held the last general election in any precinct, the City Council may so designate some other place in such precinct for holding said special election. [ch. 2, § 7]</p>
<p>(a) Precincts, polling places. For the convenient administration of elections, the City Council must divide each ward into precincts and designate a polling place in each precinct. Each precinct must lie wholly within a single ward and park district.</p>	
<p>(b) Effective date. An act dividing a ward into precincts, or designating a polling place, takes effect after 90 days or at such later time as the act provides. An act designating a new polling place may take effect sooner if the old polling place is unavailable.</p>	
<p>§ 2.5. Annexed territory</p>	<p>In the event any territory shall be annexed to the City, it shall become part of the adjoining Ward. [ch. 1, § 3(C)]</p>
<p>Any annexed territory joins the ward and the park district to which it is adjacent or, if adjacent to more than one ward or district, the least populous such ward or district.</p>	
<p>§ 2.6. Special districts</p>	<p>The City Council shall have power to designate by ordinance or resolution such portions of the territory lying adjacent to or outside of the boundary lines of the city as it may deem proper as a city district, and may from time to time extend the limits of such district to include any territory not lying at a greater distance than three (3) miles at any point in direct line from the boundary line of said city, and within said district the City Council shall have control of the laying out of streets and alleys and the acceptance of plats of additions and the dedication of property for streets and public grounds therein, and may require that all streets and alleys laid out or donated within such district shall conform to and be continuous with the system of streets and alleys within said city, and to that end may indicate by survey and plat such streets, alleys, and arrangement and dimensions thereof as in its discretion will be best calculated to meet the wants and conveniences of said city and its surroundings or any future extension thereof. [ch. 8, § 21]</p>
<p>For the more efficient delivery of municipal services in the City and its surroundings, and with a view toward their orderly growth—</p>	
<p>(a) the City Council may designate any area within three miles of the City’s boundaries as a special district, in which it may—</p>	
<p>(1) lay out the streets and other infrastructure so that they consistently continue the City’s system;</p>	
<p>(2) accept or dedicate property for streets or any other public purpose; and</p>	
<p>(3) plat the district accordingly; and</p>	

<p>(b) except as prohibited by law, the City may acquire realty and extend infrastructure beyond the City’s boundaries without designating a special district.</p>	<p>In addition to the foregoing authority to levy an annual tax of not to exceed 2 1/2 mills for permanent improvements, the City Council shall have and is hereby vested with power and authority to levy an additional annual tax of not to exceed 2 1/2 mills on each dollar of the assessed valuation of the taxable property of the City, and to use the proceeds thereof, for the purposes of the construction within or without the City of connecting and intercepting sewers, sewage disposal plants, and other necessary works that may be required for the treatment, reduction or disposal of sewage and industrial wastes, and for the acquisition of lands, easements and sites necessary therefor. [ch. 5, § 16]</p>
<p>Article III Elections</p>	
<p>§ 3.1. General provisions</p>	
<p>(a) General law applies. Unless it is inconsistent with this charter, the Minnesota election law applies to each municipal election.</p>	<p>and affidavits of candidacy for Mayor and City Council shall otherwise conform with all requirements of the Minnesota general election laws pertaining to affidavits of candidacy for partisan offices. [ch. 2, § 5]</p> <p>All candidates for nomination at any city election shall file their affidavit for such nomination, and pay their fee therefor, in the same manner as provided in the general election laws of the State of Minnesota, [ch. 2, § 13]</p> <p>Notwithstanding the other provisions of this chapter relating to Instant Runoff Voting, all general laws of the State of Minnesota relating to elections and the preliminaries thereto, unless this Charter otherwise specifically provides, shall, so far as applicable, apply and govern all elections under this Charter and the same are hereby adopted and made part of this Charter. [ch. 2, § 15]</p>
<p>(b) Voting method. The voters elect the City’s elected officers by single transferable voting. The City Council must provide by ordinance the method of counting the votes and of breaking a tie.</p>	<p>The elected officers shall be elected by the method of Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting. The City Council shall, by ordinance, establish the ballot format and rules for counting the votes. [ch. 2, § 5B]</p>

<p><i>Note.</i> The amendment that added this voting method to the charter provided, “The method shall be used for the first municipal election after adoption and all subsequent elections unless the City Council certifies, by ordinance, no later than four months prior to the election that the City, will not be ready to implement the method in that election. Such certification must include the reasons why the City is not ready to implement the method.” That provision remains effective until the transition occurs — that is, until the first election for which the City Council does not certify that the City is unready to implement single transferable voting.</p>	<p>The method shall be used for the first municipal election after adoption and all subsequent elections unless the City Council certifies, by ordinance, no later than four months prior to the election that the City, will not be ready to implement the method in that election. Such certification must include the reasons why the City is not ready to implement the method. [ch. 2, § 5B]</p>
<p>(c) Administration. The city clerk administers each election under the City Council’s direction. The clerk must give public notice of the time and place of holding each election at least 15 days before the election.</p>	<p>The City Clerk shall give notice of the time and places of holding general city election, which notice shall be given at least 15 days before the general city election, and unless otherwise specifically provided for in this Charter, the City Clerk shall give 15 days’ notice of the time and places of holding special elections. [ch. 2, § 11]</p> <p>The returns of all elections for City officers, charter amendments and other propositions or elections for any other City purpose, shall be made to the City Clerk, and within two (2) weeks after such election, the City Council shall meet and canvass the returns thereof, and declare the results as it appears from such returns, and the City Clerk shall forthwith give notice to the officers elected of their respective elections. [ch. 2, § 14]</p>
<p>(d) Ballots. The City Council must provide by ordinance for the ballot’s format.</p>	<p>[IRV amendment]</p>
<p>(1) Nonpartisan ballot. The ballot for each elected office is a nonpartisan ballot.</p>	<p>Notwithstanding the provisions of Minnesota Statutes, Section 205.17, subdivision 2, or any other provision of law and except as otherwise provided in this section, the City General Election for Mayor and City Council shall be conducted in the manner provided by law for elections for nonpartisan offices. [ch. 2, § 5A]</p>
<p>Each candidate for Mayor or for Council member may state, in up to three words, his or her political party or principle, which will appear on the ballot.</p>	<p>All such candidates shall, however, state the name of their political party or political principle, stated in three words or less, on their affidavits of candidacy and affidavits of candidacy for Mayor and City Council shall otherwise conform with all requirements of the Minnesota general election laws pertaining to affidavits of candidacy for partisan offices. The political party or political principle shall be placed on the General Election ballot with the names of the candidates for such offices. [ch. 2, § 5A]</p>
<p>(2) Order. The candidates’ names must appear on a single ballot, which lists the offices being elected in this order:</p>	<p>The names of all candidates to be voted on at any general City election or special election for City purposes shall be placed on one ballot. Regardless of whether they</p>

(A) Mayor;	are contested or uncontested, the offices on the ballot shall be in the following order: Mayor; Council Member; Board of Estimate & Taxation Member; Park and Recreation Commissioner at Large; Park and Recreation Commissioner by District; Library Board Member. [ch. 2, § 9]
(B) Council member;	
(C) Board of Estimate & Taxation member;	
(D) Park & Recreation commissioner at large;	
(E) Park & Recreation commissioner by district; and	
(F) Library trustee.	
§ 3.2. Regular elections	
(a) Election years. A regular election occurs in the last calendar year before any elected officer's term expires.	
(b) Regular election. The City holds its regular election on the uniform municipal election day for which the Minnesota election law provides.	<p>A general city election for the election of city officers shall be held biennially on the first Tuesday after the First Monday in November of each odd-numbered year. [ch. 2, § 4]</p> <p>The municipal general election in each city shall be held on the first Tuesday after the first Monday in November in every even-numbered year. [Minn. Stat. § 205.07]</p>
(c) Schedule. For each regular election, the City Council must provide by ordinance for a filing period of at least 15 days ending at least 40 days before the election.	<p>The time allowed for the filing of candidates for office shall never be less than 15 days (and the closing date of such filing shall never be less than 40 days), before the General Election. [ch. 2, § 5]</p> <p>Such election shall be held at least 40 days prior to the General Election [ch. 2, § 5]</p>
No act scheduling a filing period applies to any election held in the same calendar year.	Prior to January 1st of the election year, the City Council shall fix and determine the opening and closing dates for the filing of candidates for office. [ch. 2, § 5]

<p>§ 3.3. Special elections</p>	
<p>(a) Elected office. A special election occurs whenever a vacancy occurs in an elected office before the term expires, and this charter does not provide another method of filling the vacancy.</p>	<p>When a Council Member or Mayor files with the City Clerk a notice of vacation of office to be effective on a given date in the future, such action shall result in the vacation of that office on that given date. When such a notice of vacation has been filed with the City Clerk, the provisions of this Charter for filling the Council Member or mayoral vacancy may be commenced but the special election shall not be held until the vacancy has occurred. [ch. 2, § 16A]</p>
<p>For each special election, the City Council must provide by ordinance for a filing period of at least eight days ending at least 40 days before the election.</p>	<p>For the purpose of selecting the candidates to be voted on at such special election, the Council shall fix the dates for filing of candidates for such office which shall be for a period of not less than eight (8) days, and the closing date for such filing shall not be less than forty (40) days prior to the date fixed for the special election. All provisions of this Charter pertaining to special elections shall apply to any special election provided for by this section, except as otherwise specifically provided herein. [ch. 2, § 16]</p>
<p>(b) Other special elections. The City Council must schedule a special election as required by law on any question that the voters may lawfully decide, and may schedule any other lawful special election. Unless the law provides otherwise, the Council may schedule such an election in connection with the next regular election. This section 3.3(b) is subject to section 11.4(e).</p>	<p>The City Council may order special elections, when necessary for any purpose, and provide for the holding of the same. [ch. 2, § 10]</p>
<p>Article IV City Council</p>	
<p>For this charter’s purposes, the “Council” means the City Council for which this article IV provides.</p>	
<p>§ 4.1. Function.</p>	
<p>(a) Governing body. The governing body is the City Council, in which the City’s general legislative and policymaking authority resides.</p>	<p>The City Council shall have full power and authority to make, ordain, publish, enforce, alter, amend or repeal all such ordinances for the government and good order of the City, for the suppression of vice and intemperance, and for the prevention of crime, as it shall deem expedient, . . . and all such ordinances are hereby declared to be and to have the force of law. [ch. 4, § 5]</p>

(b) Scope. The Council may act on the City’s behalf in any matter, except where—	
(1) this charter reserves the action for a different board; or	
(2) the action is inconsistent with this charter or otherwise unlawful.	
(c) Council as statutory board.	
(1) Generally. Where the law provides for municipal action through a board, and this charter does not reserve that authority to a board other than the Council, the Council must either—	
(A) itself serve as the board for which the law provides, even if the board is a statutory rather than a municipal agency; or	The Minneapolis City Council shall exercise all powers of the Board of Health as provided by Minnesota Statute Chapter 145A, and those powers enumerated in this chapter. [ch. 14, § 1]
(B) provide by ordinance for the board, in which case—	
(i) the board’s membership may (but need not) consist partly or wholly of Council members, and	
(ii) the Council may (but need not) organize the board as a municipal department.	
(2) Board of equalization. The Council may provide under this section 4.1(c) for a board of equalization, in which case it may also provide that any such board—	[See ch. 5, § 3]
(A) is not subject to any limit on the amount that the board can reduce the aggregate assessments made by the county assessor, and	
(B) must return to the City Council the assessment rolls that the board has revised, in which case the Council may confirm the board’s revisions or return the rolls to the board for further revision.	[See ch. 5, § 5]
(d) Franchises. The Council may grant and regulate any lawful franchise.	The City Council of the City of Minneapolis is hereby authorized to grant franchises by the passage of ordinances. [ch. 12]

(e) Licenses. The Council may grant a license only if the license expires within one year.	Provided that no license shall be issued for any longer time than one year, and the City Council shall by ordinance determine the date of expiration of all licenses. [ch. 4, § 5]
§ 4.2. Organization.	
(a) Composition. The City Council comprises one Council member elected by and from each ward.	members of the City Council (who shall be known as Council Members) . . . The City Council shall consist of one (1) Council Member from each ward to be elected by the voters of the respective wards. [ch. 2, § 1] The Council Members shall constitute the City Council. [ch. 4, § 1]
(b) Term; election. Each Council member’s term is four years. Each ward’s voters elect their Council member in each year following a year whose number is evenly divisible by four.	The terms of office of the Mayor and Council Members shall be for four years commencing on the first business day of January of the year following their election. [ch. 2, § 3]
(c) Council judges elections. The Council judges its members’ elections, for which purpose it may compel the testimony of any witness who may have relevant information, and may compel the production of any relevant book, document, or thing.	The City Council shall be the judge of the election of its own members, and in such cases shall have the power to send for persons and papers. [ch. 4, § 3]
(d) Vacancy.	
(1) Early vacancy. When a Council member vacates his or her office before March 1 in the year of the next regular election, the Council must schedule a special election filling the vacancy, held within 75 days after the vacancy occurs.	Whenever any vacancy shall occur . . . in the office of any Council Member prior to March 1st of the year of the general City election for the office of . . . Council Member, it shall be filled for the unexpired term by a special election ordered by the City Council and . . . held in the applicable ward if the vacancy is in the office of a Council Member. The special election shall be held within seventy-five (75) days after such vacancy shall occur. [ch. 2, § 16]
(2) Late vacancy. When a Council member vacates his or her office—	Whenever any vacancy occurs in the office of any Council Member on or after March 1st of the year of the general City election for the office of Council Member, such vacancy shall be filled by the City Council appointing a qualified voter from the ward for which the vacancy exists, to hold office for the remainder of such unexpired term, provided that no such appointment shall be made after the opening date for filing for such position in the next ensuing city general election. [ch. 2, § 16]
(A) after March 1 in the year of the next regular election, and	
(B) before filing opens for the election,	
—the Council appoints a successor who serves out the unexpired term.	

<p>(3) Election after vacancy. When a Council member is elected while the office is vacant, the elected member takes office upon election, and serves out the unexpired term as well as the term for which he or she was elected.</p>	<p>When a vacancy for Council Member exists on or after the first date for filing, the person elected at the general City election, upon certification of the general City election results, shall fill the position for the remainder of the unexpired term. [ch. 2, § 16]</p>
<p>§ 4.3 Meetings.</p>	
<p>(a) Organizational meeting. The Council must elect its officers and organize its committees at the first meeting in January following each general election.</p>	<p>At the first meeting of the City Council in January of each year after a general municipal election they shall proceed to elect by ballot from their members a President and Vice-President. [ch. 3, § 2A]</p>
<p>(b) Regular meetings. The Council’s rules must provide for regular and other necessary meetings.</p>	<p>The City Council shall hold stated meetings, [ch. 4, § 2]</p>
<p>(c) Special meetings. The Council’s rules may provide for special meetings. The Mayor may call a special meeting by notice to each Council member. A special meeting may transact only the business stated in the notice.</p>	<p>and the Mayor may call special meetings, by notice to each of the members, to be delivered personally or left at their usual places of abode. At such special meeting no other business shall be transacted than such as is designated in the call. [ch. 4, § 2]</p>
<p>(d) Attendance. The Council may compel the attendance of absent members, and may remove a member for persistent or recurring nonattendance.</p>	<p>The City Council shall . . . have power to compel the attendance of absent members, and may provide for the punishment of such absent members. [ch. 4, § 3]</p> <p>Continued absence from the meetings of the Council in case of Council Members, and neglect of duty in case of other officers, unless for good reason, shall be deemed a good cause of removal. [ch. 4, § 4]</p>
<p>§ 4.4. Proceedings</p>	
<p>(a) Vote required.</p>	
<p>(1) Rules. The Council at its organizational meeting may by simple majority adopt or amend its rules of order for the conduct of its own business. The Council may thereafter amend its rules by simple majority unless the rules themselves require a supermajority. The Council may decide a question of order under its rules by simple majority.</p>	<p>It shall determine the rules of its own proceedings . . . [ch. 4, § 3]</p>

<p>(2) Acts. An act by the Council takes a majority of its membership, except as this charter otherwise provides.</p>	<p>The appointment of such officers shall require the affirmative vote of a majority of all members of the City Council. [ch. 2, § 2]</p> <p>All ordinances and resolutions of the City Council shall be passed by an affirmative vote of a majority of all the members of the City Council, [ch. 4, § 9]</p> <p>No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor, [ch. 4, § 11]</p> <p>The City Council shall appropriate funds for the expenses of each department of the City government by resolution passed by a majority of all members thereof. [ch. 5, § 10]</p> <p>The chief of police may be reappointed by a majority of all members of the city council. [ch. 6, § 1]</p>
<p>(3) Action taking supermajority. The Council may take the following action only with the prescribed supermajority:</p>	
<p>(A) by two-thirds of its membership, authorize an improvement (other than a sidewalk) subject to a special assessment, as section 4.4(a)(4) provides;</p>	<p>It shall require a two-thirds vote of the members elect of the City Council to determine in the first instance to make any improvement for which a special assessment may be levied, except in respect to sidewalks, when a majority vote shall suffice. But this restriction shall not apply to any subsequent act of the Council touching such improvement, or the special assessment to provide means therefor. [ch. 10, § 19]</p>
<p>(B) by two-thirds of its membership, regrade a graded street;</p>	<p>may by vote of two-thirds of the members of the Council [to] change the grade of any street after such grade has been established [ch. 8, § 2]</p>
<p>(C) by two-thirds of its membership, sell realty;</p>	<p>Provided, That no real estate belonging to said City shall be sold unless ordered sold by a vote of two-thirds (2/3) of all the members of the City Council. [ch. 4, § 14]</p>
<p>(D) by two-thirds of its membership, vacate wholly or partly any public way or plat, which power the Council enjoys exclusively;</p>	<p>The City Council may also by a vote of two-thirds of the members thereof vacate any highway, street, lane or alley, or portion of either and such power of vacating highways, streets, lanes and alleys within the City of Minneapolis is vested exclusively in said City Council, and no court or other body, or authority shall have any power to vacate any such highway, street, lane or alley, nor any plat or portion of any plat of lands within said City. [ch. 8, § 3]</p>

<p>(E) by two-thirds of its membership, remit or discharge any judgment in the City's favor;</p>	<p>No penalty or judgment recovered in favor of said city shall be remitted or discharged, except by a vote of two-thirds of the members of the City Council; but nothing in this section shall be so construed as to prohibit the Judges of the District Court from granting new trials or reversing any judgment rendered by them according to the usual procedure of courts, nor to prohibit said Court from suspending execution of sentence, in its discretion. [ch. 11, § 12]</p>
<p>(F) by two-thirds of its membership, pass an act over the Mayor's veto, as section 4.4(c) provides; and</p>	<p>All ordinances, resolutions and other actions of the City Council, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if (the Mayor) approves thereof, the Mayor shall sign the same, and such as shall not be signed, the Mayor shall return to the City Council, with his or her objections thereto, by depositing the same with the City Clerk, to be presented to the City Council at their next meeting thereafter. Upon the return of any ordinance, resolution or other action of the City Council by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the City Council shall pass the same by a vote of two-thirds of the members of the Council, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution or other action of the City Council shall not be returned by the Mayor within five days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. [ch. 3, § 1]</p>
<p>(G) by three-fourths of its membership, authorize a slaughterhouse within the City. No person may operate a slaughterhouse within the City without such authorization.</p>	<p>Provided, That no slaughter house shall be hereafter located within the City limits without the consent, by an affirmative vote of three-fourths (3/4) of the whole Council. [ch. 4, § 5]</p>
<p>(4) Improvements. The Council may by a majority of its membership authorize a sidewalk, with or without a special assessment. The Council may, by two-thirds of its membership, authorize any other improvement subject to a special assessment. The Council may by a majority of its membership act with respect to an improvement already authorized or to a special assessment in connection with such an improvement.</p>	<p>It shall require a two-thirds vote of the members elect of the City Council to determine in the first instance to make any improvement for which a special assessment may be levied, except in respect to sidewalks, when a majority vote shall suffice. But this restriction shall not apply to any subsequent act of the Council touching such improvement, or the special assessment to provide means therefor. [ch. 10, § 19]</p>
<p>(b) Timing. The Council may adopt any necessary or prudent act only—</p>	<p>No ordinance shall be passed at the same session or at any session occurring less than one (1) week after the session at which it shall have had its first (1st) reading, of the Council at which it shall have been presented except by the unanimous consent of all</p>
<p>(1) at least one week after its introduction at a meeting;</p>	

<p>(2) after a report from a committee to which the matter was referred at a Council meeting held at least one week earlier;</p>	<p>the members present which shall be noted in the record, but this shall not preclude the passage of ordinances reported by any committee of the Council to whom the subject of such ordinance shall have been referred at any previous session. [ch. 4, § 9]</p>
<p>(3) in the case of an appointment, after a recommendation from the Executive Committee; or</p>	
<p>(4) by unanimous consent.</p>	
<p>This section 4.4(b) does not apply to rules of order for the conduct of business, for which section 4.4(a)(1) provides.</p>	
<p>(c) Mayor’s signature or veto. The Council must present each act to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect—</p>	<p>All ordinances, resolutions and other actions of the City Council, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if (the Mayor) approves thereof, the Mayor shall sign the same, and such as shall not be signed, the Mayor shall return to the City Council, with his or her objections thereto, by depositing the same with the City Clerk, to be presented to the City Council at their next meeting thereafter. Upon the return of any ordinance, resolution or other action of the City Council by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the City Council shall pass the same by a vote of two-thirds of the members of the Council, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution or other action of the City Council shall not be returned by the Mayor within five days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. [ch. 3, § 1]</p>
<p>(1) when the Mayor signs it;</p>	
<p>(2) five days after its presentation to the Mayor, if he or she neither signs nor vetoes it; or</p>	
<p>(3) if the Mayor vetoes it by returning it with an objection within five days (excluding Sundays) after its presentation, only if the Council at its next meeting by two-thirds of its membership again passes the act over the Mayor’s veto.</p>	
<p>§ 4.5. Executive Committee</p>	
<p>(a) Function and powers. The Executive Committee enjoys the powers and performs the duties that this charter, or the City Council by ordinance or resolution, prescribes.</p>	<p>Further duties of the executive committee shall be only as prescribed by ordinance or resolution of the City Council. [ch. 3, § 4]</p>
<p>(b) Organization. The Executive Committee comprises—</p>	<p>There is hereby established an executive committee consisting of the Mayor, the President of the City Council, and up to three additional members of the City Council to be chosen by the Council; provided, however, that not all of the members of the executive committee shall be of the same political party, unless the Mayor and all of the members of the City Council shall be members of the same political party. . . . It</p>
<p>(1) the Mayor, as chair;</p>	
<p>(2) the Council president; and</p>	

(3) up to three Council members elected by the Council.	shall be chaired by the Mayor. [ch. 3, § 4]
The Committee’s members may not all belong to the same political party unless the Mayor and all the Council members belong to the same political party.	
Article V Boards	
This article V contains general rules that apply to boards. Its provisions are subject to any other provision that applies to a particular board, including any provision in articles IV & VI–VIII.	
Except as this charter otherwise provides:	
§ 5.1. “Board” defined	The term “Board” or “Boards” as used in this Chapter shall include all the boards existing in the City of Minneapolis at the time this Charter goes into effect and all boards which may be hereafter established in connection with the City Government under this Charter. [ch. 3, § 27]
For this charter’s purposes, a “board”—	
(a) includes—	
(1) the City Council;	
(2) the Executive Committee; and	
(3) any other body that this charter or an ordinance calls a “board” or a “commission”; but	
(b) does not include a department (but does include a commission heading a department).	
§ 5.2. Officers	Except as in this Charter otherwise specifically provided, all other officers provided for in this Charter or deemed necessary for the proper management of the affairs of the City, shall be appointed by the City Council. The appointment of such officers shall require the affirmative vote of a majority of all members of the City Council. [ch. 2, § 2]
(a) Election. Each board elects or appoints its officers by a majority of its membership.	
See also <i>Van Cleve v. Wallace</i> , 216 Minn. 500, 13 N.W.2d 467 (1944).	

