

# Minneapolis Charter Commission Minutes

January 5, 2011 - 4:00 p.m.

Room 317 City Hall, Minneapolis, Minnesota

Commissioners Present: Clegg (Chair), Connell, Dolan, Ferrara, Gerdes, Kozak, Lickness, Metge, Peltola, Rubenstein, Sandberg, Schwarzkopf, Stade

Commissioner Excused: Jancik

Commissioner Absent: Lazarus

Also Present: Dana Banwer, Assistant City Attorney

## 1. Roll Call

Chair Clegg called the meeting to order at 4:05 p.m. Roll call was taken.

## 2. Adopt Agenda

*Metge moved adoption of the agenda. Seconded.*

Adopted upon a voice vote.

Absent - Lazarus, Stade.

## 3. Approve minutes of regular meeting of December 1, 2010

*Metge moved approval of the minutes of the meeting of December 1, 2010. Seconded.*

Adopted upon a voice vote.

Absent - Lazarus, Stade.

## 4. Chair's Report

Clegg stated that Commissioner Jancik's appointment would expire on February 26, 2011, and he had decided not to seek reappointment. Once the process used to solicit applications is determined, announcements will be made to neighborhood groups, interested parties, etc.

Lickness requested a copy of the announcement in order to have it translated.

## Election of Officers

### 5. Election of Officers:

**Elect Chair, Vice Chair, and Secretary.**

Clegg opened the floor to nominations.

*Stade nominated Commissioner Schwarzkopf as Vice Chair and Commissioner Sandberg as Secretary.*

Sandberg declined the nomination.

Schwarzkopf declined the nomination.

*Sandberg moved that the nominations be made for the three offices together. Seconded*

Adopted upon a voice vote.

Absent - Lazarus.

*Kozak nominated Commissioner Clegg for Chair, Commissioner Lazarus for Vice Chair, and Commissioner Ferrara for Secretary. Seconded.*

There being no further nominations, the nominations were closed.

The nomination of Commissioner Clegg for Chair, Commissioner Lazarus for Vice Chair, and Commissioner Ferrara for Secretary was adopted upon a voice vote.

Absent - Lazarus.

## Receive and File

### 6. Charter Commission 2010 Annual Report:

**Receive and file the 2010 Annual Report, and direct the Clerk to submit the report to the Chief Judge of District Court.**

*Schwarzkopf moved approval of the 2010 Annual Report for submittal to the Chief Judge of District Court. Seconded.*

Adopted upon a voice vote.

Absent - Lazarus.

## Discussion

### 7. Report from Advisory Group Committee:

**Report on meeting of December 15, 2010.**

Sandberg summarized the Advisory Group Committee meeting. The committee had discussed items to be included on the application form and in the job description, as well as outreach strategy and the involvement of students. Questions had arisen regarding public vs. private information on the application form and whether election judges are considered city employees and thus unable to serve on the Advisory Committee. The next meeting will be held on January 19 to finalize the job description and application form.

Rubenstein noted that she had contacted Professor David Schultz, election law instructor at the University of Minnesota Law School and professor at Hamline University, and asked if he could find students to observe the redistricting process and make some type of report about what did and did not work that could be used the next time redistricting takes place. Professor Schultz was very enthusiastic and willing to give the students credit for their involvement. He understood the students would be volunteers and not be paid.

Metge stated that she had been charged with contacting the Humphrey Institute Center for Urban and Regional Affairs (CURA), but she had not yet heard back due to the winter break.

Kozak noted that it wasn't clear on the application form if the information provided by applicants regarding experience and qualifications was considered public or private data.

Dana Banwer, Assistant City Attorney, stated that she would research the Data Practices Act to determine if that information was public or private information which could then be clearly noted on the application form.

## Public Hearing

### 9. Advisory Group Job Description and Application Form:

**Receive public comment on proposed job description and application form for the Redistricting Advisory Group.**

Clegg called the public hearing to order.