<p>(b) President. Each board at its organizational meeting must elect from its membership a president.</p>	<p>At the first meeting of the City Council in January of each year after a general municipal election they shall proceed to elect by ballot from their members a President [ch. 3, § 2A]</p> <p>The President . . . of the Council shall, when present, preside at all meetings. [ch. 4, § 1]</p> <p>The Board shall elect a President . . . from its own members [ch. 15, § 1]</p> <p>The said Park and Recreation Board shall elect annually from their own number a President [ch. 16, § 1]</p> <p>The officers of the Library Board of the City of Minneapolis shall consist of a President . . . who shall be Library Directors [Trustees]. [ch. 17, § 5]</p> <p>The commission shall meet on the second Monday of August of each year, and at each said meeting elect a president [ch. 19, § 3]</p>
<p>(c) Treasurer. The city finance officer serves as each board's treasurer, but may not serve on the board.</p>	<p>The Finance Officer shall also be ex officio Treasurer of the several boards of the City of Minneapolis but shall not be a member of any city board or commission. [ch. 3, § 18]</p> <p>The City Finance Officer shall be the accounting official for Board. [ch. 15, § 1]</p> <p>The City Comptroller-Treasurer [Finance Officer] shall be treasurer of the Board, and shall perform such duties in connection therewith as hereinafter prescribed. [ch. 17, § 5]</p>

<p>(d) Secretary, other officers. Each board must elect a secretary and may elect or appoint, or provide for the election or appointment of, any other necessary officer. A board's rules may require that its secretary or any other officer must (or must not) come from or serve on the board, otherwise the officer may but need not come from or serve on the board.</p>	<p>The Board, subject to the provisions of the Civil Service Chapter of this Charter, shall have power to appoint a Secretary and such other employees as it may deem necessary and shall fix their salaries and determine their duties. [ch. 15, § 1]</p> <p>The said Park and Recreation Board . . . shall appoint annually a Secretary who shall not be a member of said Board. [ch. 16, § 1]</p> <p>The officers of the Library Board of the City of Minneapolis shall consist of a . . . Secretary, who shall be Library Directors [Trustees]. [ch. 17, § 5]</p> <p>The commission shall select a secretary [ch. 19, § 3]</p>
<p>(e) Tenure. Each officer serves until his or her successor takes office.</p>	<p>officers required to be appointed by the City Council shall, unless in this Charter otherwise provided, hold their respective offices for the term of two years from and after the first business day in January of even numbered years, and all officers elected by the people, or appointed by the City Council or otherwise shall continue in office until their successors are elected or appointed and have qualified. [ch. 2, § 2]</p> <p>And said officers shall hold their respective offices until their successors are elected and qualified. [ch. 16, § 1]</p> <p>. . . and officers shall hold until their successors are elected and qualified, unless they cease to be eligible. [ch. 17, § 9]</p>
<p>§ 5.3. Meetings</p>	
<p>(a) Meetings generally. Each board meets as this charter or the board's rules provide. Each such meeting must comply with the Minnesota open meeting law.</p>	<p>All meetings, including executive sessions, must be open to the public . . . (b) of the governing body of a . . . (4) statutory or home rule charter city, [and] (c) of any (1) committee, (2) subcommittee, (3) board, (4) department, or (5) commission, of a public body. [Minnesota Open Meeting Law, Minn. Stat. § 13D.01, subd. 1]</p> <p>The said Park and Recreation Board shall make rules to govern its proceedings, and may meet from to time, as it may by rule or vote determine, and adjourn its said meetings. [ch. 16, § 1]</p> <p>The regular meetings of the Board shall be fixed by its rules and laws. [ch. 17, § 9]</p>

<p>(b) Quorum. Each board’s quorum is a simple majority of its membership, disregarding any vacancy. A quorumless meeting may adjourn to a more convenient time, and may take measures to obtain a quorum.</p>	<p>A majority of the Council Members shall constitute a quorum. [ch. 4, § 1]</p> <p>In case of the attendance of less than a quorum at any stated meeting the members present may adjourn to any special time they may designate, and all business transacted at such adjourned meeting shall have the same validity as if done at a stated meeting. All adjourned meetings of any stated or special meeting shall be a part of the meeting adjourned, but the first and subsequent meeting of any stated or special meetings so adjourned shall be designated as “sessions” of said meetings. [ch. 4, § 2]</p> <p>The City Council shall . . . have power to compel the attendance of absent members, [ch. 4, § 3]</p> <p>A majority of the members of said Board shall constitute a quorum; [ch. 16, § 1]</p>
<p>(c) Majority. A board ordinarily acts by simple majority of a quorum, disregarding any abstention.</p>	<p>words in a law conferring a joint authority upon three or more public officers or other persons are construed to confer authority upon a majority of such officers or persons [Minn. Stat. § 645.08(4)]</p>
<p>Where this charter or a general law, special law, ordinance, rule, or other authority provides for action by a majority of the board’s membership, it refers to a majority of the board’s members then serving, disregarding any vacancy.</p>	<p>majority of all the members. A majority of all the actual members, disregarding vacancies. [Black’s Law Dictionary 974 (8th ed. 2004) s.v. <i>majority</i>]</p>

(d) **Rules.** Each board may adopt rules of order for the conduct of its own business.

The executive committee shall establish its own rules and procedures. [ch. 3, § 4]

The City Council . . . shall determine the rules of its own proceedings, [ch. 4, § 3]

The Commission shall make and alter rules and regulations for its own organization and procedure. [ch. 13, § 1]

The Board . . . shall adopt, and from time to time amend and change, rules governing the calling and holding of meetings and its own procedure. [ch. 15, § 1]

The said Park and Recreation Board shall make rules to govern its proceedings, and may meet from time to time, as it may by rule or vote determine, and adjourn its said meetings. [ch. 16, § 1]

The regular meetings of the Board shall be fixed by its rules and laws. [ch. 17, § 9]

The commission shall from time to time fix the times of its meetings, and adopt, amend and alter rules for its procedure. [ch. 19, § 3]

<p>(e) Proceedings. The board’s secretary must carefully and faithfully record its proceedings, including each act adopted and each member’s vote on each such act, which the secretary must promptly file with the city clerk or in the board’s office. The clerk or board must keep the board’s proceedings on file and available for inspection and copying by any voter during normal business hours at the clerk’s or board’s office.</p>	<p>by ayes and nays which shall be entered in the records of the Council. [ch. 4, § 9]</p> <p>When approved, they shall be recorded by the City Clerk in books provided for that purpose, [ch. 4, § 9]</p> <p>No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor, which shall be taken by ayes and nays and entered among the proceedings of the Council. [ch. 4, § 11]</p> <p>and a record of its proceedings shall be kept, [ch. 16, § 1]</p> <p>All votes under this section shall be by yeas and nays, and recorded in the record of the proceedings of the Board. [ch. 17, § 8]</p> <p>Votes to be kept in journal. (a) The votes of the members . . . of the governing body, committee, subcommittee, board, department, or commission on an action taken in a meeting required by this section to be open to the public must be recorded in a journal kept for that purpose. (b) The vote of each member must be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute. [Minnesota Open Meeting Law, Minn. Stat. § 13D.01, subd. 4]</p>
<p>(f) Legislative acts.</p>	
<p>(1) “Act” defined. For this charter’s purposes, the noun “act”—</p>	
<p>(A) means any ordinance, resolution, appropriation, any other lawful action of a legislative nature, and any action amending, repealing, or otherwise affecting any such act; but</p>	
<p>(B) does not include a rule or other vote that relates to a board’s internal organization or procedure.</p>	
<p>(2) Effect. Any board that can adopt an act must provide for each such act’s certification, publication, and codification. An act so certified, published, and codified—</p>	<p>Copies of all papers filed in the Clerk’s office and transcripts from the records of the City Council certified by the Clerk under the corporate seal shall be evidence in all courts the same as if the originals were produced. [ch. 3, § 5]</p>
<p>(A) is admissible as evidence,</p>	<p>A copy of the record of any ordinance or resolution heretofore passed and</p>

<p>(B) establishes a presumption that the act is valid, and</p>	<p>recorded or that may hereafter be passed, certified by the Clerk and verified by the seal of the city, any copy thereof published in the official paper of the city, or printed in the books containing the official proceedings of the City Council, or published in any compilation of ordinances made under direction of the City Council, shall be prima facie evidence of the contents of such ordinances and of the regularity and legality of all proceedings relating to the adoption and approval thereof, and shall be admitted as evidence in any Court in this State without further proof.</p>
<p>(C) is entitled to judicial notice.</p>	<p>In all actions, prosecutions and proceedings of every kind before the Municipal Court of Hennepin County, such Court shall take judicial notice of all ordinances of the said city, and it shall not be necessary to plead or prove such ordinances in said Municipal Court. [ch. 4, § 10]</p> <p>All ordinances and resolutions heretofore made and established by the City Council of the City of Minneapolis, and not inconsistent with the provisions of this Charter shall remain in force except as altered, modified or repealed by the City Council of the City of Minneapolis; and all books and pamphlets published or which may be published, purporting upon their title page to be published by the authority, order or direction of the City Council, and purporting to contain the ordinances of said city, standing rules and orders of said City Council, or either, are hereby declared to be competent and prima facie evidence of the contents of such ordinances, standing rules and orders and of any resolutions or other matters purporting to be the act of said City Council, which may be found printed therein, and of the due and legal adoption, approval and publication thereof, and the certificate of the City Clerk that any printed slip of paper to which such certificate may be attached, contains or is a true copy of any ordinance, resolution, proceeding of the City Council or other paper, the original of which is presumably in the possession of said City Clerk, shall constitute such printed slip or paper competent and prima facie evidence of the contents and purport of the ordinance, resolution, proceeding of the City Council or other paper, and of the legal passage, adoption, approval and publication thereof. [ch. 11, § 3]</p>
<p>§ 5.4. Powers</p>	
<p>(a) General powers. Each board enjoys all the powers for which this charter or any general law, special law, or ordinance provides, including any power necessary and proper for exercising its enumerated powers or for performing its lawful functions.</p>	<p>It . . . shall, in addition to the herein enumerated powers, have full power and authority to undertake and perform every act necessary or proper to carry out the spirit and intent of this act. [ch. 17, § 1]</p>

<p>(b) Employment. Each board may employ—</p>	
<p>(1) an appropriate staff, for which purpose it may hire, regulate and direct, and discipline or discharge any employee (subject to the Civil Service Commission’s rules, in the case of an employee in the classified service); and</p>	<p>The Board, subject to the provisions of the Civil Service Chapter of this Charter, shall have power to appoint a Secretary and such other employees as it may deem necessary and shall fix their salaries and determine their duties. [ch. 15, § 1]</p> <p>It may appoint and remove subject to the provisions of the Civil Service Chapter of this Charter all necessary agents and employees, and fix their compensation. [ch. 17, § 1]</p>
<p>(2) any necessary contractor or other agent.</p>	
<p>(c) Delegation. A board may delegate its authority over a particular subject or in a particular matter to a committee or officer subject to the board’s direction, unless such a delegation is contrary to law.</p>	
<p>§ 5.5. Notice</p>	<p>All meetings, including executive sessions, must be open to the public . . . (b) of the governing body of a . . . (4) statutory or home rule charter city, [and] (c) of any (1) committee, (2) subcommittee, (3) board, (4) department, or (5) commission, of a public body. [Minnesota Open Meeting Law, Minn. Stat. § 13D.01, subd. 1]</p>
<p>Any notice of a board’s meeting must comply with the Minnesota open meeting law. Any other notice to a board may be given by—</p>	
<p>(a) certified mail to its office (or, if the board does not have an office, to the city clerk); or</p>	
<p>(b) delivery to its chair or secretary in the manner provided by law for service of a summons in a civil action,</p>	
<p>mailed or delivered at least 10 days before the meeting or other event for which notice is given.</p>	
<p>§ 5.6. Finances</p>	<p>. . . to be placed in the Board of Estimate & Taxation fund. All expenditures to be paid from such funds shall be approved by the board. [ch. 15, § 3]</p> <p>It shall have control of the expenditures of all moneys collected by taxation or otherwise and placed to the credit of the library fund . . . [ch. 17, § 1]</p>
<p>(a) Financial control. Each board with borrowing or taxing power may apply the proceeds for its own purposes and controls its own finances. Each such board may dedicate any proceeds from a particular source to a particular purpose, and may establish any necessary account or fund for that purpose or any other lawful purpose.</p>	

<p>(b) Borrowing power. A board’s borrowing power includes the power of issuing bonds, taking out loans, and otherwise incurring debt, to which the City pledges its full faith and credit. Any such power is subject to section 11.4.</p>	
<p>(c) Taxing power. Each board’s taxing power is subject to the maximum set under section 11.3(a)(4), except as this charter or any applicable law otherwise provides.</p>	
<p>(d) Accounting.</p>	
<p>(1) Practices. Each board may adopt its own accounting and auditing practices, consistent with generally accepted accounting principles and auditing standards.</p>	
<p>(2) Examination. The City Council may audit or examine any officer’s accounts, and may declare vacant any office whose incumbent does not cooperate, in which case the Council may also provide for the officer’s prosecution.</p>	<p>The City Council shall examine, audit and adjust the accounts of the Clerk, Finance Officer and all other officers and agents of the city at such times as they deem proper, and also at the end of each year, and before the term for which the officers of said city were elected or appointed shall have expired; and the City Council shall require all officers and agents to exhibit their books, accounts and vouchers for such examination and settlement, and if any such officer or agent shall refuse to comply with the orders of said Council in the discharge of such person’s said duties in pursuance of this Section, or shall neglect or refuse to render the accounts or present his books or vouchers to said Council or a committee thereof, it shall be the duty of the City Council to declare the office of such person vacant, and the City Council shall order suits and proceedings at law against any officer and agent of said city who may be found delinquent or defaulting in the accounts or the discharge of the official duties of said office, and shall make a full record of all such settlements and adjustments. [ch. 4, § 13]</p>
<p>§ 5.7. Ethics</p>	
<p>Each board may adopt ethical standards for its members, officers, and employees.</p>	
<p style="text-align: center;">Article VI Board of Estimate & Taxation</p>	
<p>For this article VI’s purposes, the “Board” means the Board of Estimate & Taxation.</p>	

<p>§ 6.1. Policy</p>	
<p>Through the Board of Estimate & Taxation, the City coordinates in the general interest its various taxes and taxing and borrowing powers.</p>	
<p>§ 6.2. Functions and powers</p>	
<p>(a) General functions and powers. The Board enjoys the powers and performs the duties that this charter prescribes.</p>	
<p>(b) Employment.</p>	
<p>(1) Compensation. The Board may provide for any necessary employees and for their compensation.</p>	
<p>(2) Unclassified service. The Board may employ in the unclassified service—</p>	
<p>(A) an executive secretary, and</p>	
<p>(B) an auditor.</p>	
<p>§ 6.3. Organization</p>	
<p>(a) Composition. The Board comprises [seven] members:</p>	<p>There shall be in the City of Minneapolis a Board of Estimate & Taxation, consisting of the Mayor, the President of the City Council, the Chair of the Committee on Ways and Means/Budget of the City Council, an elected member of the Library Board as designated by the board at its annual meeting each year by a majority vote of all of its members, the President of the Board of Park Commissioners or such other member thereof as the Board may designate at its annual meeting each year, and two qualified electors to be elected at large for terms of four years each commencing on the first business day of January following their election. The two elected members shall be elected in 1989 and every four years thereafter at the General Municipal Election. [ch. 15, § 1]</p>
<p>(1) the Mayor;</p>	
<p>(2) the Council president;</p>	
<p>(3) the Council member who chairs the Council committee whose charge includes the budget;</p>	
<p>(4) — a trustee, having been elected by the voters to the Library Board, and elected annually by the Library Board at its organizational meeting to the Board of Estimate & Taxation;</p>	
<p>(5) a commissioner elected by and from the Park & Recreation Board (or, if the Board has not elected a commissioner, the Board’s president);</p>	

<p>(6) two members elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four.</p>	
<p>(b) Officers. The Board elects, in addition to its president (sec. 5.2(a)), a member as its vice-president.</p>	<p>The Board shall elect a President and a Vice President from its own members [ch. 17, § 1]</p>
<p>(c) Vacancies. The Mayor and the City Council must, by an appointment under section 10.4(b), fill any vacancy in the office of any member elected to the Board by the voters.</p>	<p>Vacancies occurring in the office of any of the elective members shall be filled for the unexpired term by appointment by the Mayor, subject to the confirmation of the City Council. [ch. 15, § 1]</p>
<p>§ 6.4. Meetings</p>	<p>Meetings shall be held at least once a month and from time to time throughout the year as the business may require. [ch. 15, § 1]</p>
<p>The Board meets at least monthly.</p>	
<p>§ 6.5. Borrowing power</p>	
<p>The Board may, by five-sevenths of its membership, borrow against anticipated tax revenues up to half the amount due and not delinquent, which debt is redeemable or otherwise payable not later than the revenue is anticipated.</p>	<p>In lieu of all other methods heretofore provided by this Charter for borrowing money and issuing obligations in anticipation of the collection of general taxes for the year in which issued for the use of the City or any department or board of the City, the City of Minneapolis may borrow money upon negotiable promissory notes or certificates of indebtedness, in the manner and subject to the limitations set forth in this section, for the purpose of anticipating general taxes theretofore levied for City purposes, but the aggregate of such borrowings remaining unpaid at any time shall never exceed fifty (50) per cent of such taxes which are due and payable and as to which no penalty for nonpayment or delinquency has attached. Upon the written recommendation of the City Finance Officer specifying the funds, departments or boards of the City for whom and the purposes for which such moneys are desired, and the amount for each, and by vote of at least five-sevenths (5/7) of its members, the Board of Estimate & Taxation may authorize and effect such borrowing and may issue notes or certificates of indebtedness of the City therefor. Said board shall fix the amount, date, maturity, form, denomination, and other details of such notes or certificates, not inconsistent herewith, and shall fix the date and place for receipt of bids for the purpose thereof and direct its Secretary to give notice thereof. The full faith and credit of the City shall be pledged to the payment of such notes or certificates. They shall mature not later than the anticipated date of receipt by the City of the taxes so anticipated. Interest to maturity may be paid by discounting such notes or certificates on their issuance, or they may be sold at not less than par, with interest payable at maturity, or bids may be called for on both bases. If such notes or certificates be not paid when due, they shall bear interest after maturity until paid at the rate they bore before maturity or at which they were discounted. [ch. 15, § 12]</p>

<p>§ 6.6. Taxing power</p>	<p>The Board of Estimate & Taxation shall have the power to levy for its own expenses upon all the taxable property of the city, real and personal, a tax not exceeding one-fifteenth of a mill upon the taxable property of the city, and cause such levy to be certified to the County Auditor and the County Auditor shall include the same with and as part of the general taxes for state, city and county purposes, to be collected and enforced therewith together with like penalties, interest and costs, and the County Treasurer upon collection shall transmit the proceeds of such levy to the City Finance Officer, to be placed in the Board of Estimate & Taxation fund. All expenditures to be paid from such funds shall be approved by the board. [ch. 15, § 3]</p>
<p>Subject to article XI, the Board may annually tax up to 0.0012 percent of the total value of the property in the City.</p>	
<p>Article VII Library Board</p>	
<p>For this article VII's purposes, the "Board" means the Library Board.</p>	
<p>§ 7.1. Policy</p>	<p>There shall be a Library Board in the City of Minneapolis, which shall be styled "The Library Board of the City of Minneapolis." Said Board shall have full power to establish and maintain in the City of Minneapolis public libraries and reading rooms, galleries of art and museums for the use and benefit of the inhabitants of said city [ch. 17, § 1]</p> <p>All libraries and museums established under this Charter, and, so far as consistent with the preceding section, all collections in any manner under the charge of the Library Board shall be forever free to the inhabitants of the City of Minneapolis; always subject, however, to such reasonable rules and regulations as shall be necessary for their effective administration. [ch. 17, § 11]</p>
<p>Through the Library Board, the City provides for libraries, museums, galleries, and other cultural and educational institutions for its residents' free use. The Board may likewise provide for service for nonresidents.</p>	
<p>§ 7.2. Functions and powers</p>	
<p>(a) General functions and powers.</p>	
<p>(1) Charter powers. The Board establishes, governs, administers, and maintains the City's libraries, museums, galleries, and reading rooms, for which purpose it may act on the City's behalf and enjoys all the City's lawful powers, including eminent domain. The Board may likewise design, develop, or improve any property under its control or acquired for its purposes.</p>	<p>There shall be a Library Board in the City of Minneapolis, which shall be styled "The Library Board of the City of Minneapolis." Said Board shall have full power to establish and maintain in the City of Minneapolis public libraries and reading rooms, galleries of art and museums for the use and benefit of the inhabitants of said city [ch. 17, § 1]</p>

<p>(2) — Legislatively granted powers. The Board may also, without regard to this charter, exercise any power, right, or role for which the law provides in addition to those for which this charter provides.</p>	
<p>(b) — Body corporate and politic. The Board is a body corporate and politic and, in the exercise of its general functions and powers, may —</p>	<p>. . . and for the purpose of so doing it shall have the following powers, that is to say: It may adopt a common seal and be capable of suing and being sued, and of taking by gift, grant, purchase, devise, bequest, or otherwise, any real or personal property and of using, selling, controlling, conveying and enjoying the same, and of entering into, making, performing and enforcing contracts. . . . It . . . shall, in addition to the herein enumerated powers, have full power and authority to undertake and perform every act necessary or proper to carry out the spirit and intent of this act. [ch. 17, § 1]</p> <p>The Library Board of the City of Minneapolis is hereby empowered to accept gifts of land, books, money, works of art, potteries, glass, stones, jewels, antiquities, objects of natural history, objects showing the progress of art, science or invention, and any other similar objects useful for exhibition or instruction, upon such terms and agreements and conditions as to said Board may seem best. [ch. 17, § 13]</p>
<p>(1) — adopt a seal;</p>	
<p>(2) — make contracts;</p>	
<p>(3) — buy and sell property;</p>	
<p>(4) — accept and administer, invest, or otherwise dispose of gifts;</p>	
<p>(5) — sue and be sued; and</p>	
<p>(6) — exercise any other lawful power that a municipal corporation enjoys at common law or by general or special law.</p>	
<p>(c) — Regulations. The Board may regulate the orderly operation of the facilities in its care. A regulation may charge a fee for a specified service available at such a facility.</p>	<p>It may make and publish from time to time by-laws for its own guidance, rules and regulations for the government of its agents, servants and employees, and for the government and regulation of the libraries and other collections under its control. [ch. 17, § 1]</p>
<p>(d) — Property.</p>	
<p>(1) — Realty. The Board may buy realty with at least six affirmative votes, and may sell realty with at least five affirmative votes.</p>	<p>Said Library Board may purchase real estate for the purposes contemplated by this Chapter, whenever six (6) Library Directors [Trustees] shall vote to make such purchase, and the Board may also sell and convey any of its real estate, but only when five (5) of the Library Directors [Trustees] shall vote to make such sale. [ch. 17, § 8]</p>
<p>The Board may erect a building only on land to which it holds title in fee simple.</p>	<p>It may hire, or erect and maintain as it shall deem best, buildings suitable for the purposes contemplated by this act; but it shall never erect any building upon land to which it has not the title in fee simple. [ch. 17, § 1]</p> <p>Said Library Board may erect buildings on any land acquired as aforesaid—any prior provisions of law to the contrary notwithstanding. [ch. 17, § 15]</p>

<p>(2) — Personalty. The Board may appoint a commission for the custody and care of the personal property that it governs.</p>	<p>Every deed and instrument of conveyance or gift of land or other property hereinbefore described heretofore made is hereby ratified and confirmed, and said Library Board is hereby authorized and empowered to keep and perform the terms and conditions thereof, and to enter into every promise and agreement needful therefor, and said Board may provide by a standing rule for a commission which shall have the care and custody of such property hereinbefore described, other than land, under general rules and regulations to be prescribed by said Board, the members of such commission to be appointed in the first instance by said Board, and vacancies to be filled by nomination of the commission itself, subject to confirmation by said Board. [ch. 17, § 14]</p>
<p>(3) — Trusts. The Board owes the same standard of care with respect to a trust as a trustee owes under the Minnesota statutes relating to trusts.</p>	
<p>(e) — Compensation. The Board, with the Mayor's assent, may provide for the trustees' compensation.</p>	
<p>(f) — Employment.</p>	
<p>(1) — Employment and compensation. The Board may provide for any necessary employees and for their compensation.</p>	<p>It may appoint and remove subject to the provisions of the Civil Service Chapter of this Charter all necessary agents and employees, and fix their compensation. [ch. 17, § 1]</p>
<p>(2) — Unclassified service. The Board may employ in the unclassified service —</p>	<p>The powers of the commission shall extend only to the classified service which shall embrace the entire service of the City except the following officers, and employees, which shall be known as the "unclassified service", namely: . . . the director and librarians of the public library [ch. 19, § 4]</p>
<p>(A) — the director;</p>	
<p>(B) — each librarian; and</p>	
<p>(C) — any other senior manager whose job the Board establishes by regulation, if —</p>	
<p>(i) — the manager reports to the director, either directly or through another senior manager who reports directly to the director;</p>	
<p>(ii) — the job involves significant discretion; and</p>	
<p>(iii) — the job does not require unusual professional or scientific credentials or expertise.</p>	

<p>(g) — Purchases. The Board may buy books and other publications, art, and supplies for the institutions under its charge without going through the City's purchasing department.</p>	<p>The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Education, Board of Park Commissioners [Park and Recreation Board] and Library Board, of the city . . . excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city . . . [ch. 4, § 19]</p>
<p>§ 7.3. — Organization</p>	
<p>(a) — Composition. The Board comprises eight trustees:</p>	<p>Said Library Board shall consist of the Mayor of the City of Minneapolis, the President of the Board of Education of the City of Minneapolis, the President of the University of the State of Minnesota, who shall respectively be ex officio members thereof, [ch. 17, § 2]</p>
<p>(1) — one trustee appointed by the Mayor;</p>	
<p>(2) — one trustee elected by the City Council; and</p>	
<p>(3) — six trustees elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four.</p>	<p>. . . and six (6) other members, who shall be elected from time to time as herein provided, by the legal voters of the City of Minneapolis, and who shall be resident and qualified electors of said city. [ch. 17, § 2]</p> <p>All elections for Library Directors [Trustees] shall be at the general city election, and as a part of such city election, and in all matters pertaining to said election, the rules provided for the election of said city officers shall apply. [ch. 17, § 4]</p>
<p>(b) — Officers. The Board elects, in addition to its president (sec. 5.2(a)), a member as its secretary.</p>	<p>The officers of the Library Board of the City of Minneapolis shall consist of a President and Secretary, who shall be Library Directors [Trustees]. The City Comptroller-Treasurer [Finance Officer] shall be treasurer of the Board, and shall perform such duties in connection therewith as hereinafter prescribed.</p>

<p>The secretary and the treasurer (sec. 5.2(b)) must deliver an executed bond in whatever amount and form and on whatever conditions the Board requires.</p>	<p>The Secretary of the Board and the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis shall each, before entering upon the duties of office, execute and deliver to the Library Board of the City of Minneapolis a good and sufficient bond, payable to the Library Board of the City of Minneapolis, in such sum as shall be fixed by the Board, and with sureties who shall be freeholders of said city, and who shall justify in the aggregate to double the amount of the bond, or by a responsible surety company, conditioned that the principal in the bond shall well and faithfully perform and discharge all the duties of the office, and pay and turn over to said principal's successor, or to whomsoever the Board may direct, all moneys, and every valuable thing which shall come into said person's hands by virtue of the office, belonging to said Board. Such bonds shall be approved by said Board and shall be filed for safekeeping with the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis.</p>
<p>(c) — Vacancies. The Board must fill any vacancy in the office of any trustee elected by the voters.</p>	<p>In case any Library Director [Trustee] shall die, resign, or move from the district, or otherwise vacate the office, more than one year before the expiration of the term of office, a Library Director [Trustee] may be chosen at the next city election after such vacancy shall occur, to fill the place of the unexpired term of the director so vacating. [ch. 17, § 3]</p> <p>But vacancies may be filled whenever they shall happen during the year [ch. 17, § 9]</p>
<p>§ 7.4. — Meetings</p>	
<p>(a) — Organizational meeting. The Board must annually hold an organizational meeting on the first weekday in January that is not a holiday.</p>	<p>The annual meeting of the Board for the election of its officers for the year shall always be on the first business day in January, at such hour and place as the Board may by its rules appoint for its regular meetings. [ch. 17, § 9]</p>
<p>(b) — Special meetings. The Board president or any two trustees may call a special meeting.</p>	<p>Special meetings may be called by the President or any two Library Directors [Trustees], by written notice, stating the time, place and object of the meetings, to be served personally or by mail, at least twenty-four (24) hours before such meeting. [ch. 17, § 9]</p>

<p>§ 7.5. — Borrowing power</p>	
<p>The Board may, by two thirds of its membership, and if the Board of Estimate & Taxation by five sevenths of its membership concurs, borrow against anticipated tax revenues up to half the amount due and not delinquent, which debt is redeemable or otherwise payable not later than the revenue is anticipated.</p>	
<p>§ 7.6. — Taxing power</p>	
<p>Subject to article XI, the Board may annually tax up to 0.07183 percent of the total value of the property in the City.</p>	<p>Said Library Board is hereby authorized and empowered to levy upon the taxable property of said city, in each and every year, such taxes as will raise sufficient sums of money, as will be required during the succeeding year for the establishment, maintenance and government of the libraries and collections contemplated by this act, and for the payment of all other expenses properly incidental to the same. Provided, that the aggregate annual levy of such taxes shall never exceed in any one year six (6) mills on the dollar upon the assessed valuation of said City. [ch. 17, § 7]</p> <p>It shall have control of the expenditures of all moneys collected by taxation or otherwise and placed to the credit of the library fund [ch. 17, § 1]</p>
<p>Article VIII Park & Recreation Board</p>	<p>The Park and Recreation Board of the City of Minneapolis and its successors, shall be a department of the government of said City and shall be the successor to and a continuation of the Board of Park Commissioners of the City of Minneapolis, and shall consist of nine commissioners. All funds, property, or other assets, all obligations and liabilities of any nature, and all ordinances, regulations and actions of all kinds and all powers, duties and privileges heretofore provided by statute or by this Charter for the Board of Park Commissioners of the City of Minneapolis shall in all respects be those of the Park and Recreation Board of the City of Minneapolis. [ch. 16, § 1]</p> <p>The lands which may be designated and obtained under the provision of this Chapter shall remain forever for parks and parkways for the use of all the inhabitants of the said City, subject to such rules and regulations as the Park and Recreation Board shall prescribe [ch. 16, § 12]</p>
<p>For this article VIII’s purposes, the “Board” means the Park & Recreation Board.</p>	
<p>§ 8.1. Policy</p>	
<p>Through the Park & Recreation Board, the City provides for parks, parkways, and recreational opportunities for its current and future residents’ use. The Board may likewise provide for service for nonresidents.</p>	

<p>§ 8.2. Functions and powers</p>	
<p>(a) General function and powers.</p>	
<p>(1) Charter powers. The Board establishes, governs, administers, and maintains, and may design, develop, and improve—</p>	
<p>(A) the parks, parkways, and recreational opportunities in and adjacent to the City;</p>	<p>The Park and Recreation Board of the City of Minneapolis and its successors shall have the power and it shall be its duty to devise, adopt and maintain parks and parkway in and adjacent to the City of Minneapolis, and from time to time to add thereto; to designate lands and grounds to be used and appropriated for such purpose; to cause the same to be platted, surveyed, and plats thereof filed in the office of the Secretary of said Board, and in the office of the City Engineer of the City of Minneapolis; and the right to take possession upon obtaining title to the same or any part thereof, to hold, improve, govern and administer the same for such purposes. [ch. 16, § 2]</p> <p>All parkways which have been or which may be acquired in or adjacent to the City of Minneapolis shall be subject to the control and government of the Park and Recreation Board of said city, in respect to the construction, maintenance, regulation and government thereof; and to the use, travel and traffic over and upon the same [ch. 16, § 15]</p>
<p>(B) each waterway or other body of water in the park system;</p>	
<p>(C) the ornamental and shade trees in the City’s streets, alleys, and public grounds and ways; and</p>	<p>The Board of Park Commissioners [Park and Recreation Board] of the City of Minneapolis shall hereafter have the authority to direct and regulate the planting and preservation of shade and ornamental trees and shrubbery in the streets, alleys and public grounds of said City. [ch. 16, § 16]</p> <p>Said Park and Recreation Board may in its discretion cause suitable shade trees to be planted along, and upon any street or alley, or any portion thereof, and upon any public grounds in said city [ch. 16, § 17]</p>
<p>(D) any gallery, museum, or school in the park system.</p>	

<p>(2) Municipal powers. When exercising its powers under this article, the Board may act on the City's behalf and enjoys all the City's lawful powers, including (but not limited to)—</p>	
<p>(A) eminent domain;</p>	<p>The Park and Recreation Board shall have power, and it is hereby authorized to condemn for the use of said city, any tract or tracts, parcel or parcels of land, or any interest therein, which it may have designated as hereinbefore provided in the second (2) section of this Chapter; and when such condemnation shall have been completed and the land paid for as herein provided, the title to such land shall pass, and be vested in fee simple in the said city. [ch. 16, § 3]</p>
<p>(B) power over public ways that pass through, over, or adjacent to property that it owns or governs, including the power to open, improve, or vacate a public way;</p>	<p>It shall be lawful for said Park and Recreation Board to vacate and close up any and all public roads and highways excepting railroads which may pass through, divide or separate any lands selected or appropriated by it for the purpose of parks, and no such road, highway nor any railroad shall be laid out through said parks or any of them, except such as the said Park and Recreation Board shall itself lay out and construct or shall consent to. [ch. 16, § 8]</p> <p>The said Board shall have power to construct all necessary bridges and viaducts over water courses and railroads within or on the line of said parks and parkways. [ch. 16, § 9]</p> <p>The said Park and Recreation Board shall have and exercise all such powers and jurisdiction over and in relation to parkways as now is, or hereafter may be, conferred upon the City Council in respect to the laying out, opening, widening and improving, vacating and discontinuance of streets; the grading, paving and curbing thereof; the construction of sidewalks [ch. 16, § 15]</p>
<p>(C) power over the shores and waterways adjacent to any waterway or other body of water that it owns or governs, including exclusive power over any waterway or other body of water whose shore it owns.</p>	<p>Whenever the title shall have been acquired for the purpose of this Chapter, to the land constituting the shore or shores of any stream of water, lake or pond, said Board may regulate and control the use of such shore or shores and the water contiguous thereto, and in case such ownership shall embrace the entire shore or any such lake or pond, said Board is hereby empowered to take any and have exclusive charge and control of the waters of said lake, and may in all things regulate and govern the use of such waters and may prescribe penalties for the violation of such rules and ordinances as it may adopt for that purpose; provided, that said Board shall not prohibit the use of sail or row boats on such waters. [ch. 16, § 11]</p>

<p>(3) Legislatively granted powers. The Board may also, without regard to this charter, exercise any power, right, or role for which the law (including but not limited to 1889 Minnesota Special Laws, chapters 30 & 103) provides in addition to those for which this charter provides.</p>	
<p><i>Note.</i> The organic laws that establish the Minneapolis park system include, among others, “An act to consolidate and amend all acts relating to parks and park ways in the city of Minneapolis and incident thereto; and defining the powers and duties of the board of park commissioners of said city,” 1889 Minn. Laws, Special Laws, ch. 30; and a special law that the same legislative session enacted amending that law, 1889 Minn. Laws, Special Laws, ch. 103.</p>	
<p>(4) Powers beyond City’s boundaries. The Board may exercise all the same powers and functions with respect to any park, parkway, or other property that it owns or governs outside the City as with respect to the parks and parkways inside the City.</p>	<p>The said Park and Recreation Board may acquire by gift, lands without the corporate limits of said city for the purpose of continuing or completing any system of parkways within said limits, and shall possess the same powers and jurisdiction over said parkways as if they were wholly within the city limits. [ch. 16, § 15]</p>
<p>(b) Body corporate and politic. The Board is a body corporate and politic and, in the exercise of its general functions and powers, may—</p>	
<p>(1) adopt a seal;</p>	<p>Said Park and Recreation Board shall have a common seal [ch. 16, § 1]</p>
<p>(2) make contracts;</p>	<p>Said Park and Recreation Board . . . shall be capable of entering into, making, performing and enforcing contracts in the name of, and in behalf of the City of Minneapolis, to carry out the purposes expressed in this Chapter. [ch. 16, § 1]</p>
<p>(3) buy and sell property;</p>	
<p>(4) accept and administer, invest, or otherwise dispose of gifts;</p>	<p>said Board shall have power to accept and receive donations of money, property or lands, for the use of the said city for the purposes contemplated in this Chapter [ch. 16, § 2]</p>
<p>(5) sue and be sued; and</p>	
<p>(6) exercise any other lawful power that a municipal corporation enjoys at common law or by general or special law.</p>	

<p>(c) Ordinances. The Board may enact any necessary or prudent ordinance within this article VIII's purposes.</p>	<p>The said Park and Recreation Board . . . shall make and publish from time to time, rules, ordinances and regulations for the government of its officers, agents, servants, and employees, and for the government and regulation of the parks and parkways, which may be required under and pursuant to the provisions of this Chapter. [ch. 16, § 1]</p> <p>Said Board shall have power to regulate the use of parks and parkways acquired in the name of the City, whether within or without the corporate boundaries, and may adopt ordinances to acquire and secure the quiet, orderly and suitable use and enjoyment of such parks and parkways by the people, and fix and ordain penalties for the violation thereof [ch. 16, § 14]</p> <p>The said Board of Park Commissioners [Park and Recreation Board] may, by proper ordinance, provide for the enforcement of this section, fix penalties for the violation thereof; and the Municipal Court of Hennepin County shall have jurisdiction of all offenses against such ordinances. [ch. 16, § 16]</p>
<p>An ordinance may provide for a fine, imprisonment, other penalty, or any combination of such penalties for its violation.</p>	<p>The penalty for such violation may include fines not exceeding \$300 or confinement not exceeding 90 days, or both, and the same shall be enforced by prosecution, as in the case of other ordinances of said City. [ch. 16, § 14]</p>
<p>The city attorney prosecutes any such violation.</p>	<p>The City Attorney shall have charge of all prosecutions, and shall prosecute all violations of park ordinances. [ch. 16, § 14]</p>
<p>Any resulting fine or other monetary penalty goes to the park & recreation fund.</p>	<p>All fines and penalties imposed for the violation of park ordinances shall, when received by the City Comptroller-Treasurer [Finance Officer], become a part of the Park and Recreation Fund of the City. [ch. 16, § 14]</p>

<p>(d) Park museum. The Board has accepted a gift of property for the benefit of a park, museum, gallery, or school of arts and crafts, which a donor-designated nonprofit organization administers according to the terms under which the gift was accepted. The Board must annually levy a tax, up to 0.0125 percent of the total value of the property in the City, whose proceeds go to a fund that pays for the park, museum, gallery, or school, and may not be diverted for any other purpose.</p>	<p>After the acquirement of any such museum, gallery, or school of arts or crafts as aforesaid, there shall be annually levied and it shall be the duty of such Park and Recreation Board to cause to be included in the annual tax levy, upon all the taxable property of the city, a tax of one-eighth (1/8) of one mill upon each dollar of the assessed valuation of property in this city subject to taxation, and such board shall certify such levy to the Auditor of the County of Hennepin, and the same shall be added to, and collected with and as part of the general real and personal property taxes with like penalties and interests, in case of nonpayment and default, and all provisions of law in respect to the levy, collection and enforcement of other taxes shall, so far as applicable, be followed in respect to such taxes. All of said taxes, penalties and interest, when collected, shall be paid to the City Comptroller-Treasurer [Finance Officer], and shall be credited to a fund to be known and denominated as the “Park Museum Fund,” and shall be used for the purposes specified in this Section 7, and for no other purpose. Any part of the proceeds of such levy not expended for the purposes specified in this paragraph may be used for the erection of new buildings for the same purposes. The Park and Recreation Board may, by ordinance, provide for the payment of all current bills incurred by it, or under its authority, for goods, wares and merchandise, without awaiting the formal vote of such Board directing payment thereof. [ch. 16, § 7]</p>
<p>(e) 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).</p>	<p>The Mayor of the City of Minneapolis shall, upon request of the Park and Recreation Board, and subject to the provisions of the Civil Service Chapter of this Charter, appoint as police officers such persons as such Board may request; and which police officers shall be under the control and direction of said Board, and may be discharged by said Board subject to the provisions of said Civil Service Chapter, and said Board shall provide for the payment of such police officers out of the park funds. [ch. 16, § 14]</p>
<p>(f) Realty.</p>	
<p>(1) Supermajority required for certain actions. The Board may dedicate, buy, lease, or name or rename realty with at least six affirmative votes.</p>	<p>. . . no action of said Board, designating or purchasing or leasing lands . . . shall be valid unless voted for by six (6) members of said Board . . . [ch. 16, § 1]</p>
<p>(2) Acquiring realty. The Board may acquire realty—</p>	