Things remaining to be considered by the Advisory Group Committee include who will perform the first review of the applications and whether all qualified candidates would be interviewed. The committee will also discuss the interview process and how many alternates will be chosen. It was also decided that the committee should be called the Advisory Group "Selection" Committee to avoid confusion with the Advisory Group itself.

Ferrara suggested that the dates and times of the interviews be included on the application form and that interviews not take place in the Council Chamber since that could be intimidating.

As there was no one present wishing to address the Charter Commission, Clegg closed the public hearing.

## Discussion

### **8. Report from Rules Committee: Report on meeting of December 16, 2010.**

Schwarzkopf summarized the Rules Committee meeting. The committee looked at rules for the redistricting process itself, not the process leading up to redistricting. They began with a draft document and made a number of changes to it. Anything currently in state law, charter, etc., would not be included in the rules. The committee will meet again on January 13.

## Old Business

### **10. Plain Language Charter Revision: Update on status of the Plain Language Charter Revision by City Attorney.**

Dana Banwer, Assistant City Attorney, stated that the City Attorney's Office continued to work on the review of the Plain Language Charter. The next step would be meeting with Council Members Johnson, Lilligren, and Glidden to discuss a list of issues that had been identified.

Clegg requested that any changes proposed by the City Attorney's Office be brought to the Charter Commission before being discussed with the City Council.

Ferrara stated that if the changes resulted in a 13-0 vote by the Council, he saw no need for the Commission to discuss the City Attorney's changes. However, he noted that Barret Lane had told the Commission that the document should go to the voters. The Charter Commission should have representation at any meetings with council members when proposed changes are discussed. Any further changes to the document should be vetted in the same manner the Charter Commission used, bringing in all affected parties to discuss the changes.

Metge suggested locating the very detailed community engagement plan the Charter Commission used when they began their work on the Plain Language Charter Revision.

Banwer explained the history of the Plain Language Charter Revision for newer Commissioners. The document was not transmitted to the City Council as defined in Minnesota Statute, but was forwarded to begin a dialogue and allow time for the City Council to review it. After receiving the document, the City Council formed a working group of individuals from city departments to discuss the document section by section. The City Attorney's Office drafted a series of memoranda outlining how the Revision impacted various departments. That information has been put into the amendments proposed by the City Attorney's Office, as well as Charter changes that have been enacted by ordinance or referendum since the document was forwarded to the City Council.

Rubenstein recalled that a major part of the discussion at the time was regarding the fact that the Plain Language Charter Revision took certain provisions out of the Charter that belonged in ordinance and part of the focus of the City Council was to have ordinances drafted before they voted on the Charter Revision.

*Schwarzkopf moved that when the City Attorney's Office finished their work on the Charter Revision, that any proposed changes be referred to the Charter Commission. Seconded.*

Kozak stated that the City Attorney's Office actually had two clients: the City Council and the Charter Commission, and it was important to avoid putting the City Attorney's Office on the spot. He suggested any changes proposed by the City Attorney's Office go through the Charter Commission Chair, who could bring those changes to the full Charter Commission.

Clegg stated that with the permission of the Commission, he would follow up with the City Attorney's Office over the next few weeks and report back at the next meeting.

*Schwarzkopf withdrew his motion.*

Clegg noted that former Commissioner Melendez had indicated his willingness to remain involved regarding any further changes to the document.

Banwer notified the Commission that she would be leaving the City Attorney's Office on January 20 to become the Director of Licensing and Environmental Services.

On behalf of the Charter Commission, Clegg extended thanks for Ms. Banwer's assistance over the past two years.

## **Pubic Commentary**

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

*Sandberg moved to adjourn. Seconded.*

Adopted upon a voice vote.

Absent - Lazarus, Peltola.

The meeting was adjourned at 5:20 p.m.

Peggy Menshek  
Council Committee Coordinator