<p>(A) by purchase, contract, or mortgage, and</p>	<p>The said Park and Recreation Board, and their successors, shall have power, and it is hereby authorized, to obtain title for and in the name of the City of Minneapolis, to any lands so designated by it for the purpose of this Chapter, by gift, devise, purchase or lease. [ch. 16, § 2]</p>
<p>(B) by assessing the benefited property, in which case the Board must identify the property benefited and determine the appropriate assessment.</p>	<p>Provided, that no personal or general liability on the part of said city shall be created by any such contract, or mortgage, or bond beyond the means at the time available therefor, except the liability to pay such amount as may be realized from benefits assessed on benefited property on account of the lands included in such contract or mortgage. And it is hereby made the duty of said Board to pay on each such contract or mortgage an amount equal to the sum or sums so realized from such assessments [ch. 16, § 2]</p> <p>And the proceedings for the condemnation of land and for assessing benefits for improvements shall be conducted in the manner hereinbefore in this Chapter provided for condemning lands and assessing benefits. [ch. 16, § 15]</p>
<p>(3) Mortgages. The Board may issue or give back a mortgage, with or without bonds securing the unpaid purchase price, that evidences its indebtedness for any such realty.</p>	<p>And said Board may enter into any contract in the name of said city, for the purchase of any lands to be paid for in such time, or times, and in such manner as the Board may agree to; and said Board may accept title to lands and give back a mortgage or mortgages in the name of said city, with or without bonds to secure the unpaid purchase price. Provided, that no personal or general liability on the part of said city shall be created by any such contract, or mortgage, or bond beyond the means at the time available therefor, except the liability to pay such amount as may be realized from benefits assessed on benefited property on account of the lands included in such contract or mortgage. And it is hereby made the duty of said Board to pay on each such contract or mortgage an amount equal to the sum or sums so realized from such assessments [ch. 16, § 2]</p>

<p>(4) Selling realty. The Board may sell realty only if it has abandoned the realty, and the district court approves the sale.</p>	<p>Whenever the title to any piece or parcel of real estate that has been or may hereafter be, acquired under the provisions of this Chapter, either by purchase or condemnation and the proceedings for the establishment of a particular park or parkways, of which said piece of land, or parcel of land, was designated to form a part has been, or may hereafter be, abandoned by said Board, as by this Chapter authorized, in consequence of which abandonment said piece of parcel of land has or may become unavailable as a part of said park system, such lands may be sold and conveyed by deed executed in the name of said City by the President and Secretary of said Board, at such price and upon such term as said Board may direct or approve. No such sale shall be valid, however, unless authorized by the District Court of Hennepin County by its order describing the premises to be sold and entered upon the petition of such Board, after hearing of all interested parties upon such notice by publication or otherwise, as such court may prescribe. And such District Court is hereby empowered to make and enforce all such orders, judgments and decrees as it may deem proper in the premises and such conveyances so authorized and executed shall vest in the guarantee all right, title and interest of the City of Minneapolis in such lands acquired by such condemnation or purchase. [ch. 16, § 13]</p>
<p>(g) Compensation. The Board may provide for the commissioners' compensation.</p>	<p>The said Commissioners shall receive no compensation for their services, but may receive such sums for actual and necessary expenses incurred in performing their official duties as may be audited and allowed by the said Board. [ch. 16, § 1]</p>
<p>(h) Employment.</p>	<p>The Park and Recreation Board shall be authorized to employ and dismiss, subject to the provisions of the Civil Service Chapter of this Charter, such attorneys, surveyors, agents and employees as may be necessary, and to fix the compensation of all its appointees and employees, which shall be payable from the fund hereinafter established for the purpose of this Chapter, upon the order of said Board [ch. 16, § 1]</p>
<p>(1) Employment and compensation. The Board may provide for any necessary employees and for their compensation.</p>	
<p>(2) Unclassified service. The Board may employ in the unclassified service—</p>	
<p>(A) the superintendent,</p>	
<p>(B) its attorney,</p>	
<p>(C) the park police chief,</p>	

(D) a landscape architect, and	
(E) any officer or other employee for whose unclassified status this charter or a general or special law provides.	
(i) Purchases. The Board may buy supplies for the recreational and eating facilities under its charge without going through the City’s purchasing department.	excepting from the provisions of this section . . . the purchase of supplies for the use of the Board of Park Commissioners [Park and Recreation Board] of the city at its several refectories and places of amusement [ch. 4, § 19]
(j) Mayor’s signature or veto. The Board must present each act to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect—	All ordinances, resolutions, and other actions of the Park and Recreation Board, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if the Mayor approves thereof, the Mayor shall sign the same, and such as shall not be signed, the Mayor shall return to the Board, with his or her objections thereto, by depositing the same with the secretary of the Board, to be presented to the Board at their next meeting thereafter. Upon the return of any ordinance, resolution, or other action of the Board by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the Board shall pass the same by a vote of two-thirds of the members of the Board, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution, or other action of the Board shall not be returned by the Mayor within five (5) days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. [ch. 3, § 2A]
(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	
(a) Composition. The Board comprises nine commissioners, elected in each general election in which a Mayor is elected:	At the general City election in 1975, the electors of the entire City shall elect three (3) Commissioners at large, one (1) for a term of two (2) years and two (2) for a term of four (4) years each. The term of the Commissioner elected by the least number of votes at said election shall be two (2) years and the terms of the other two (2)
(1) three commissioners at large, and	

<p>(2) six commissioners elected by district.</p>	<p>commissioners elected shall be four (4) years. At the general City election in 1977 and every four (4) years thereafter, the electors of the entire City shall elect one Commissioner-at-large for a term of four (4) years and the electors residing in each even-numbered Park and Recreation District shall elect from their respective districts one (1) Commissioner for a term of four (4) years. At the general City election in 1979 and every four (4) years thereafter, the electors of the entire City shall elect two (2) Commissioners-at-large for a term of four (4) years each and the electors residing in each odd-numbered Park and Recreation District shall elect from their respective districts one (1) Commissioner for a term of four (4) years. There are hereby created six Park and Recreation Districts within the city . . . [ch. 16, § 1]</p>
<p>(b) Removal.</p>	
<p>(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.</p>	<p>Any Commissioner may be removed from office by the District Court of Hennepin County, after trial and conviction, upon the petition with sworn charges presented by not less than ten (10) reputable freeholders of said city, if it shall appear at the trial that such Commissioner has been guilty of misdemeanor, or malfeasance in office. Upon the presentation of such petition to one of the Judges of said Court the Judge shall issue an order returnable before such Judge, or the Court, requiring such Commissioner to appear and show cause why the removal from office should not take place and upon the return of such order the Court or Judge shall direct the method of hearing and procedure. [ch. 16, § 1]</p>
<p>(2) Nonattendance. The Board may remove any commissioner absent from its meetings for 90 days.</p>	<p>The office of any Commissioner under this Chapter who shall not attend meetings of the Board for three (3) successive months after having been duly notified of said meetings, without reasons satisfactory to the Board, or without leave of absence, from said Board, may by said Board be declared and thereupon shall become vacant. [ch. 16, § 1]</p>
<p>(c) Vacancies. The Board, with at least six affirmative votes, may fill any vacancy in its membership.</p>	<p>. . . whenever vacancies shall occur in said offices, they shall be at once filled in like manner for the unexpired term. Whenever a vacancy may occur in the office of an elected Commissioner, it shall be filled by the Board. [ch. 16, § 1]</p> <p>. . . no action of said Board . . . filling vacancies in the Park and Recreation Board, shall be valid unless voted for by six (6) members of said Board . . . [ch. 16, § 1]</p>

<p>(d) Secretary. The Board elects a secretary who does not serve on the Board. The secretary may administer an oath or affirmation in any proceeding under this article VIII.</p>	<p>The said Park and Recreation Board . . . shall appoint annually a Secretary who shall not be a member of said Board. [ch. 16, § 1]</p> <p>Said Secretary shall have power and is hereby authorized to administer oaths in all proceedings under this chapter and incident thereto. [ch. 16, § 1]</p>
<p>(e) Attorney. The Board may appoint its own attorney at law.</p>	<p>The above named boards shall in no case employ, retain or pay any attorney for legal services in their boards or departments, and it is hereby made the duty of said boards and each of them, whenever the advice, opinion or services of an attorney are required, to call upon the City Attorney for such advice, opinion or services, and the same shall be given by the City Attorney or by an assistant designated by the City Attorney. Provided, that the provisions of this section shall not apply to the Board of Park Commissioners of the City of Minneapolis. [ch. 3, § 7]</p>
<p>§ 8.4. Meetings</p>	
<p>(a) Organizational meeting. The Board must annually hold an organizational meeting on the first weekday in January that is not a holiday.</p>	<p>The said election shall be held on the first business day in January of each year [ch. 16, § 1]</p>
<p>(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.</p>	<p>The Mayor may call special meetings of the Park and Recreation Board by notice to each of the members, to be delivered personally or left at their usual places of abode. At such special meeting no other business shall be transacted than such as is designated in the call. [ch. 3, § 2A]</p>

<p>§ 8.5. Borrowing power</p>	
<p>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.</p>	<p>. . . no action of said Board . . . creating a bonded debt . . . shall be valid unless voted for by six (6) members of said Board . . . [ch. 16, § 1]</p> <p>For the cost of acquiring a title to lands for said parks and parkways, the said Park and Recreation Board shall have power to borrow, from time to time, for such times as it shall think expedient, not exceeding fifty (50) years, a sum of money the annual interest upon which for all the moneys so borrowed including the sums heretofore borrowed shall not exceed thirty-five thousand dollars (\$35,000.00), and for that purpose shall have authority to issue bonds of the City of Minneapolis, to be denominated “park bonds,” secured upon said parks and the improvements thereon And for the payment of the principal and interest of said bonds, and said parks and improvements thereon shall be irrevocably pledged with a first lien thereon, and the city of Minneapolis shall be irrevocably bound; provided, that all lands shall be first subject to the unpaid purchase price thereof; and said bonds may be sold by said Park and Recreation Board, upon such terms and for such prices as in its judgment are the best that can be obtained for the same. [ch. 16, § 5]</p>
<p>§ 8.6. Taxing power</p>	
<p>Subject to article XI’s provisions:</p>	
<p>(a) Park & recreation fund. The Board may annually tax up to 0.10415 percent of the total value of the property in the City.</p>	<p>The said Park and Recreation Board shall annually, on or before the tenth (10th) day of October in each year, transmit to the Auditor of Hennepin County an estimate in writing of the amount of money necessary for the payment of interest on bonds issued by said Board, and that will be required for the acquiring, equipping, improving, maintaining, operating and governing parks, parkways, playgrounds and other recreational facilities and conducting recreational programs for the public use during the succeeding year; which amount shall not exceed what will be raised by a tax of six (6) mills upon each dollar of valuation of the taxable property in said City, nor shall such tax in any year exceed the maximum fixed therefor by the Board of Estimate & Taxation [ch. 16, § 6]</p>

<p>(b) 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.</p>	<p>The said Park and Recreation Board in addition to all other power and authority, is hereby authorized and empowered, and it shall be its duty to levy annually upon all the property, real and personal, a tax not exceeding 1/20 of a mill upon each dollar of the assessed valuation of this City, for the purpose of protecting, caring for, replacing and maintaining the shade and ornamental trees and shrubbery in the streets and avenues of the City. Provided, however, that grants and real estate mentioned shall be subject only to the levy and collection of taxes now or hereafter provided by law, and provided, further, that the rate of such levy shall not exceed the maximum fixed by the Board of Estimate & Taxation in any year. [ch. 16, § 6]</p>
<p>Article IX Administration</p>	
<p>§ 9.1. Mayor</p>	
<p>(a) Chief executive. The chief executive officer is the Mayor.</p>	<p>The Mayor shall take care that the laws of the State and the ordinances of the City are duly observed and enforced within the City. The mayor shall take care that all other officers of the City discharge their respective duties, and to that end may maintain an action of mandamus or other appropriate action against any delinquent City officer. [ch. 3, § 1]</p>
<p>(b) Term; election. The Mayor's term is four years. The Mayor is elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four.</p>	<p>A general city election for the election of city officers shall be held biennially on the first Tuesday after the First Monday in November of each odd-numbered year. [ch. 2, § 4]</p>
<p>(c) Duties. The Mayor must—</p>	
<p>(1) take care that all laws and ordinances are faithfully observed and enforced within the City;</p>	<p>The Mayor shall take care that the laws of the State and the ordinances of the City are duly observed and enforced within the City. [ch. 3, § 1]</p>
<p>(2) take care that each other officer discharges his or her duties, for which purpose the Mayor may seek a writ of mandamus or other appropriate action against any delinquent officer;</p>	<p>The mayor shall take care that all other officers of the City discharge their respective duties, and to that end may maintain an action of mandamus or other appropriate action against any delinquent City officer. [ch. 3, § 1]</p>
<p>(3) recommend action in the City's interest by any other government;</p>	

<p>(4) report annually to the City Council on the state of the City, and recommend appropriate measures for the City's physical and economic development; and</p>	<p>The Mayor shall address the City Council annually on the state of the City proposing therein plans and programs for the physical and economic development of the City. The Mayor shall make recommendations for legislation and other actions by other governmental bodies which actions would assist in such physical and economic development of the City and shall from time to time give the City Council such information and recommend such measure(s) as may be deemed advantageous to the City. [ch. 3, § 1]</p>
<p>(5) notify the City Council and any other interested board or department of any litigation against the City.</p>	<p>When any suit or action shall be commenced against said city, the service thereof may be made by leaving a copy of the process by the proper officer with the Mayor, and it shall be the duty of the Mayor forthwith to inform the City Council thereof, or to take such other proceedings as by the ordinances or resolutions of said Council may have been in such case provided. [ch. 11, § 4]</p>
<p>(d) Delegation. The Mayor may attend by proxy any board, committee, or other public body of which he or she is a member.</p>	<p>Notwithstanding any provisions of the Minneapolis City Charter and Minnesota Statutes 422A.02 and 423.72 to the contrary, whenever the Charter or said state laws provide that the Mayor be a member of any board, commission or department, the Mayor may appoint or designate a representative to serve in place of the Mayor on such board, commission or department for a term of office not to exceed the Mayor's own term. Such representatives shall be citizens of the state and residents of the City. [ch. 3, § 1]</p>
<p>(e) Vacancy.</p>	
<p>Whenever the Mayor vacates his or her office before the year of the next regular election, or in that year before March 1, the City Council must provide for a special election filling the vacancy within 75 days after the vacancy occurs.</p>	<p>Whenever any vacancy shall occur in the office of Mayor . . . prior to March 1st of the year of the general City election for the office of Mayor . . . , it shall be filled for the unexpired term by a special election ordered by the City Council and held City-wide if the vacancy is in the office of the Mayor The special election shall be held within seventy-five (75) days after such vacancy shall occur. [ch. 2, § 16]</p>

(f) Succession.	
<p>(1) Temporary vacancy. Whenever the Mayor cannot discharge his or her duties, or the office is vacant pending an election, then the Council president (or, if the Council president cannot act, the Council vice-president) must act as Mayor until the Mayor (or the Council president, if the vice-president is acting as Mayor) resumes his or her duties or a new Mayor takes office. Any action taken by the Council president or vice-president, or any other successor, acting as Mayor is as valid as if taken by the Mayor. Any successor acting as Mayor draws the Mayor's salary instead of the salary of the office by virtue of which he or she is acting as Mayor.</p>	<p>Until the vacancy in the office of Mayor has been filled by the special election, the then President of the City Council shall take the oath of office of, and become, and shall be styled Acting Mayor for the interim period, and as such shall exercise all the powers and discharge all the duties of Mayor, and while so acting shall be entitled to the salary of Mayor, but such salary shall be in lieu of, and not additional to, the salary as Council Member in [the] event such person shall occupy both offices. [ch. 2, § 16]</p> <p>If the Mayor is unable for any reason to discharge his or her required duties, a member of the City Council shall serve as Acting Mayor. The line of succession for Acting Mayor shall be the Council President, Council Vice-President, and then as determined by resolution of the City Council. Acts performed by the Acting Mayor shall have the same force and validity as if performed by the Mayor. [ch. 3, § 2B]</p>
<p>(2) Succession plan. The City Council must by ordinance adopt a succession plan, which must—</p>	<p>Within ninety (90) days after the effective date of this subsection, and, thereafter, at the first meeting of the City Council in January of each year after a municipal general election, the City Council shall, by resolution, adopt a succession plan which will establish the lines of succession for the Mayor and the Council President consistent with the provisions of this section. [ch. 3, § 2B]</p>
<p>(A) define the circumstances under which the Mayor cannot discharge his or her duties, and how such an inability ends; and</p>	
<p>(B) establish a line of succession beyond the Council vice-president, which must include each Council member, and may include other elected or appointed officers after the Council members.</p>	
<p>The City Council must review the plan at each organizational meeting.</p>	
<p>(g) Resources. The City Council must provide for the staff and other resources that the Mayor needs for the effective performance of his or her duties.</p>	
<p>(1) Staff. For the Mayor's support, the Council must provide for at least—</p>	<p>The City Council by resolution is hereby authorized to determine the maximum number of administrative aides that may be on the staff of the Mayor, all of whom shall be in the unclassified service. The minimum size of said staff shall be one administrative deputy, two administrative aides, one administrative assistant, and one executive secretary. [ch. 4, § 24]</p>
<p>(A) one administrative deputy,</p>	
<p>(B) two administrative aides,</p>	
<p>(C) one administrative assistant,</p>	
<p>(D) one executive secretary, and</p>	

(E) any other appropriate staff.	
The Mayor may appoint any such staff without regard to section 10.4(b). The Mayor's staff serves in the unclassified service.	The powers of the commission shall extend only to the classified service which shall embrace the entire service of the City except the following officers, and employees, which shall be known as the "unclassified service", namely: . . . the Mayor's private secretary. None of the unclassified service shall be subject to examination or affected as to their selection, appointment, discharge or removal by the provisions of this Chapter. [ch. 19, § 4]
(2) Contingent fund. The Council must annually appropriate a fund of not less than \$5000 for use at the Mayor's discretion. The Mayor may not contribute from this fund to any individual's political campaign. The Mayor must report each expense from this fund to the Council.	The City Council of the City of Minneapolis is hereby authorized and directed annually to appropriate and set aside from the general fund of said city a sum of not less than five thousand dollars (\$5,000), as a contingent fund, for the use of the Mayor of said city. The Mayor shall have sole control over such fund, and may use and expend the same as the Mayor may deem best and for the interests of said City of Minneapolis; provided, however, that no money from said fund be used as a campaign contribution to any person seeking elected office. The Mayor shall tender to the City Council detailed statements of all expenditures made under authority of this provision. [ch. 11, § 2]
§ 9.2. Departments	
(a) The departments generally. The City Council must establish, organize, and otherwise provide for—	
(1) a city coordinator, and an appropriate office and staff;	There shall be appointed a City Coordinator as provided by this chapter. The City Council shall prescribe by ordinance or resolution the general duties and fix the compensation of the City Coordinator. [ch. 3, § 3]
(2) a city clerk, and an appropriate office and staff;	There shall be a Clerk of said City, styled the "City Clerk," who shall be elected by the City Council. [ch. 3, § 5]
(3) a city assessor, and an appropriate office and staff;	The City Council shall . . . appoint one (1) assessor, who shall be an officer of said city styled "City Assessor," and who shall keep an office to be provided by said city . . . The City Assessor shall, with the approval of the city council and subject to the provisions of the Civil Service Chapter of this Charter, appoint such number of deputies and staff as may be required to perform the work of the city assessor. [ch. 5, § 1]

<p>(4) a city finance officer, and an appropriate office and staff;</p>	<p>Pursuant to, and subject to the limitations of, Minnesota Laws of 1983, Chapter 160, the City Council may, by ordinance, provide the manner of appointment and prescribe the functions, duties and responsibilities of the Finance Officer. The Council may also designate by such ordinance a title for the Finance Officer. [ch. 3, § 11]</p>
<p>(5) a city attorney and legal department;</p>	<p>The City Council shall at the time and in the manner specified in this chapter for the appointment of other city officers elect and appoint a City Attorney. [ch. 3, § 7]</p>
<p>(6) a civil rights department;</p>	<p>Notwithstanding any other Charter provision or ordinance to the contrary all city departments, boards, commissions, agencies, and branches of the City of Minneapolis shall be subject to the jurisdiction of the Minneapolis Civil Rights Commission. No exemption of the jurisdiction conferred by this section shall be allowed to exempt any city departments, boards, commissions, agencies, or branches of the City of Minneapolis. [ch. 11, § 18]</p>
<p>(7) a planning commission, and an appropriate office and staff;</p>	<p>There shall be in the City of Minneapolis an executive department of the City to be known as the “City Planning Department” [ch. 13, § 1]</p>
<p>(8) a purchasing department; and</p>	<p>The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government [ch. 4, § 19]</p>
<p>(9) any other department necessary or convenient for the efficient delivery of municipal services.</p>	<p>The City Council shall have power at any time to require other and further duties to be performed by any officer whose duties are herein prescribed, not inconsistent with this Chapter, and to appoint such other officers as may be necessary to carry into effect the provisions of this Chapter, and to prescribe their duties, unless herein otherwise provided for. [ch. 3, § 23]</p>
<p>(b) Departmental organization. The ordinance establishing each department must provide for an officer or a board as its head, for any other necessary officer, and for appropriate staff and other resources. The Mayor nominates and the City Council appoints each department’s head under section 10.4(b), except as this charter or any applicable law or ordinance otherwise provides.</p>	

(c) City attorney.	
(1) Function. Except as this charter otherwise provides, the city attorney and the legal department under his or her direction—	The City Attorney, the City Attorney’s deputies and assistants shall constitute the legal department of the City of Minneapolis, and shall have charge of all legal matters connected with the city government and all the several heads and departments of the same, and of the several boards of said city which now exist or are hereafter established in connection with the city government. [ch. 3, § 7]
(A) have full charge of all legal matters in connection with the City’s government; and	
(B) must counsel each board, department, and officer, and deliver an opinion on any legal question from any such board, department, or officer, who must consult only the city attorney for any necessary legal advice.	The City Attorney shall be the head of such legal department and shall have the control, supervision and direction of all matters of such department. The City Attorney shall be the legal advisor of the Mayor, City Council, its committees, and all other officers of the city and of the boards hereinabove named. The City Attorney shall, either personally or by such deputies or assistants as he or she may designate, render and perform all the legal services incident to the legal department, when required, furnish opinions on legal questions submitted to him or her by the Mayor and other officers, the City Council or its committees, or by any of the above named boards. The City Attorney shall personally, or by deputy or assistant designated by the City Attorney attend the stated and special meetings of the Council, and when requested, the meetings of the committees or any of the above named boards. [ch. 3, § 7]
(2) Deputy city attorneys. The city attorney may appoint two deputies, who serve in the unclassified service, but with the same employee benefits (except as to hiring and removal) as an officer in the classified service. If a deputy is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as a deputy, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.	The City Attorney may appoint two Deputy City Attorneys, who shall be in the unclassified service, and the City Attorney may, by and with the consent of the City Council, appoint such other assistants and clerical force as may be necessary. Deputy City Attorneys shall have the same employee benefits, except as to appointment and removal, as persons in the classified service and any person appointed as a deputy who has a permanent civil service classification shall be deemed to be on leave of absence from such classified position while serving in such appointive position and upon termination of such service shall be returned to the permanent civil service classification from which such leave was taken and if no vacancy is available in such civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the civil service classification held by that person prior to such certification. [ch. 3, § 7]

<p>(d) Civil rights department. For the purpose of enforcing civil-rights legislation, the civil rights department enjoys jurisdiction over each board, department, officer, and other agency or agent, notwithstanding anything in this charter to the contrary. No board, department, officer, or other agency or agent may limit the department’s jurisdiction.</p>	<p>Notwithstanding any other Charter provision or ordinance to the contrary all city departments, boards, commissions, agencies, and branches of the City of Minneapolis shall be subject to the jurisdiction of the Minneapolis Civil Rights Commission. No exemption of the jurisdiction conferred by this section shall be allowed to exempt any city departments, boards, commissions, agencies, or branches of the City of Minneapolis. [ch. 11, § 18]</p>
<p>(e) Planning commission.</p>	
<p>(1) Commission. The commission consists of—</p>	<p>There shall be in the City of Minneapolis an executive department of the City to be known as the “City Planning Department,” which shall serve as the staff of a City planning commission consisting of nine (9) persons. [ch. 13, § 1]</p>
<p>(A) the Mayor;</p>	<p>One shall be the Mayor [ch. 13, § 1]</p>
<p>(B) a representative from the board of county commissioners;</p>	<p>one shall be a person selected by the County Board of the County of Hennepin as its representative [ch. 13, § 1]</p>
<p>(C) a commissioner elected by and from the City Council;</p>	<p>the City Council . . . shall . . . select one of its own members, as a member of the Commission [ch. 13, § 1]</p>
<p>(D) a commissioner elected by and from the Park & Recreation Board;</p>	<p>the Park Board shall . . . select one of its own members, as a member of the Commission [ch. 13, § 1]</p>
<p>(E) a director elected by and from the Minneapolis Public Schools board of education; and</p>	<p>the School Board . . . shall each select one of its own members, as a member of the Commission [ch. 13, § 1]</p>
<p>(F) four citizens who are not members of any board otherwise represented on the commission, appointed under section 10.4(b).</p>	<p>four (4) legal voters of the municipality not members of any of the above bodies or boards shall be appointed by the Mayor with the approval of the City Council [ch. 13, § 1]</p>
<p>(2) Function. The commission must—</p>	<p>The city planning commission shall have power, except as otherwise provided by law: [ch. 13, § 2]</p>

<p>(A) prepare a comprehensive plan for the City’s physical development and improvement, with particular regard to public utility and convenience and the general welfare;</p>	<p>To acquire or prepare a comprehensive city plan for the future physical development and improvement of the city, based primarily upon public utility, convenience and general welfare, which plan shall be known and designated as the official city plan. [ch. 13, § 2(1)]</p>
<p>(B) recommend to any appropriate board, department, or officer specific plans for public improvements, consistent with the comprehensive plan;</p>	<p>To prepare and recommend to the proper officers of the municipality, specific plans for public improvements consistent with the comprehensive plan for the city. [ch. 13, § 2(2)]</p>
<p>(C) recommend to the City Council ordinances regulating the zoning of buildings and other structures with respect to their size, location, and use; and</p>	<p>To recommend to the City Council, ordinances regulating the height, location and ground areas of buildings and structures, and ordinances providing for the division of the city into districts or zones based upon the height, ground areas and use of all buildings and structures. [ch. 13, § 2(3)]</p>
<p>(D) perform any other duties for which an ordinance provides.</p>	<p>The City Council may pass ordinances authorizing the city planning department to administer and enforce ordinances relative to city planning. [ch. 13, § 3]</p>
<p>(3) Annual report. The commission must annually report in January to the Mayor about its activities, plans, and recommendations. The Mayor must within 15 days transmit the report, together with his or her comments and recommendations, to the City Council.</p>	<p>The Commission . . . shall, not later than January 31st of each year, submit an annual report of its activities, plans, and proposals for future action. Said report shall be forwarded to the Mayor and, within fifteen (15) days of receipt thereof, transmitted by the Mayor to the City Council with the Mayor’s comments and recommendations. [ch. 13, § 1]</p>
<p>(4) Plans and plats. No public office may receive or record any plan, plat, or replat of any street or other realty in the City, intended for dedication to public use or for the benefit of the fronting or adjacent property, unless the planning commission has endorsed its approval on the plan, plat, or replat. The commission’s disapproval rejects, and its approval accepts, the proposed dedication on the City’s behalf. But accepting such a dedication does not subject the City to any duty to maintain the dedicated property until the City has entered, used, or improved upon it.</p>	<p>All plans, plats or replats of land hereafter laid out in building lots and streets, alleys or other portions of the same intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting thereon, or adjacent thereto, and located within the city limits, shall be submitted to the City Planning Commission for its approval; and it shall be unlawful to receive or record such plans in any public office unless the same shall bear thereon by endorsement or otherwise, the approval of the City Planning Commission. The disapproval of such plan, plats or replats by the City Planning Commission shall be deemed a refusal by the City of the proposed dedication shown thereon. The approval of the Commission shall be deemed an acceptance by the City of the proposed dedication; but shall not impose any duty upon the City concerning the maintenance or improvements of any such dedicated parts, until the proper authorities of the City shall have made actual appropriations of the same by entry, use or improvements. [ch. 13, § 5]</p>

<p>(5) Public improvements. The City may not authorize or incur debt for any public improvement, including (but not limited to) any structure of permanent character intended for ornament or commemoration, unless—</p>	<p>No public improvements shall be approved or authorized to be constructed in the City, nor indebtedness incurred therefor [ch. 13, § 4]</p> <p>the term “public improvements” shall include all paintings, mural decorations, stained glass, statues, bas-reliefs, or other sculptures, monuments, fountain arches, gates, gateways or other structures of permanent character intended for ornament or commemoration [ch. 13, § 4]</p>
<p>(A) the planning commission approves the location and design;</p>	<p>until the location and design of the same have been approved by the City Planning Commission [ch. 13, § 4]</p>
<p>(B) the commission, within 30 days after receiving a plan for a proposed improvement’s location and design, notifies the City Council of particular objections, and the Council approves over the commission’s objections; or</p>	<p>provided in case of disapproval the Commission shall communicate its reason to the City Council, and the majority vote of such body shall be sufficient to overrule such disapproval [ch. 13, § 4]</p>
<p>(C) the commission does not notify the Council of particular objections within 30 days.</p>	<p>If the reasons for disapproval are not given to the City Council within thirty (30) days after the plans for the public improvements are submitted to the City Planning Commission, said plan shall be deemed to be approved by the City Planning Commission [ch. 13, § 4]</p>
<p>(f) Purchasing. The City Council may require that each officer, board, or department buy goods through the purchasing department, except as this charter otherwise provides.</p>	<p>The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Education, Board of Park Commissioners [Park and Recreation Board] and Library Board, of the city, and for making and maintaining public works and improvements of the city, excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city, and the purchase of supplies for the use of the Board of Park Commissioners [Park and Recreation Board] of the city at its several refectories and places of amusement, and by ordinance or otherwise to make all rules and regulations necessary for the conduct and management of such purchasing department. [ch. 4, § 19]</p>

<p>§ 9.3. Police</p>	
<p>(a) Police department. The Mayor regulates and commands the police department. Except where the law vests an appointment in the department itself, the Mayor appoints and may discipline or discharge any employee in the department (subject to the Civil Service Commission's rules, in the case of an employee in the classified service).</p>	<p>The mayor shall be vested with all the powers of said city connected with and incident to the establishment, maintenance, appointment, removal, discipline, control and supervision of its police force, subject to the limitations herein contained and the provisions of the civil service chapter of this Charter, and may make all needful rules and regulations for the efficiency and discipline, and promulgate and enforce general and special orders for the government of the same, and have the care and custody of all public property connected with the police department of the city. [ch. 6, § 1]</p>
<p>(1) Police chief.</p>	
<p>(A) Appointment. The Mayor nominates and the City Council appoints a police chief under section 10.4(b).</p>	<p>The executive committee shall, by and with the consent of a majority of all of the members of the city council, appoint for a term of three (3) years commencing January 2, 1980, some suitable person as chief of police, subject to removal upon the recommendation of the executive committee by a vote of a majority of all of the members of the city council. [ch. 6, § 1]</p>
<p>(B) Term. The chief's term is three years.</p>	<p>The term of office of each chief of police shall be three (3) years from and after the second day of January of the year of appointment. [ch. 6, § 1]</p>
<p>(C) Civil service. The chief serves in the unclassified service, but with the same employee benefits (except as to hiring and removal) as an officer in the classified service. If a chief is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as chief, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.</p>	<p>Persons holding the position of chief of police shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief of police is a member of the classified service, such person shall be deemed to be on leave of absence during the tenure as chief of police, and upon the termination of service as chief of police shall be returned to his or her permanent civil service classification. If no vacancy is available in that permanent civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification held prior to such certification. [ch. 6, § 1]</p>
<p>(D) Public health. The chief must execute the City Council's orders relating to the preservation of health.</p>	<p>It shall be the duty of the Chief of Police to cause to be executed all orders of the City Council so far as they may relate to the preservation of the health of the city whenever requested to do so to the City Council, and the Police Officers of the City of Minneapolis shall promptly report to the City Council any violation of the rules that may become known to them while on duty. [ch. 14, § 6]</p>

<p>(2) Crime-prevention bureau. The City Council must provide for a crime-prevention bureau, headed by a director in the unclassified service, who need not be a peace officer. The Council must provide by ordinance for the director's appointment, which need not comply with section 10.4(b). The bureau performs the duties that the police chief assigns.</p>	<p>There shall be established in the Police Department a Community Services Bureau (Crime Prevention) with duties as the Chief of Police may assign to it. The City Council shall by Ordinance determine how and by whom the Director of this Bureau is to be appointed. The Director of Community Services Bureau (Crime Prevention) shall serve in the unclassified service [ch. 6, § 5]</p>
<p>(b) Temporary police. The Mayor may, in case of riot or other emergency, appoint any necessary temporary police officer for up to one week. Each such officer must be a licensed peace officer.</p>	<p>The mayor may also, in case of riot, large public gatherings or other unusual occasions demanding the same, appoint such number of temporary police as may be needed but not for a period of more than one (1) week, without the consent of the city council. All police officers so appointed shall be licensed as required by law and shall possess all the common law and statutory powers of peace officers, and any warrant for search or arrest issued by any magistrate or court of record in Hennepin County may be executed in any part of said county by any member of said police force. [ch. 6, § 1]</p>
<p>(c) Special police. The Mayor may appoint special police for a limited place and time at the request and expense of any organization, business, individual, or other person. The special police may not wear a badge or exercise any authority outside those limits.</p>	<p>The Mayor may at any time, at the request of any person, firm, society or organization, or several thereof, appoint special police officers or guards who shall serve without expense to the City and have police powers to preserve the peace and protect the property at such places and within such limits as may be designated in such appointment for the term therein mentioned, but such special police officers or guards shall not exercise any authority or wear any badge of office outside the limits so designated. [ch. 6, § 3]</p>
<p>(d) Funding. The City Council must fund a police force of at least 0.0017 employees per citizen, and provide for those employees' compensation, for which purpose it may annually tax up to 0.03591 percent of the total value of the property in the City. This tax is in addition to any other tax, and not subject to the maximum set under section 11.3(a)(4).</p>	<p>The personnel of the police department shall be established and maintained at a ratio, or as closely thereto as is possible within the limits of section 2 hereof, of not less than one and seven-tenths (1.7) employees per one thousand (1,000) of population of the city according to the latest United States official census. [ch. 6, § 1]</p>

§ 9.4. Fire	
(a) Fire department.	
(1) Fire chief.	
(A) Appointment. The Mayor nominates and the City Council appoints a fire chief under section 10.4(b).	Pursuant to Chapter 3, section 4 of this Charter the executive committee shall appoint, subject to the approval of a majority of all the members of the City Council, a chief engineer of the fire department, subject to removal by the executive committee upon approval of a majority of all of the members of the City Council. [ch. 7, § 5]
(B) Civil service. The chief serves in the unclassified service, but with the same employee benefits (except as to hiring and discharge) as an officer in the classified service. If a chief is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as chief, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.	The person holding the position of chief engineer shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief engineer is a member of this classified service, such person shall be deemed to be on leave of absence during tenure as chief engineer, and upon the termination of service as chief engineer, shall be returned to the person's permanent civil service classification. If no vacancy is available in the permanent civil service classified position held by the chief engineer at the time of appointment as chief, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification which the person held prior to such certification. [ch. 7, § 5]
(2) Senior management.	The Chief Engineer shall appoint competent officers, holding the rank of at least captain, to serve as the assistant chief, deputy chiefs, fire marshal, three (3) assistant chiefs of training and the engineering officer. The assistant chief, deputy chiefs, fire marshal, assistant chiefs of training and the engineering officer shall be appointed by the Chief Engineer, without examination, and such appointees may be removed by the Chief Engineer at will. An officer of the Fire Department accepting appointment to one of the positions enumerated in this section shall retain the officer's civil service status and seniority, and time served in such appointed position shall be credited in computing the officer's seniority in the permanent civil service classification held by the officer immediately prior to accepting the appointment. An officer of the Fire Department accepting appointment to one of the positions enumerated in this section shall be deemed to be on leave of absence from the officer's permanent civil service classification. Upon termination of such appointed service, the officer shall be
(A) Appointment. The fire chief, with the City Council's assent, appoints as the department's senior managers—	
(i) an assistant chief,	
(ii) a deputy chief,	
(iii) a fire marshal,	
(iv) three assistant chiefs of training, and (v) an engineering officer.	

<p>(B) Civil service. The fire chief appoints, without examination, a senior manager from the department's firefighters with the rank of captain or higher; and may discharge him or her at will, without regard to the Civil Service Commission's rules. An officer who accepts such an appointment is treated as taking a leave of absence, retains his or her grade and seniority in the classified service, and earns seniority in that grade while serving as a senior manager, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.</p>	<p>returned to the permanent civil service classification for which such leave was taken and if no vacancy is available in such civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the civil service classification held by that person prior to such certification. [ch. 7, § 6]</p>
<p>(3) Officers and staff.</p>	
<p>(A) Appointment. The fire chief, with the City Council's assent, appoints (subject to the Civil Service Commission's rules) the department's other officers and other employees.</p>	<p>The Chief Engineer shall with the approval of the City Council, appoint, subject to the provisions of the Civil Service Chapter of this Charter, all other officers and staff connected with such department, and may at any time, as provided by the Civil Service Chapter of this Charter, remove or discharge such officers or staff as the Chief Engineer may deem it for the interest of the city to discharge [ch. 7, § 6]</p>
<p>(B) Layoffs. The fire chief may (subject to the Civil Service Commission's rules) discharge an employee in the City's interest. If the City Council directs that the department reduce its force, then the chief must recommend only such layoffs as will not impair the department's operations.</p>	<p>whenever the City Council shall deem it necessary to reduce the number of staff employed, said Chief Engineer, shall, upon the direction of the City Council, recommend the layoff of such officers or staff as can be released without impairing the working efficiency of such department. [ch. 7, § 6]</p>
<p>(b) Fire marshal. The fire marshal must take care that all laws and ordinances against danger from fire are faithfully observed and enforced, for which purpose the marshal may enter and inspect any building (including a dwelling) at any reasonable time. The marshal must examine and record the cause of any fire.</p>	<p>The City Council may, subject to the provisions of the Civil Service Chapter of this Charter, designate such officer of the Fire Department as it may select to act as Fire Marshal of the city to see that the ordinances of the city relating to precautions against danger from fire are not violated, and who shall have power and be fully authorized to enter and inspect any dwelling house or other building at all reasonable times to see that such ordinances are enforced and, if entry be refused, the fire marshal shall have recourse to every remedy provided by law to secure such entry. It shall further be the duty of such Fire Marshal to examine particularly into the cause of every fire which shall happen within the city, and to make and keep a brief record of the same. [ch. 7, § 7]</p>

<p>(c) Fire police. The City Council may provide for fire police within either the fire department or the police department. The fire department may command the police officers at any fire.</p>	<p>Whenever the City Council shall deem it necessary it may provide for a Fire Police of such numbers and with such powers as it may determine, and for that purpose it may either give police powers to such of the officers or staff of the Fire Department as may be necessary, or authorize the appointment of the necessary Police Officers in the same manner as other Police Officers are appointed. In all cases, all Police Officers present at any fire shall be subject to the direction of the officers of the Fire Department present at such fires. [ch. 7, § 8]</p>
<p>(d) Fire emergencies. If necessary for the protection of life or property from an unusual fire, a riot, or a like emergency, the fire chief may—</p>	
<p>(1) compel the attendance of any employee in the fire department (including an off-duty firefighter), for which purpose the chief may make any necessary or prudent rule; and</p>	<p>Provided, however, that the Chief of the Fire Department may establish such rules as may be necessary to insure the attendance of members of the Department in case of a great conflagration or unusual fire or fires, and in such cases, the Chief of the Fire Department may require each and every member of the Department to assist in the protection of life and property, notwithstanding said member or firefighter is off duty. Provided, further, that nothing herein contained shall be construed to apply to any vacation now, or hereafter granted to any firefighters by the city. [ch. 7, § 12]</p>
<p>(2) appoint additional officers or other firefighters for temporary service during the emergency, without regard to the Civil Service Commission's rules.</p>	<p>In case of riot or other like emergency, the Chief of the Fire Department may appoint additional firefighters and officers for temporary service, who need not be in the classified list of the Department. Such additional firefighters or officers shall be employed only for the time during which the emergency exists. [ch. 7, § 12]</p>
<p>(e) Funding. The City Council must fund a fire department that can maintain the double-platoon system.</p>	<p>The City Council shall take such steps as are necessary to provide means and money to meet the expenditures which shall be necessary to establish and maintain the double platoon system. [ch. 7, § 12]</p>
<p>(1) Operating expenses. The department's operating expenses are paid out of the general fund.</p>	<p>All operating expenses of the Fire Department shall be paid out of the general fund. [ch. 7, § 10]</p>
<p>(2) Capital expenses. The department's capital expenses are paid out of the permanent improvement fund, or the proceeds from bonds issued for the purpose, or out of the general fund.</p>	<p>The construction of engine houses or other buildings and purchase of fire apparatus or property for the use of such department may be paid for out of the permanent improvement or other bond fund of the city. [ch. 7, § 10]</p>

Article X Officers and Other Employees	
§ 10.1. Definitions	
For this charter’s purposes—	
(a) an “officer” includes—	
(1) each elected officer,	
(2) each board’s members and officers for which this charter or a general law, special law, or ordinance provides,	
(3) each employee that this charter, a general law, special law, ordinance, or board designates as an officer; and	
(b) an “employee” includes—	The term “employee” as used in this Chapter, shall include every officer, agent, employee and other person in the classified service of the City. [ch. 19, § 5]
(1) each officer, and	
(2) everyone in the classified or unclassified service who is not an officer.	
§ 10.2. Officers generally	
Except as this charter otherwise provides:	

<p>(a) Oath. Before taking office, each officer must sign and file with the city clerk an oath in substantially the following form: “I swear [<i>or</i> ‘affirm’] that I will faithfully discharge the office of [title], and will support the constitutions of the United States and of Minnesota.”</p>	<p>Each person selected as a member of the Commission shall take an Oath of Office before acting as a member. The written Oath shall be filed with the City Clerk. [ch. 1, § 3(B)]</p> <p>Every person elected or appointed to any office under this Charter shall, before entering upon the duties of office, take and subscribe an oath of office, and file the same with the Clerk of the City. [ch. 2, § 18]</p> <p>Before entering upon the discharge of the duties of the office each member of the Board shall make and file with the City Clerk an oath promising to faithfully discharge the duties of the office. [ch. 15, § 1]</p> <p>All persons elected to the office of Park and Recreation Commissioner shall before entering upon the discharge of their duties severally file a written acceptance and oath of office in the office of the City Clerk of the City of Minneapolis. [ch. 16, § 1]</p> <p>Every Library Director [Trustee], before entering upon the duties of office, shall take, subscribe and file in the office of the City Clerk of said city, an oath or affirmation to support the constitution and laws of the State of Minnesota, and to faithfully discharge the duties of office. [ch. 17, § 5]</p> <p>Each commissioner, before entering upon the duties of office, shall subscribe and file with the City Clerk an oath for the faithful discharge of such duties. [ch. 19, § 1]</p>
<p>(b) Bond. The city clerk, the finance officer, and any other officer that the City Council requires, must before taking office deliver an executed bond in whatever amount and form and on whatever conditions the Council requires.</p>	<p>The Finance Officer, Clerk and such other officers as the City Council shall require, shall severally, before they enter upon the duties of their respective offices, execute to the City of Minneapolis, bonds in such form, amounts and upon such conditions as the City Council shall prescribe. [ch. 2, § 18]</p>
<p>(c) Tenure. Each officer takes office, after taking the required oath—</p>	
<p>(1) in the case of an elected officer elected in a regular election, on the first weekday in January that is not a holiday in the calendar year next following the election;</p>	<p>All officers required to be appointed by the City Council shall, unless in this Charter otherwise provided, hold their respective offices for the term of two years from and after the first business day in January of even numbered years [ch. 2, § 2]</p>

<p>(2) in the case of an elected officer elected at a special election, when the results are certified; and</p>	<p>When a vacancy for Council Member exists on or after the first date for filing, the person elected at the general City election, upon certification of the general City election results, shall fill the position for the remainder of the unexpired term. [ch. 2, § 16]</p>
<p>(3) in the case of any other office, as any applicable ordinance provides, otherwise upon election or appointment,</p>	
<p>and serves until his or her successor takes office.</p>	<p>and all officers elected by the people, or appointed by the City Council or otherwise shall continue in office until their successors are elected or appointed and have qualified. [ch. 2, § 2]</p> <p>“City Assessor,” . . . whose term of office shall be two years . . . and until a successor is appointed and qualified. [ch. 5, § 1]</p> <p>. . . and officers shall hold until their successors are elected and qualified, unless they cease to be eligible. [ch. 17, § 9]</p> <p>The commissioners shall continue in office until their successors are appointed and have duly qualified. [ch. 19, § 1]</p>
<p>An ordinance establishing an office may provide for the officer’s term, otherwise the term is two years.</p>	<p>All officers required to be appointed by the City Council shall, unless in this Charter otherwise provided, hold their respective offices for the term of two years [ch. 2, § 2]</p>
<p>(d) Duties. Each officer must perform the duties that this charter or any other applicable general or special law, ordinance, or rule, or the electing or appointing body, prescribes.</p>	
<p>(e) Vacancy.</p>	
<p>(1) Determination.</p>	
<p>(A) Elected office. Each board to which the voters elect an elected officer determines when that office is vacant.</p>	
<p>(B) Other office. The electing or appointing body determines when any other office is vacant.</p>	

(2) Resignation. Any officer may resign—	
(A) by tendering a written resignation that the electing or appointing authority accepts; or	Any officer having entered upon the duties of an office may resign the same by and with the consent of the City Council. [ch. 2, § 17]
(B) in any other manner provided by law.	Resignations shall be made in writing signed by the resigning officer: (1) By incumbents of elective offices, to the officer authorized by law to fill a vacancy in such office by appointment, or to order a special election to fill the vacancy; (2) By appointive officers, to the body, board, or officer appointing them, unless otherwise specially provided. [Minn. Stat. § 351.01, subd. 1]
(3) Removal. The electing or appointing body (or, in the case of an elected office, the City Council) may remove any officer after notice and hearing. The notice must specify—	The City Council shall have power to remove from office any officer of said City whether appointed by the City Council or elected by the people, but no officer elected by the people shall be removed except for cause, nor unless first furnished with a copy of the charges, nor until such person shall have had reasonable opportunity to be heard in person or by counsel in his or her own defense. [ch. 4, § 4]
(A) the cause for removal, and	
(B) the hearing's time and place.	
The electing or appointing body may compel the testimony of any witness who may have relevant information, and may compel the production of any relevant book, document, or thing. This section is subject to section 10.4(b)(6), for whose purposes the appointing body is the City Council.	The City Council shall fix a time and place for the trial of such officer, of which not less than ten days' notice shall be given, and shall have power to compel the attendance of witnesses, and the production of papers, and to hear and determine the case, and if such officer shall refuse or neglect to appear and answer such charge the City Council may declare the office vacant. [ch. 4, § 4]
(4) Vacancies. The electing or appointing body may fill any vacancy that this charter does not provide another method of filling. Where the voters are the electing body, the City Council may fill the vacancy. A successor filling a vacancy serves only until an elected successor takes office or for the unexpired term's remainder.	<p>If a member shall cease to serve, the vacancy shall be filled in the same manner as that member's original appointment. [ch. 1, § 3(B)]</p> <p>All vacancies, except as herein provided, shall be filled by the City Council. [ch. 2, § 17]</p> <p>and whenever vacancies shall occur in said offices, they shall be at once filled in like manner for the unexpired term. [ch. 16, § 1]</p> <p>In case of a vacancy occurring otherwise the appointment shall be for the unexpired term. [ch. 19, § 1]</p>
(f) Notice. Any notice to an officer may be given by—	by notice to each of the members, to be delivered personally or left at their usual

(1) certified mail addressed to his or her last-known residence, or	places of abode. [ch. 4, § 2]
(2) delivery in the manner provided by law for service of a summons in a civil action,	
mailed or delivered at least 10 days before the meeting or other event for which notice is given.	of which not less than ten days' notice shall be given, [ch. 4, § 4]
§ 10.3. Elected officers	
(a) “Elected office” defined. For this charter’s purposes—	The elective officers of the City shall be a Mayor, members of the City Council (who shall be known as Council Members) and such members of boards or commissions as elsewhere provided in this Charter. [ch. 2, § 1]
(1) an “elected office” means one that the voters elect; and	
(2) an “elected officer”—	
(A) means the incumbent holding an elected office, and includes an appointee filling a vacancy in such an office pending an election; but	
(B) does not include an officer elected by a board to an office that is not an elected office.	
(b) Qualifications. No person is eligible as an elected officer unless he or she can vote for that office. A redistricting does not affect the eligibility or term of any incumbent holding office when the plan takes effect.	
(c) Resignation. Any elected officer may resign by tendering a written resignation to the city clerk.	

<p>§ 10.4. Other officers</p>	
<p>(a) Other offices. The City Council may establish any other necessary office, in which case the Council must provide for its title, appointment, term, compensation, and duties.</p>	<p>Except as in this Charter otherwise specifically provided, all other officers provided for in this Charter or deemed necessary for the proper management of the affairs of the City, shall be appointed by the City Council. [ch. 2, § 2]</p> <p>The City Council shall have power at any time to require other and further duties to be performed by any officer whose duties are herein prescribed, not inconsistent with this Chapter, and to appoint such other officers as may be necessary to carry into effect the provisions of this Chapter, and to prescribe their duties, unless herein otherwise provided for. [ch. 3, § 23]</p>
<p>(b) Appointment by Mayor or Council. Where a general law, special law, ordinance, rule, or other authority provides for an officer's appointment by the Mayor, by the City Council, by any board whose membership mostly consists of Council members, or by any combination of them, and does not explicitly override this section 10.4(b), then the appointment is vested collectively in the Mayor, Executive Committee, and Council as this section provides. The Council may prescribe the Executive Committee's process, and may require consultation with any interested Council committee or member, but may not limit the candidates that the Mayor may nominate or the Committee may review. This section 10.4(b) does not apply to any appointment for which another provision within this charter provides unless the other provision explicitly refers to this section.</p>	<p>Notwithstanding any other provision of this Charter or special law to the contrary, the executive committee shall have the exclusive power to appoint and remove during their terms of office the Police Chief, Fire Chief, City Engineer, Commissioner of Health, City Attorney, City Assessor, City Coordinator, Civil Service Commissioner, and any officer in a department or agency who, by statute, Charter or ordinance, is appointed by the Mayor or City Council or by any public board the majority of whose members are members of the City Council. An appointment or removal shall be effective only upon approval by action of the City Council taken in compliance with the requirements of Chapter 2, section 2, and Chapter 3, section 1 of this Charter. When considering an appointment or removal the executive committee shall follow procedures prescribed by ordinance or resolution of the City Council which may include provision for participation by members and committees of the City Council, but in the case of an appointment such procedures may not impose a limitation on the candidates to be considered by the executive committee. [ch. 3, § 4]</p>
<p>(1) Nomination by Mayor. The Mayor enjoys the exclusive power of nominating the officer in the first instance.</p>	<p>All appointments by the executive committee shall be made from nominations submitted by the Mayor. [ch. 3, § 4]</p>
<p>(2) Recommendation by Executive Committee. The Executive Committee must review the Mayor's nomination, which it may forward to the City Council with a recommendation that the candidate be appointed.</p>	<p>Whenever the Mayor exercises the power of appointment or designation of persons to be members or occupants of any board, commission, department or office, and the City Council approval of such appointment or designation is required, the appointment or designation will be deemed approved if the City Council has not disapproved such an appointment or designation within a period of sixty days from and after the submission of the appointment or designation by the Mayor to the City Council [ch. 4, § 22]</p>

<p>(3) Appointment by City Council. The City Council may appoint a candidate that the Executive Committee has recommended. The Council may not appoint a candidate that the Executive Committee has not recommended. If the Council does not accept or reject a recommendation by its first meeting held at least 60 days after the Mayor's nomination, then the nominee is appointed.</p>	<p>An appointment . . . shall be effective only upon approval by action of the City Council taken in compliance with the requirements of Chapter 2, section 2, and Chapter 3, section 1 of this Charter. [ch. 3, § 4]</p> <p>Whenever the Mayor exercises the power of appointment or designation of persons to be members or occupants of any board, commission, department or office, and the City Council approval of such appointment or designation is required, the appointment or designation will be deemed approved if the City Council has not disapproved such an appointment or designation within a period of sixty days from and after the submission of the appointment or designation by the Mayor to the City Council [ch. 4, § 22]</p>
<p>(4) Failure of appointment. If an office has been vacant for at least 90 days (or 30 days in the case of the police chief), or if the Mayor has nominated three candidates that the Executive Committee or the Council has rejected, then the Executive Committee may name three or more candidates, from whom the Mayor must nominate one. If the Mayor has not, after 20 days, nominated a candidate so named, then the Executive Committee may recommend one such candidate to the Council, and the Council may appoint the recommended candidate, without the Mayor's nomination. This process recurs until an officer is appointed.</p>	<p>If after three nominations or if within ninety days after a position becomes vacant, the Mayor has failed to gain an executive committee appointment and Council approval to fill the position, a majority of the executive committee may submit in writing to the Mayor a list of at least three qualified persons from which the Mayor shall nominate a person to fill the position. If that nomination fails of approval, the executive committee may submit a new list of three qualified persons and the Mayor shall again nominate from such list, and these steps shall be repeated until a nomination results in an appointment and in its approval by the Council. If the Mayor fails to nominate from a list within twenty days after receipt thereof, then a majority of the executive committee may appoint from such a list. [ch. 3, § 4]</p> <p>In the event that the council does not reappoint within thirty (30) days of the termination of the term, the executive committee shall within sixty (60) days thereafter make a new appointment. [ch. 6, § 1]</p>
<p>(5) Suspension. The Executive Committee may suspend without pay any officer appointed under this section 10.4(b). Any such suspension expires after five days unless the City Council extends it.</p>	<p>The executive committee may suspend without pay any officer appointed by it in the unclassified service for a period not to exceed five (5) working days at one time, and for longer periods with the approval of the City Council. [ch. 3, § 4]</p>

<p>(6) Removal. The City Council may not remove an officer appointed under this section 10.4(b) unless the Executive Committee so recommends, and may not remove a Civil Service commissioner except for cause.</p>	<p>An appointment or removal shall be effective only upon approval by action of the City Council taken in compliance with the requirements of Chapter 2, section 2, and Chapter 3, section 1 of this Charter. [ch. 3, § 4]</p> <p>The executive committee shall have power to remove from office any officer of the city appointed by it subject to the provisions of Chapter 3, section 4 of this Charter, except that members of the civil service commission may only be removed during their term for cause. [ch. 4, § 4]</p>
<p>(7) Holding over. Any officer subject to appointment under this section 10.4(b) whose term has expired but whose successor has not been appointed may continue in office for up to 180 days. The Executive Committee may thereafter appoint a temporary successor for up to 90 days. The office is otherwise vacant until a successor is appointed.</p>	<p>A person holding an office or seat filled by appointment by the executive committee who has not been reappointed and approved by the City Council within six months after expiration of his or her term shall vacate the office or seat and shall remain vacant until a new appointment is made and confirmed. The executive committee may designate someone to fill the vacated office on a temporary basis for a period not to exceed ninety days. [ch. 3, § 4]</p>
<p>§ 10.5. Classified service</p>	
<p>For this section 10.5's purposes, the "Commission" means the Civil Service Commission for which section 10.5(c) provides.</p>	
<p>(a) Policy. Through the Civil Service Commission, the City will adopt and follow fair, impartial, and practical rules for the classified service. Except as this charter otherwise provides, the City must fill each vacancy in the classified service with the most qualified applicant according to an examination that measures qualifications and fitness for the job. The examination may inquire into the applicant's experience, skill, and character to the extent that the job requires them. The examination may not inquire into any applicant's—</p>	<p>All examinations shall be impartial, fair and practical and designed only to test the relative qualifications and fitness of applicants to discharge the duties of the particular employment which they seek to fill. No question in any examination shall relate to the race or national origin, political or religious convictions or affiliations of the applicant. All applicants for positions of trust shall be specially examined as to moral character, sobriety and integrity, and all applicants for positions requiring special experience, skill or faithfulness shall be specially examined in respect to those qualities. [ch. 19, § 13]</p>
<p>(1) ancestry, color, or race;</p>	
<p>(2) cultural or ethnic background;</p>	
<p>(3) political, ideological, or philosophical belief or affiliation;</p>	
<p>(4) marital or parental status;</p>	
<p>(5) national or regional origin;</p>	

(6) religion, or religious or denominational affiliation; or	
(7) sexual or affectional orientation or preference,	
or into any other status on the basis of which discrimination is unlawful.	
(b) Classified service defined.	
(1) Classified service. The “classified service” includes—	
(A) each employee of the Commission; and	All employees of the commission shall be in the classified service. [ch. 19, § 3]
(B) each officer and other employee not in the unclassified service.	The powers of the commission shall extend only to the classified service which shall embrace the entire service of the City except the following officers, and employees, which shall be known as the “unclassified service” [ch. 19, § 4]
(2) Unclassified service. The “unclassified service” includes the elected officers and—	. . . the following officers, and employees, which shall be known as the “unclassified service”, namely: Officers who are elected by the people; members of boards and commissions; the city clerk; secretaries of the several boards and commissions serving without pay; the city engineer, the chief health officer; the Chief of police; the City assessor; superintendents, principals, supervisors of teachers and teachers in the public schools; the city attorney; the attorney of the park board; the director and librarians of the public library; the superintendent of parks; a landscape architect; a chief of park police; and the Mayor’s private secretary. None of the unclassified service shall be subject to examination or affected as to their selection, appointment, discharge or removal by the provisions of this Chapter. [ch. 19, § 4]
(A) for each board—	
(i) its members, and	
(ii) its secretary, if he or she serves without pay;	
(B) the city clerk;	
(C) the city assessor;	
(D) the city attorney;	
(E) the chief engineer;	
(F) the chief health officer; and	
(G) any officer or other employee for whose unclassified status this charter or a general or special law provides.	

(c) Commission.	
(1) Function and powers. The Civil Service Commission administers the classified service, with respect to which it—	
(A) must classify each job into a grade based on the job’s description and duties, so that each grade includes jobs with similar descriptions and duties;	The commission shall ascertain the duties of each office, position and employment in the classified service, and designate by rule as well as may be practicable, the grade and title of each office, employment or position. Each class shall comprise those offices, employments and positions having substantially similar duties. The commission shall prescribe standards of efficiency for each office, position and employment and for each class, and adapt its examinations thereto. [ch. 19, § 12]
(B) must establish standards and qualifications for each job, and design a competitive examination that measures those standards and qualifications;	
(C) must administer or provide for the administration of a competitive examination after giving public notice for each job in the classified service, and must—	When a vacancy is to be filled in the classified service, the Mayor, City Council, board, commission or employing officer shall notify the commission, and the commission shall certify the highest name from the appropriate list of the eligible register, except in the case of unskilled labor, and then shall certify the name first in time on the list. All vacancies shall be filled from the names so certified and the commission shall be immediately notified of the employment, and of the compensation to be paid. The names selected shall be stricken from the eligible register and transferred to the service register. All changes in grade, title or compensation shall be likewise reported. [ch. 19, § 15]
(i) maintain an application register of each applicant for examination, listing the job sought;	
(ii) based on the results, maintain an eligibility register, on which eligibility expires within two years unless the Commission extends it; and	
(iii) certify to the board, department, or officer that will fill any vacancy a list of eligible applicants from the eligibility register;	
(D) must maintain and monitor a service register of each employee in the classified service, listing his or her title, compensation, employment record, and any other useful information;	All employees of the City of every nature excepting those in the unclassified service, shall be listed, graded and classified, and a service register prepared for the purpose, in which shall be entered, in their classes, the names, dates of birth, compensation, period of past employment, and such other facts and data as to each employee as the commission may deem useful. To enable the commission to make such service register, the Mayor, City Council, each board and commission and each appointing or employing officer shall prepare and furnish to the commission required information about all employees in the classified service, including the names and data aforesaid and such other information as the commission may call for. [ch. 19, § 6]

<p>(E) may waive an examination, and instead provide for hiring by fair and equitable means, for unskilled labor; and</p>	<p>Appointment of unskilled laborers in a fair and equitable manner, without competitive examination, except such tests of physical fitness or other qualifying tests as the Commission may prescribe. [ch. 19, § 7(k)]</p>
<p>(F) may waive an examination in a particular case if—</p>	<p>In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, the commission, upon satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of some person of recognized attainments, without examination, and after hearing in an open, regular meeting of the commission and by the affirmative vote of all three members, may suspend competition; but no such suspension shall be general in its application to such position, and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the commission. [ch. 19, § 16]</p>
<p>(i) the job requires unusual professional or scientific credentials or expertise; and</p>	
<p>(ii) the Commission unanimously concludes after a public hearing that a competitive examination is impracticable,</p>	
<p>in which case its next report must so note.</p>	
<p>(2) Composition. The Commission comprises three citizens, appointed under section 10.4(b), who—</p>	<p>There shall be in the City of Minneapolis a civil service commission (hereinafter called the commission) of three commissioners, who shall be citizens of the State and residents of the City [ch. 19, § 1]</p> <p>The Mayor shall, with the consent and approval of the City Council, expressed by a majority vote thereof, appoint as commissioners [ch. 19, § 1]</p>
<p>(A) favor merit, efficiency, and affirmative action in the public service; and</p>	<p>persons known to favor the principle of merit, efficiency and affirmative action in the public service. [ch. 19, § 1]</p>
<p>(B) hold no other office or employment under the federal, state, municipal, or any other government, or any department, agency, court, or political subdivision of any such government.</p>	<p>No commissioner shall at the time of appointment, or while serving, hold any other office or employment under the City, the United States, the State of Minnesota, or any public corporation or political division thereof other than the office of notary public. [ch. 19, § 1]</p>
<p>Each commissioner serves a three-year term, with one commissioner’s term expiring each year on March 1.</p>	<p>Commencing in 1980, and thereafter, the term of office of each commissioner shall be three years from and after the 1st day of March of the year of such person’s appointment. [ch. 19, § 1]</p>
<p>(3) Meetings. The Commission must annually hold an organizational meeting on the second Monday in August.</p>	<p>The commission shall meet on the second Monday of August of each year, and at each said meeting elect a president and vice-president to serve until their successors are elected. [ch. 19, § 3]</p>

(4) Rules.	
(A) Notice for rulemaking. The Commission may, after giving public notice, adopt any necessary or prudent rule in furtherance of this section 10.5's purposes.	<p>The commission shall, from time to time, make, amend, alter and change rules, to promote efficiency in the City service and to carry out the purposes of this Chapter. [ch. 19, § 7]</p> <p>The commission shall adopt such other rules not inconsistent with the provisions of this Chapter, as may from time to time be found necessary to secure the purposes of this Chapter. [ch. 19, § 7(l)]</p> <p>Before the adoption, amendment or repeal of any rule, the commission shall give notice of consideration thereof by publishing and posting of brief notice, as required in Section 7, stating the subject of the rule or rules to be acted on. [ch. 19, § 8]</p>
(B) Contents. These rules must provide for—	The rules shall provide, among other things, for: [ch. 19, § 7]

<p>(1) hiring, evaluation, discipline (including by suspension for up to 90 days, with or without pay), and discharge with a view toward an efficient and effective classified service;</p>	<p>The classification of all officers, positions and employments in the classified service. [ch. 19, § 7(a)]</p> <p>Public competitive examinations to evaluate the relative fitness of applicants. [ch. 19, § 7(b)]</p> <p>Public advertisement of all entrance examinations using methods determined by the commission to insure notice to the general public. Such advertisement may include publication in a newspaper of general circulation, and posting such advertisement in a conspicuous place and other methods of insuring adequate public notice. [ch. 19, § 7(c)]</p> <p>The creation of lists of eligible candidates after successful examination, in the order of their standing in the examination, and without reference to time of examination. Such lists of eligibles shall be embraced in a register. The commission may by rule provide for striking any names from the register including any names that have been two years thereon. [ch. 19, § 7(d)]</p> <p>The rejection of candidates or eligibles who, after the entry of their names, shall fail to comply with the reasonable rules and requirements of the commission in respect to age, residence, physical condition or otherwise, or who have been guilty of criminal, infamous or disgraceful conduct, or of any wilful misrepresentation, deception or fraud in connection with the examination or in connection with their applications. [ch. 19, § 7(e)]</p> <p>The certification of the name standing highest on the appropriate list to fill any vacancy. [ch. 19, § 7(f)]</p> <p>Suspension, with or without pay, for not longer than ninety days [ch. 19, § 7(j)]</p> <p>Removing names from the service register upon termination of service. [ch. 19, § 7(l)]</p>
<p>(2) promotion (including raised compensation) based on competitive examination, efficiency, character, conduct, and seniority, and as the preferred means of filling a vacancy;</p>	<p>Promotion based on competitive examination and upon records of efficiency, character, conduct and seniority. Promotion shall be deemed, among other things, to include increase in salary, and the rules shall be framed to encourage the filling of vacancies by promotion rather than otherwise. [ch. 19, § 7(i)]</p>

(3) transfer among jobs in the same grade or class;	Transfer from one position to a similar position in the same class or grade [ch. 19, § 7(h)]
(4) leaves of absence;	for leave of absence, with or without pay. [ch. 19, § 7(j)]
(5) reinstatement of employees laid off or otherwise discharged without fault; and	reinstatement of persons who, without fault or delinquency, are separated from the service or reduced. [ch. 19, § 7(h)]
(6) with the Commission's consent, for a nonrenewable period up to 60 days, temporary employment without examination in an emergency or pending a hire from the eligibility register.	Temporary employment without examination, but with the consent in each case of the commission, in cases of emergency and pending appointment from the eligible list; but no such temporary employment shall continue longer than sixty days, nor shall successive temporary employments be permitted for the same position. [ch. 19, § 7(g)]
(C) Notice of rules. The Commission must send its rules, including each amendment, to—	The commission shall notify the Mayor, the City Council, the several boards and commissions, and each appointing officer of the city, of the rules adopted by them and all amendments thereof. No office, position or employment shall be filled in the classified service except from names certified by the commission and in accordance with the provisions of this Chapter. [ch. 19, § 10]
(1) the Mayor,	
(2) the City Council,	
(3) each other board, and	
(4) each officer who can hire an employee in the classified service.	
(D) Report. The Commission must annually report in January to the Mayor and the City Council, and publish its report to each other board and each officer who can hire an employee in the classified service. The report must cover the preceding calendar year, and include—	The commission shall in each year, on or before the 30th day of January, make to the Mayor and City Council a report, showing as fully as may be the acts and disbursements of the commission for the preceding calendar year; the rules in force at the beginning of such year and changes made during the year; the practical effect and working of the rules and of this Chapter; the results of the efforts to standardize services and compensation and the departure therefrom; together with such recommendations as the commission may see fit to make, to promote the efficiency and integrity of the public service. The commission shall furnish a suitable number of copies of such report to the Mayor, the City Council and each board and commission and each employing officer of the city. [ch. 19, § 18]
(1) the Commission's rules, including any amendment during the preceding year;	
(2) each action under this section 10.5(c);	
(3) an accounting for the civil service fund;	
(4) the state of the civil service and any results of the Commission's work; and	
(5) any recommendation for the civil service's greater efficiency and integrity.	

(d) Employment.	
(1) Application register. Each applicant on the application register is entitled to notice of each examination for a job for which he or she has applied and qualified.	The commission shall keep an application register, in which shall be entered the names of applicants for examination, and the offices or employments they seek. All applications shall be upon forms prescribed by the commission. [ch. 19, § 9]
(2) Eligibility register. Each vacancy in the classified service is filled from the eligibility register.	<p>The names of those found eligible shall be entered on the appropriate register. [ch. 19, § 14]</p> <p>When a vacancy is to be filled in the classified service, the Mayor, City Council, board, commission or employing officer shall notify the commission, and the commission shall certify the highest name from the appropriate list of the eligible register, except in the case of unskilled labor, and then shall certify the name first in time on the list. All vacancies shall be filled from the names so certified and the commission shall be immediately notified of the employment, and of the compensation to be paid. The names selected shall be stricken from the eligible register and transferred to the service register. All changes in grade, title or compensation shall be likewise reported. [ch. 19, § 15]</p>
(3) Service register. The City must pay an employee in the classified service only for the time and at the rate that the service register evidences his or her employment.	After the receipt by the City Finance Officer of the payroll, the Finance Officer shall not approve the payment of any salary, wages or compensation for any office or employment in the classified service, nor countersign any warrant therefor, unless the name of the person claiming the same appears upon the service register for the time for which such salary, wages or compensation is claimed, nor at any higher rate than shown on such register [ch. 19, § 17]
(4) Tenure. After a probationary period that begins upon hiring, an employee in the classified service may be disciplined or discharged only as this charter, the Commission’s rules, or any other applicable law or agreement provides.	With the exception of firefighters initially employed after the effective date of this amendment, the police officers and assistant city attorneys, no officer or employee, after six months’ continuous employment shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard. No police officer after twelve months’ continuous employment following the satisfactory completion of the basic peace officers’ training course of the Minneapolis Police Department and no assistant city attorney or firefighter, after twelve months of continuous employment, shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard. Such charges shall be investigated by or before said Civil Service Commission or by or before some officer or board appointed by said commission to conduct said investigation. The finding and decision of such
(A) Probation. The probationary period is—	
(1) for police officers, 12 months following satisfactory completion of basic training;	
(2) for an assistant city attorney or a firefighter, 12 months; and	
(3) for each other job, six months.	

<p>(B) Discharge. No employee in the classified service, having completed the probationary period, may be discharged except for just cause after—</p>	<p>commission or investigating officer or board when approved by said commission shall be certified to the appointing officer and shall be forthwith enforced by such officer. Nothing in this chapter shall limit the power of any officer to suspend a subordinate for a reasonable period, not exceeding thirty days, for purposes of discipline. In the course of an investigation of charges, each member of the commission and of any board so appointed by it or any officer so appointed shall have the power to administer oaths and shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to such investigation. [ch. 19, § 11]</p>
<p>(1) written notice of the cause for dismissal;</p>	
<p>(2) a hearing before the Commission, or an officer or board that the Commission designates; and</p>	
<p>(3) a finding by the hearing authority that the evidence supports the cause charged and warrants dismissal.</p>	
<p>(C) Suspension. A supervisor may, without regard to this article X's other provisions, discipline a subordinate employee by means of a suspension for up to 30 days.</p>	
<p>(e) Administration and enforcement.</p>	
<p>(1) Enforcement. The Commission must take care that this section 10.5 and its rules are faithfully observed and enforced, for which purpose any commissioner may inquire of any responsible officer, board, or department. Any commissioner in the exercise of the Commission's functions and powers, and any hearing authority that the Commission designates, may compel the testimony of any witness who may have relevant information, or the production of any relevant book, document, or thing.</p>	<p>The commission shall from time to time investigate the enforcement of this act and of the rules made under it; the action of all examiners; the duties of all departments and of all employees of the city; the efficiency of the service, and such other matters as come within the scope of this Chapter. In the course of such investigations each commissioner shall have power to issue subpoenas and to administer oaths and to compel the attendance and testimony of witnesses and the production of books and papers relevant to the investigation. [ch. 19, § 19]</p>
<p>(2) Cooperation. Each officer, board, and department must—</p>	
<p>(A) furnish any information that the Commission requests for the service register;</p>	<p>To enable the commission to make such service register, the Mayor, City Council, each board and commission and each appointing or employing officer shall prepare and furnish to the commission required information about all employees in the classified service, including the names and data aforesaid and such other information as the commission may call for. [ch. 19, § 6]</p>
<p>(B) administer an examination as the Commission requests, without additional compensation; and</p>	<p>It shall be the duty of every employee of the city to act as an examiner or assistant examiner, at the request of the commission, without special compensation therefor. [ch. 19, § 13]</p>
<p>(C) cooperate with any inquiry by the Commission.</p>	

<p>(3) False statement. Any applicant who knowingly furnishes false information on an application for employment in the classified service forfeits—</p>	<p>Any applicant for an office or employment in the classified service, who shall knowingly make any false answer or statement upon any examination in regard to any material matter upon which such person is examined, shall thereby forfeit the right to be entered upon the register, and, in case such person has been appointed to any office or employment, shall forfeit the same and shall not within three years thereafter be eligible to any office or employment in the unclassified service of the city, nor shall such person be entitled to any of the examinations of the commission during such time. [ch. 19, § 20]</p>
<p>(A) his or her entry on the application register,</p>	<p>Any applicant for examination or for appointment to the classified service, who shall, either directly or indirectly, give, render or pay or promise to give, render or pay any money, service or other thing to any person for or on account of or in connection with such person's examination, appointment or proposed appointment, or who shall ask for or receive any recommendation or assistance from any person in the classified or unclassified service of the city, except a statement of such person's previous service and the character thereof, if any, to the city, as a subordinate under such officer or employee, shall be guilty of a misdemeanor. [ch. 19, § 21]</p> <p>Any officer or employee in the classified or unclassified service of the city, who shall discharge, promote or reduce in rank or in any manner change the official rank or compensation of any other officer or employee or promise or threaten so to do, for giving or withholding or neglecting to make any service or contribution of money or other valuable thing for any party or political purposes, shall be guilty of a misdemeanor. [ch. 19, § 24]</p>
<p>(B) any employment held in the classified service, and</p>	
<p>(C) eligibility for such employment for three years.</p>	
<p>(4) Bribery. Any person who, in connection with or for the purpose of influencing any examination or other action under this section 10.5—</p>	<p>The City Council shall set apart on the first Monday in January of each year, in the City treasury, a sum not less than twenty-five dollars (\$25.00) for each thousand of the population of the City, according to the next preceding state or national census, to be known as the civil service fund and to be used only for the purposes of this Chapter. Unexpended balances at the end of the year shall revert to the current expense fund of the City. To provide such fund, the City Council shall levy a sufficient annual tax upon all the taxable property of the City, real and personal, in addition to all other taxes authorized by law. . . . The commission shall audit its own bills and payrolls. [ch. 19, § 2]</p> <p>The commission may appoint other necessary employees. [ch. 19, § 3]</p>
<p>(A) offers, accepts, or solicits any money, service, or other thing of value; or</p>	
<p>(B) seeks or accepts any recommendation from any officer or employee of the City, is guilty of a misdemeanor.</p>	
<p>(f) Fund. The City Council must annually establish a civil-service fund for this section 10.5's purposes by levying, in addition to any other tax, a tax upon all taxable property in the City that yields at least 2.5 cents per citizen. The Commission may use the proceeds from this fund and controls its own finances.</p>	

Article XI Finance	
§ 11.1. Fiscal year	
The fiscal year coincides with the calendar year.	The fiscal year of said City shall commence on the first (1st) day of January of each and every year. [ch. 5, § 7]
§ 11.2. Appropriations	
(a) Payments. Except as this section otherwise provides, no money may be paid out of the City's treasury except—	No more money than thus appropriated shall be expended for any fiscal year for any such department of the City government. [ch. 5, § 10] No money shall be paid out of the City Treasury, except for principal or interest of bonds, unless such payment shall be authorized by a vote of the City Council, [ch. 5, § 24]
(1) pursuant to an appropriation, and approval of a contract or order for payment, by the City Council or other authorized board; or	
(2) in payment of principal or interest on a bond issued or other debt incurred under this charter.	
(b) Routine claims. The City Council (or, in the case of a matter under its charge, the Park & Recreation Board) may by ordinance provide—	

<p>(1) for the current payment of authorized bills, payroll, and other routine claims upon the City incurred in the ordinary course of business;</p>	<p>The Council may provide by ordinance for the payment of all current bills incurred by the city for goods, wares and merchandise, the purchase whereof has been duly authorized for the use of the city or any of its departments without awaiting the formal vote of said City Council directing payment thereof. The City Council may further provide by ordinance for the payment of tort claims against the City and its employees, conciliation court judgements, and all current bills incurred by the city arising out of workers' compensation employee claims without awaiting the formal vote of said City Council directing payment thereof. The Park and Recreation Board may likewise by ordinance provide for the payment of tort claims against the Park and Recreation Board and its employees, conciliation court judgments, and all current bills incurred by it or under its authority for goods, wares and merchandise, and for the payment of all current bills incurred by it arising out of workers' compensation employee claims, without awaiting the formal vote of such board directing payment thereof. The ordinance may provide for the immediate payment by the City Finance Officer, out of the appropriate fund, or out of a special fund set aside for the purpose of all bills approved by the city purchasing agent. And all officers of the city who are authorized by law to sign or countersign warrants or orders for the payment of merchandise accounts may accept the approval of the purchasing agent as a sufficient audit of such bills. [ch. 4, § 20]</p> <p>Provided that the City Council may provide by ordinance for the payment of all employees of said City, which are paid by order of the City Council, on payrolls, to be prepared as directed by said ordinance, by heads of departments or otherwise, audited by the City Finance Officer, ordered paid by said City Council, after so being audited, and paid by the City Finance Officer which payrolls shall be retained by said Finance Officer along with cancelled checks for the sums totals of such payrolls. And also, further provided, that when any of the several boards of said City shall by resolution request the City Finance Officer to pay the respective regular employees on payrolls of the board making such request, in a similar manner as above named for paying employees who are paid by order of the City Council, then said City Finance Officer shall pay the respective regular employees of such Board so requesting the same on such payrolls. [ch. 5, § 24]</p>
<p>(2) for recovery of any overpayment, including civil liability up to double the amount overpaid; and</p>	<p>Should any bill so paid prove to be erroneous or excessive upon examination made within ninety days after payment, the payee thereof shall repay to the city on demand of the City Attorney all such excess, or be subject to an action at law for double the amount thereof. [ch. 4, § 20]</p>

(3) for criminal liability for a fraud or other abuse.	Said ordinance or ordinances may contain such further provisions as the governing body shall deem necessary for protecting the city against fraud, irregularity and mistake in the matter of such purchase and may provide that any violation thereof shall be a misdemeanor and punishable as such. [ch. 4, § 20]
§ 11.3. Budget	
(a) Schedule. Each year, for the next fiscal year—	
(1) Goals and priorities. By April 1, the Mayor must establish the City’s goals and priorities. The City Council must review, and may amend, those goals and priorities by August 15.	As part of the State of the City message, the Mayor shall set forth the goals the City should accomplish in the fiscal year that begins on January 1st of the next calendar year. The City Council shall review the proposed goals, make any desired amendments thereto, and approve them prior to the Mayor’s budget submission to the City Council for the following fiscal year as directed in Chapter 5, section 8, of the Charter. [ch. 3, § 1]
(2) Departmental estimates and recommendations. By July 1, each board with taxing power and each board, department, or office that the City funds must notify the Mayor and the Board of Estimate & Taxation of—	Every office, department, board, commission and other agency of the City financed in any way by appropriations of the City Council, or having any power to levy taxes, shall, on or before the 1st day of July of each year, submit to the Board of Estimate & Taxation and to the Mayor, budget information for the following fiscal year. Such budget information shall include a statement of proposed expenditure, the revenue from all sources and a recommended program for capital improvements for the ensuing five-year period. [ch. 15, § 2]
(A) its estimated revenue and expenses and its budgetary needs for the next fiscal year; and	
(B) any recommended capital improvements for the next five fiscal years.	
(3) Recommended budget. By August 15, the Mayor must recommend to the City Council and to the Board of Estimate & Taxation a budget, which must—	No later than the 15th day of August of each year, the Mayor shall prepare and submit to the City Council and the Board of Estimate & Taxation the Mayor’s recommended budgets for the following fiscal year for the City Council and each board or department of the City having any power to levy taxes. Included in such budgets shall be a statement of all proposed expenditures, the revenue from all sources and a recommended five-year capital improvement program. Accompanying the budgets when submitted shall be a budget message from the Mayor outlining important features of the budget with appropriate explanatory comments. In such budget message the Mayor shall make recommendations for legislation and for other actions by other governmental bodies which actions would assist the financial programs of the
(A) include a message outlining the budget’s significant features;	
(B) estimate the revenue, expenses, and budgetary needs for each board, department, and officer;	
(C) recommend any capital improvements for the next five fiscal years;	
(D) summarize all taxes applicable to property in the City and their effect; and	

<p>(E) recommend any necessary or prudent legislation or other action affecting the City's finances.</p>	<p>City and shall further review and comment on taxes imposed on property in the City by all other taxing authorities and the effect of such total tax obligations. [ch. 5, § 8]</p>
<p>(4) Maximum taxation. By September 15, after a public hearing, the Board of Estimate & Taxation must set the maximum amounts and rates that the City Council and other boards may levy, including the maximum amount and rate of each fund. The levy for the general fund must not exceed 0.53871 percent of the total value of the property in the City.</p>	<p>The Board of Estimate & Taxation shall, on or before the 5th day of October of each year fix and determine the maximum amount of money and maximum rate which may be raised in the aggregate by general taxation by the City Council, board or department for each such fund, and no general taxes shall be levied in such year in excess of the amounts so fixed. [ch. 15, § 2]</p> <p>All taxes may be levied and collected within the maximum fixed by statute and within the maximum fixed by the Board of Estimate & Taxation for the various purposes of said taxation and without regard to the maximum rate of taxation fixed from time to time by any board other than the boards and departments governed by this chapter. [ch. 15, § 7]</p> <p>The meetings of the Board of Estimate & Taxation shall at all times be open to the public and the rules and regulations of the board shall provide for public hearings in connection with the determination of maximum amounts or maximum rates to be allowed to the different bodies, boards or commissions having power to levy taxes. [ch. 15, § 11]</p>
<p>(5) Budget. After a public hearing on the budget for and taxes payable in the following year, the City Council and each board must adopt a budget, which must—</p>	
<p>(A) appropriate money for each board's, department's, and officer's operations;</p>	<p>The City Council shall appropriate funds for the expenses of each department of the City government [ch. 5, § 10]</p>
<p>(B) provide for payment of the City's general-obligation debt service;</p>	<p>After the submission of the reports of the Mayor, provided for in Section 8 hereof, the</p>

<p>(C) levy any tax, up to the maximum set by the Board of Estimate & Taxation, necessary for those purposes; and</p>	<p>City Council shall levy such tax on all the taxable property in said City as it shall deem necessary, in addition to the other revenue of the City applicable thereto, to defray the current expenses of the City for the next fiscal year, but no such taxes for such current expenses shall in any year exceed any limitations imposed by law. [ch. 5, § 10]</p> <p>The City Council shall also at the same time levy, upon all the taxable property in said city, such taxes as shall be sufficient to pay the interest to become due during such next fiscal year upon all the bonds or debt of said city, and an additional tax of three mills on a dollar of the assessed valuation of all such taxable property to provide for the principal of said bonds or debt when the same shall have become due, and the amounts collected pursuant to this section shall not be applied to any other purpose than herein named, but this restriction shall not prohibit the investment of the sinking fund hereinafter provided for. [ch. 5, § 12]</p> <p>Whenever the amount of such sinking fund shall with the interest or revenues thereof computed to the time of maturity of the bonds or debt of the city, be sufficient to pay all of said bonds or debt at the maturity thereof, the levy of the three mill tax aforesaid, or so much thereof as the City Council shall determine, may be omitted, but in case by reason of decrease of interest or depreciation of investments or other cause said fund shall not be sufficient, the levy of such taxes shall be resumed. [ch. 5, § 14]</p> <p>The said City Council shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest and for the accumulation of a suitable sinking fund for the redemption of such bonds at their maturity. [ch. 17, § 16]</p>
<p>(D) tax the property in the City in an amount, without regard to the maximum set by the Board of Estimate & Taxation, that will satisfy any judgment against the City.</p>	<p>No limitations or restrictions herein shall be construed to prohibit the levying of taxes to pay any judgment that may at any time be recovered against said city, but in case of such judgment the city council shall at the time of making the next annual tax levy after the rendition of such judgment levy and assess a special tax upon all the property in the city or such ward thereof as may be responsible for the payment of such judgment, sufficient to pay such judgment. In case of failure to collect taxes or other cause, such levy shall prove insufficient, new taxes shall be levied until the whole of such judgment is paid. [ch. 5, § 35]</p>

(6) Transfers.	
(A) Administrative transfers. The budget may provide for transferring money appropriated for one purpose to another by administrative transfer without further action by the City Council.	The City Council may, by ordinance, establish guidelines and procedures which would allow certain revisions of appropriations to be accomplished by administrative transfer without Council action. [ch. 5, § 10]
(B) Transfers within same board's or department's budget. A board that controls its own finances may transfer money appropriated for one purpose to another within its budget only if the Board of Estimate & Taxation, with at least five affirmative votes, approves a request to that effect. No such transfer may affect the proceeds from bonds issued or other debt incurred for a particular purpose.	The Board of Estimate & Taxation may by a vote of at least five (5) of its members upon the written request of the City Council or of the governing body of any department having control of expenditures, permit the transfer of moneys from one appropriation to another appropriation within the same department during the fiscal year, but this section shall not apply to the proceeds of bonds or obligations sold by the city. [ch. 15, § 5]
(C) Other transfers. Any other transfer within the budget, or any additional expense in excess of the amount budgeted, requires action by the Council.	All other proposed revisions of appropriations shall be submitted . . . to the Mayor before being considered by the City Council. No appropriation resolution or ordinance referred to herein shall take effect until submitted to the Mayor for approval or objection in the manner and time as provided in Chapter 3, Section 1 of this Charter, relating to ordinances and resolutions enacted by the City Council. [ch. 5, § 10]
(b) Cooperation, information. For this article XI's purposes, each officer, board, or department must cooperate with the Mayor, with the Board of Estimate & Taxation, and with the budget director, and must furnish any information that the Mayor, the Board, or the director requests.	In the performance of their duties under this section, the Mayor and the Budget Director shall have access to all records and information pertaining thereto possessed by the City Council, or any City board, commission or other agency and shall be assisted as necessary by the officers and employees thereof. [ch. 5, § 8] For the purposes of this Chapter the Board of Estimate & Taxation shall employ such assistance as it may deem necessary from time to time and shall have access to all the boards and departments of the city and to all accounts, contracts, records and files thereof, and shall have the right to call upon every board or department and every member and employee for any information it may deem necessary, and it shall be the duty of every board or department and every member and employee thereof to furnish the information so called for. [ch. 15, § 8]
§ 11.4. Debt	
(a) Borrowing power.	

(1) **Conditions.** The City may issue bonds, borrow money, or otherwise pledge its credit only for a lawful purpose, consistent with this charter; and with the concurrence of—

Whenever the sinking fund, provided for in section fifteen (15) [fourteen (14)] hereof, shall be insufficient to pay all the bonds of the city that may at anytime become due, or when it shall by the City Council be deemed advisable and for the interests of the city to take up any bonds of the city not due, which may be offered for sale by the holders thereof, the City Council may issue the bonds of the city, to run not to exceed thirty years, on such terms as to place of payment and rate of interest as may be deemed advisable to such an amount as may be necessary to meet such deficiency or to take up and refund such bonds not due, provided the refunding bonds shall in no case draw a higher rate of interest than the bonds so taken up; but neither said City Council, nor any officer nor officers of said city, shall otherwise, except as in this Charter or by state law authorized, have authority to issue any bonds, or create any debt, or any liabilities against said city in excess of the amount of revenue actually levied and applicable to the payment of such liabilities. [ch. 5, § 15]

The City of Minneapolis and the City Council of the city, in addition to all other powers to them hereby granted, shall have, possess, be vested with and may from time to time exercise and execute any and all powers and authorities to issue and sell bonds of the City of Minneapolis and incur indebtedness for and on behalf of the city, which have been granted to, vested in or conferred upon the City of Minneapolis or the City Council of the city, or both or either thereof, under or by virtue of any and all special and general laws and acts of the State Legislature made applicable to the City of Minneapolis as a city of the first class not governed under a home-rule charter or otherwise made applicable to the City, and conferring such powers and authorities to issue and sell bonds and incur indebtedness for and on behalf of the City, and passed by the Legislature prior to the adoption of this Charter, which powers and authorities shall not have been fully exercised or executed and are still held and possessed by the City or City Council at the time of the adoption of this Charter by the electors of the City. And all such powers and authorities to issue and sell bonds of the City and incur indebtedness for or on account of the City, shall continue under this Charter and the City and City Council shall have and possess full power and authority to, and may from time to time, as they may deem necessary and expedient, incur indebtedness for and on behalf of the City of Minneapolis and issue and sell municipal bonds of the City in such amounts and for the several purposes and on the terms and conditions specified in the aforesaid several laws and acts of the Legislature conferring such powers and authorities, to the extent such powers and authorities shall not have been exercised at the time of the adoption of this Charter, and to the same extent as if this Charter were not adopted and as fully and to the same extent as if the provisions of said laws and acts of the Legislature were incorporated in and made a part of this Charter. [ch. 5, § 17]

In addition to the foregoing, the City Council shall at times hereafter, have the power and authority at its option and through its proper officers to issue and sell at private sales, through such agencies and in such manner and at such time and place and with or without published or other notice of such sale, as the City Council shall determine, all or any part of the municipal bonds of said City, the issue and sale of which have

(A) the City Council, by two-thirds of its membership;	Upon the request of the City Council expressed by ordinance or resolution adopted by the votes of two-thirds of all members thereof, the Board of Estimate & Taxation in its discretion shall have power by a vote of at least five (5) of its members to incur indebtedness for municipal purposes other than the purchase of public utilities and to pledge the credit of the city for the payment of principal and interest and for that purpose shall have power to issue and sell negotiable bonds of the city or any other form of obligation it may deem best, but any such bonds or obligations shall be sold only in the manner provided by Section 1856, General Statutes 1913, to the purchaser who will pay the highest price therefor at the rate of interest fixed by the Board of Estimate & Taxation and the obligations or bonds shall be drawn accordingly; [ch. 15, § 9]
(B) the Board of Estimate & Taxation, with at least five affirmative votes; and	
(C) any other board in which this charter vests the borrowing power, by two-thirds of its membership.	If the proceeds of the bonds or obligations be intended for the use of any board or department the expenditures of which are not controlled by the City Council, there shall be in addition to the request by the City Council, a like request expressed by ordinance or resolution adopted by the governing board of such department by the vote of at least two-thirds of the members thereof.
(2) Contract. Whenever the City acting under this charter issues bonds, borrows money, or otherwise pledges its credit, then its contract with the bondholder or other creditor incorporates this section 11.4's provisions and creates an obligation that no subsequent amendment or other action by the City can impair. Any debt contracted or engagement entered into before this charter's latest revision is as valid against the City under this charter as under any prior version of this charter.	The substantial maintenance of the provisions of this and the preceding section for the payment of the principal and interest of the bonds or debt of said city, is hereby declared to be part of the contract with the holder of any bonds of the city that have been or may hereafter be issued, and shall be kept inviolate. [ch. 5, § 14]
(b) Sinking fund.	

<p>(1) Fund. The City Council must maintain a sinking fund sufficient at least for paying off the City's debt as it comes due. Any tax collected for interest or principal on any such debt goes into the sinking fund, and may not be diverted to any other purpose. Any other revenue not otherwise appropriated, and any proceeds from bonds whose purpose has been discharged or abandoned, go into the sinking fund.</p>	<p>In addition to the aforesaid levy of three mills the City Council shall have the power and authority, in its discretion, to transfer and cause to be transferred, by resolution duly passed, to the credit of such sinking fund, any or all unused balances of moneys and funds which are the proceeds of bonds heretofore or hereafter issued and sold by the city for any municipal purpose whatever, including bonds issued for public schools, public libraries and public parks and parkways, whenever the improvement or purpose for which the bonds were or shall be issued has been completed or abandoned, and any and all unused balances of moneys and funds now or hereafter existing in the permanent improvement fund and permanent improvement revolving fund of the city, and any or all unused moneys and funds now or hereafter raised by general taxation in the city for any purpose whatsoever, and to invest and cause to be invested all said moneys and funds in the same manner as the sinking fund of the city is now or may be invested, or in such manner as the City Council may in its discretion deem best, and to use and cause to be used said moneys and funds for the payment and redemption of the bonds and other indebtedness and obligations of the city as they mature and become payable. [ch. 5, § 13]</p> <p>In order to provide for the certain payment of the bonds and debts of the city, the City Council is authorized to maintain the sinking fund already established, and to provide by ordinance for the care, investment and security thereof, and from time to time to amend such ordinances in such manner as may be necessary or expedient but shall have no authority to abolish such sinking fund until all the debts of the city are fully paid, nor shall it divert said funds or any revenue or increase thereof to any other purpose. All amounts, if any there be, collected of the tax to pay the interest on the bonds of the city in excess of the amount of such interest, the whole amount of the three mill levy for the payment of the bonds of the city provided for in the preceding section, and all revenues of the city not otherwise appropriated, shall be applied to the increase of such sinking fund. [ch. 5, § 14]</p>
<p>(2) Fund insufficient. If—</p>	<p>Whenever the sinking fund, provided for in section fifteen (15) [fourteen (14)] hereof, shall be insufficient to pay all the bonds of the city that may at anytime become due, or when it shall by the City Council be deemed advisable and for the interests of the city to take up any bonds of the city not due, which may be offered for sale by the holders thereof, the City Council may issue the bonds of the city, to run not to exceed thirty years, on such terms as to place of payment and rate of interest as may be deemed</p>
<p>(A) the sinking fund will not pay the City's debt that has come due, or</p>	
<p>(B) the City Council finds that buying any bonds not due whose holders are offering them for sale will serve the City's interests,</p>	

<p>then the Council may issue refunding bonds covering the shortfall. No such bond's term may exceed 30 years, and no such bond may bear interest at a higher rate than any bond that it refunds.</p>	<p>advisable to such an amount as may be necessary to meet such deficiency or to take up and refund such bonds not due, provided the refunding bonds shall in no case draw a higher rate of interest than the bonds so taken up; but neither said City Council, nor any officer nor officers of said city, shall otherwise, except as in this Charter or by state law authorized, have authority to issue any bonds, or create any debt, or any liabilities against said city in excess of the amount of revenue actually levied and applicable to the payment of such liabilities. [ch. 5, § 15]</p>
<p>(c) Premium from bonds. Any premium received from selling bonds must service those bonds.</p>	<p>Any premium received from the sale of such bonds shall revert to the sinking fund provided for the redemption of such bonds. [ch. 15, § 9]</p>
<p>(d) Capital improvements. The City may not issue bonds, borrow money, or otherwise incur debt in connection with any capital improvement where the debt exceeds \$15 million for the entire project unless the voters so authorize.</p>	<p>provided, that where, with respect to any and all types and forms of obligation or indebtedness authorized by this Charter and by the laws of the State of Minnesota, the aggregate amount of any such obligations or indebtedness to be issued or incurred for any improvement, including but not limited to acquisition, development, construction or betterment, of any public building, stadium, or other capital improvement project, shall in all phases from inception to completion exceed Fifteen Million Dollars (\$15,000,000.00), the Board of Estimate & Taxation shall not issue or sell any bonds or other obligations nor incur any indebtedness for such purpose without the approval of a majority of the electors voting on the question of issuing such obligations or incurring such indebtedness at a general or special election. [ch. 15, § 9]</p>
<p>(e) Professional sports facility. Neither the City, nor any governmental body whose territorial jurisdiction is coextensive with or falls wholly within the City, may finance any professional sports facility in an amount greater than \$10 million unless the voters in an otherwise scheduled election (and not an election held only for that purpose) so authorize. For this section 11.4(e)'s purposes, "finance" includes applying existing realty, infrastructure, overhead, or other resources, and forgoing taxes or any other revenue, as well as spending money directly, issuing bonds, or otherwise incurring debt.</p>	<p>The City of Minneapolis, Minneapolis Community Development Agency, or any city department, agency, commission, or board, shall use no city resources over \$10 million dollars for the financing of professional sports facilities without the approval of a simple majority of the votes cast on the question, in a ballot question put to the public at the next regularly scheduled election. City resources are defined for these purposes as: Tax increment financing, bonds, loans, land purchase or procurement, land or site preparation, including necessary infrastructure such as roads, parking development, sewer and water, or other infrastructure development, general fund expenditures, sales tax or other taxes, deferred payments, interest free or below market interest rate loans, the donation or below market value sale of any city resources or holdings or any other free or below cost city services. The ballot question shall not be put before the public in a special election, in order to prevent the costs associated with special elections. [ch. 15, § 13]</p>

<p>(f) Public utilities. The City may not issue bonds, borrow money, or otherwise incur debt for the purpose of acquiring a public utility.</p>	<p>Upon the request of the City Council expressed by ordinance or resolution adopted by the votes of two-thirds of all members thereof, the Board of Estimate & Taxation in its discretion shall have power by a vote of at least five (5) of its members to incur indebtedness for municipal purposes other than the purchase of public utilities [ch. 15, § 9]</p>
<p>(g) Standing. Any taxpayer may enforce this section 11.4, and any creditor may enforce section 11.4(a)–(c), by an action in the district court.</p>	<p>In case the City Council, Finance Officer, or other city officers shall violate or neglect to conform to any of the provisions of this section, any taxpayer of the city, or any owner of any of the bonds of said city, shall have the right to maintain, in any court of competent jurisdiction, any appropriate action to enforce compliance therewith. [ch. 5, § 14]</p>
<p>§ 11.5. Taxable value</p>	
<p>For this charter’s purposes, a property’s “value” means the assessor’s estimated total market value.</p>	
<p>§ 11.6. Improvements</p>	
<p>(a) Permanent improvement fund.</p>	<p>There shall be a fund of the city to be known and designated as the Permanent Improvement Fund, which shall be kept distinct from all other funds of the city. In the Permanent Improvement Fund shall be kept and placed the proceeds of all bonds heretofore or hereafter issued by the city for permanent improvements, and the proceeds of all taxes levied by the city for permanent improvements. The City Council may provide for the payment out of said fund of the expenses of any such improvement as may be assessed in whole or in part upon any special property to be benefited by such improvement, and in advance of the collection of such assessments. [ch. 5, § 16]</p> <p>From said fund shall also be paid all such portions of the expenses of such assessable improvement as shall devolve on said city, and also the expense of all bridges, buildings, water works, and other permanent improvements not otherwise specially provided for by law. No part of such fund shall ever be applied to the payment of the current expenses of said city, nor to any other purposes than such as are herein designated. All sums collected upon special assessments, whose costs shall have been advanced out of such fund, shall be returned to said fund. [ch. 5, § 16]</p>
<p>(1) Fund. The City Council must maintain a permanent improvement fund into which go the proceeds from—</p>	
<p>(A) each bond issued, and each tax levied, for permanent improvements, whose proceeds may not be diverted to any other purpose; and</p>	
<p>(B) each special assessment levied against the property fronting or benefited by any improvement of a local character.</p>	

<p>(2) Payments. The Council may pay out of the fund for any improvement of a local character—</p>	
<p>(A) in anticipation of revenue from a special assessment levied against the property fronting or benefited by the improvement; or</p>	<p>The City Council may provide for the payment out of said fund of the expenses of any such improvement as may be assessed in whole or in part upon any special property to be benefited by such improvement, and in advance of the collection of such assessments. [ch. 5, § 16]</p>
<p>(B) to the extent that the City otherwise bears the improvement's cost.</p>	<p>In all such cases the City Council may levy with the other City taxes, a tax sufficient to pay the amount not so assessed upon abutting land on property within the City subject to general taxation, and may direct into what fund the proceeds of such tax shall be paid. [ch. 5, § 18]</p>
<p>(3) Transfer of unused money. The Council may transfer to the sinking fund any unused money from the permanent improvement fund.</p>	<p>Transfer of Unused Funds. In addition to the aforesaid levy of three mills the City Council shall have the power and authority, in its discretion, to transfer and cause to be transferred, by resolution duly passed, to the credit of such sinking fund, any or all unused balances of moneys and funds which are the proceeds of bonds heretofore or hereafter issued and sold by the city for any municipal purpose whatever, including bonds issued for public schools, public libraries and public parks and parkways, whenever the improvement or purpose for which the bonds were or shall be issued has been completed or abandoned, and any and all unused balances of moneys and funds now or hereafter existing in the permanent improvement fund and permanent improvement revolving fund of the city, and any or all unused moneys and funds now or hereafter raised by general taxation in the city for any purpose whatsoever, and to invest and cause to be invested all said moneys and funds in the same manner as the sinking fund of the city is now or may be invested, or in such manner as the City Council may in its discretion deem best, and to use and cause to be used said moneys and funds for the payment and redemption of the bonds and other indebtedness and obligations of the city as they mature and become payable. [ch. 5, § 13]</p>
<p>(b) Tax. The City Council annually—</p>	

<p>(1) must tax up to 0.0025 percent of the total value of the property in the City for the cost of any permanent improvement not defrayed by special assessment, and</p>	<p>The City Council shall annually, at the time of making the other tax levies of said city, levy a tax sufficient to replace all expenditures made from said fund, not provided for by such special assessments, and may by tax-levy provide for the increase of such fund to such amount as may be deemed necessary, provided, that the whole amount of tax levied in any year shall not exceed two and one-half (2 1/2) mills on a dollar of the assessed valuation of the taxable property of said city. [ch. 5, § 16]</p>
<p>(2) may tax up to 0.0025 percent of the total value of the property in the City for sewers and related infrastructure, the disposal and treatment of sewage and other waste, and related purposes, for which the City may acquire realty and extend infrastructure beyond the City's boundaries.</p>	<p>In addition to the foregoing authority to levy an annual tax of not to exceed 2 1/2 mills for permanent improvements, the City Council shall have and is hereby vested with power and authority to levy an additional annual tax of not to exceed 2 1/2 mills on each dollar of the assessed valuation of the taxable property of the City, and to use the proceeds thereof, for the purposes of the construction within or without the City of connecting and intercepting sewers, sewage disposal plants, and other necessary works that may be required for the treatment, reduction or disposal of sewage and industrial wastes, and for the acquisition of lands, easements and sites necessary therefor. [ch. 5, § 16]</p>
<p>(c) Special assessments.</p>	

(1) Improvements. The City Council may levy a special assessment that partly or wholly defrays the cost of any improvement of a local character against the property fronting or benefited by the improvement.

The City Council shall have authority to determine in and by any resolution duly passed directing that any arterial street in the City of Minneapolis, or any part thereof which may be paved, what portion of the cost of such paving shall be defrayed by a special assessment upon the real property fronting thereon. Such proportions, however, shall in no case be less than one-half of the cost to the City of Minneapolis of paving that part of the arterial street lying between the center line thereof and such abutting property. [ch. 5, § 18]

Whenever the proportions to be so assessed are determined in the manner aforesaid, the assessment shall be levied accordingly and the remaining cost of such paving shall be paid by the City out of any funds in its treasury not derived from such special assessment available for paving purposes. [ch. 5, § 18]

Whenever the City Council shall determine to lay out or open new streets or alleys in said city, or to widen, straighten or extend any that now exist or may hereafter exist, or for the purpose of drainage, construction of bridges or making other necessary public improvements, or for the improvement of the health or sanitary condition of the people of said city, shall determine to enter upon any tract of land and lower, raise, change the course of or divert any stream of water (except the Mississippi river) or any ditch or drain within the limits of said city, it may, for such purposes, purchase or condemn any real estate or interest therein which is private property and provide for the payment of the value of such property as may be taken for such improvement, and all damages done to any private property by reason of such improvement, and the expense of making such improvement, where it consists in lowering, raising, diverting or changing the course of any stream of water, ditch or drain, by assessing, levying and collecting the whole expense of such improvement, or such parts thereof as may be considered equitable, upon the property to be benefited by such improvement, without regard to cash evaluation; but no assessment for such improvement shall exceed the actual benefit to the property upon which the same shall be assessed, and in case the whole expense of such improvement shall exceed the benefits accruing therefrom to any specific property the excess of such expense shall be made a general city charge and be paid from the Permanent Improvement fund of the city. [ch. 8, § 10]

(2) Parks and parkways. The Park & Recreation Board may levy a special assessment that partly or wholly defrays the cost of condemning realty for a park or parkway, or of any improvement in or along a park or parkway, against the property fronting or benefited by the park, parkway, or improvement. The City Council may levy an assessment with respect to an improvement in or along a park or parkway only after a request by the Park & Recreation Board.

The said Park and Recreation Board shall have and exercise all such powers and jurisdiction over and in relation to parkways as now is, or hereafter may be, conferred upon the City Council in respect to the laying out, opening, widening and improving, vacating and discontinuance of streets; the grading, paving and curbing thereof; the construction of sidewalks; and the cost of all lands acquired, and of all improvements made by said Board pursuant to this section shall be levied upon and collected from the property specially benefited thereby. . . .

. . . .

The Park and Recreation Board is hereby authorized in its discretion to cause curb and gutter or either to be built along any side of any parkway or any portion thereof, and to cause to be constructed and built any sidewalk along any parkway or any portion thereof, such curb, gutter and sidewalk to be built in such manner and of such materials as it may direct, and to collect the expense and the cost of the same by special assessment upon the property fronting upon such improvements on the same side of the street; but the expense of so improving any part of such parkways as shall be in front of property exempt from such assessment, or property belonging to the City shall be paid from the general fund of said Board.

. . . . Whenever said Board shall deem it necessary that any sidewalk shall be constructed or reconstructed along a parkway in said City, it shall by resolution direct such construction or reconstruction . . . the said Board shall forthwith proceed to ascertain the expense of constructing the same and assess and levy such expense upon and against each lot and parcel of land upon which said sidewalks shall front. . . .

If the owner of any lot or parcel of land fronting on any such parkway shall suffer any sidewalk along the same to become broken or out of repair, the said Board may repair the same in a good and substantial manner, and assess and levy upon each of the lots and parcels of land fronting or abutting upon sidewalks which have been so repaired, the cost and expense of making such repairs. [ch. 16, § 15]

(3) **Services.** The City Council may, and the Park & Recreation Board may, likewise assess the cost of municipal services to any street, sidewalk, or other property against the property benefited.

<p>(4) Ordinances. The City Council must, and the Park & Recreation Board must, by ordinance establish the procedure for levying a special assessment, including the procedure for any appeal.</p>	
<p>The City Council may, and the Park & Recreation Board may, by ordinance provide for a lien from an assessment and for the lien’s priority.</p>	<p>No sale under execution or other proceedings upon a judgment, decree, foreclosure or lien, and no transfer or mortgage shall divest or affect the lien of any assessment, for any tax or for any improvements chargeable to or assessed against the property under this Charter, although the confirmation of such assessment may be subsequent to the lien of such judgment, decree or other lien or to such transfer or mortgage. [ch. 10, § 25]</p>
<p>(5) County auditor. The City Council may, or the Park & Recreation Board may—</p>	<p>When the City Council shall order any improvements or work which is to be paid for by special assessments on the abutting property, the City Engineer of the City of Minneapolis shall make a written request of the County Auditor of Hennepin County for a list of the descriptions of lots or other parcels and blocks or other divisions of real estate or land lying upon or along the streets, lanes, alleys, avenues or other public grounds on which said improvements are to be made, together with the names of the respective owners of each of said lots or parcels of land or real estate so far as they can be ascertained by said Auditor from the records of the Auditor’s office, and said City Engineer may accompany such request with such plats or other information as may be necessary to enable such Auditor readily and accurately to make such list. Upon the receipt of such request said County Auditor shall promptly make and return to said Engineer such list of descriptions and owner’s names called for. For making such list and for keeping all of the books which may be required of said Auditor under the various special assessment plans which have now or may thereafter be adopted by the City Council of the City of Minneapolis, which shall include every kind of entry whether ordered or requested by said City Council or any Court, said city shall pay said County Auditor the sum of five (5) cents for each entry of a special assessment entered by the Auditor upon the tax list of the county, the same to be payable upon the completion of the tax list for each year. [ch. 10, § 29]</p>
<p>(A) require that the county auditor furnish information about benefited property and its ownership in connection with a special assessment; and</p>	
<p>(B) set the rate, at least five cents per entry, at which the City compensates the county for this service.</p>	