

Staff Directions Passed by the Intergovernmental Relations Committee
12/15/2009:

A. Direct staff, including the City Attorney's Office, the Charter Revision Work Group, and affected City departments (through their designated representatives) to draft amendments to the draft City Charter proposed by the Charter Commission, as discussed with the IGR Committee. The issues included are as follows:

1. Amend the proposed Charter revision to include the following as "Charter Department Heads": City Assessor, City Attorney, City Clerk, City Coordinator, Civil Rights Director, Commissioner of Health, Director of Community Planning and Economic Development, Director of Public Works, Director of Regulatory Services, Fire Chief, Police Chief, Civil Service Commissioners, 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.
2. Amend the proposed Charter revision related to the fire marshal's authority to inspect buildings without a warrant, to comply with the U.S. Constitution and state law.
3. Amend the proposed Charter revision related to the City Council imposing sanctions for violations of City ordinances.
4. Amend the proposed Charter revision to reinsert (in Chapter 4, sec. 5, or appropriate location) language related to limiting the sale of intoxicating liquor or wine to certain areas, as provided under Minn. Stat. sec. 410.121.
5. Amend the proposed Charter revision to delete the provision regarding probationary periods for City employees.
6. Amend the proposed Charter revision designating the Park Board as a "body corporate and politic".
7. Amend the proposed Charter revision to reinsert Charter Chapter 2, sec. 2, providing that all officers (elected and appointed) shall continue in office until their successors are elected or appointed and have been qualified.
8. Amend the proposed Charter revision to designate the City of Minneapolis as a "municipal corporation", as is used in the current Charter, instead of a "body corporate and politic".
9. Amend the proposed Charter revision to reinsert the City's authority to conduct special assessments.
10. Amend the proposed Charter revision to continue to allow the Public Works Department to transfer "unused funds" between projects once a project is closed.
11. Amend the proposed Charter revision to reinsert language currently contained in Charter Chapter 16, sec. 15 (Park Board), related to the City's ability to maintain its water and sewer network.
12. Amend the proposed Charter revision to reinsert language limiting the Executive Committee's jurisdiction over appointments to those offices listed in #1 above.

13. Amend the proposed Charter revision to revert to the current Charter language that provides that the Executive Committee establishes its own rules and procedures, and that further duties of the Executive Committee shall be only as prescribed by ordinance or City Council resolution.
14. Amend the proposed Charter revision to delete the provision related to the automatic appointment of a candidate who has not been approved or rejected within 60 days of the Mayor's nomination.
15. Amend the proposed Charter revision to reinsert language requiring the Mayor "address" the City Council annually, as provided in the current Charter.
16. Amend the proposed Charter revision as recommended by the Charter Commission and as suggested in #1 above to include the City Clerk as one of the department heads appointed pursuant to the Executive Committee process.
17. Amend the proposed Charter revision to reinsert language requiring that unspent monies from the "civil service fund" be returned to the City's general fund at year's end.
18. Amend the proposed Charter revision to the language of the current Charter that places only the Mayor's entire secretary in the unclassified service.
19. Amend the proposed Charter revision to reinsert language from the current Charter regarding the 10-member composition of the Planning Commission.
20. Amend the proposed Charter revision by eliminating the language converting the Park Board from a department of the City into a "body corporate and politic".
21. Amend the proposed Charter revision by eliminating the language that appears to grant the Park Board additional powers, such as the right to sue and be sued, and all the powers of a municipality.
22. Amend the proposed Charter revision as appropriate due to the drafter using the wrong version of the current Charter, resulting in outdated references such as the Planning Commission membership (Charter amended following transfer of Library Board to County) and "City Engineer" (now referred to as Director of Public Works).
23. Amend the proposed Charter revision as appropriate to ensure the uniform use of titles, terms, etc. ("chief engineer" vs. "fire chief", "city engineer" vs. "public works director").
24. Amend the proposed Charter revision to delete some of the 42 powers granted to the City by Charter, Chapter 4 that have been superseded, are obsolete, etc.
25. Amend the proposed Charter revision as appropriate to define or redefine additional terms, including "chief executive officer" as applied to the Mayor, "acts of a legislative nature", "officer", and other terms.
26. Amend the proposed Charter revision by reinserting the language regarding the prohibition against passing an ordinance at the same session of the Council at which it is introduced.

27. Amend the proposed Charter revision to reinsert the term of the police chief's appointment.
28. Amend the proposed Charter revision by reinserting language regarding the term of a police chief's appointment if a new appointee is filling out the remainder of the former chief's term.
29. Amend the proposed Charter revision to delete the provisions in the proposed Charter revision (also contained in the current Charter) related to the Mayor's power to appoint "temporary" and "special police".
30. Amend the proposed Charter revision to delete the reference to the MPD Crime Prevention Bureau from the Charter (contained in current Charter and proposed Charter revision).
31. Amend the proposed Charter revision by eliminating reference(s) to the City Planning Department.
32. Amend the proposed Charter revision to clarify to whom the Mayor must return an action s/he has vetoed, i.e., the City Clerk.
33. Amend the proposed Charter revision to provide greater specificity regarding who the City Attorney represents, the exclusive nature of the City Attorney's representation of the City and the City's boards and commissions, and the prohibition against individual board and commission members accessing City Attorney advice.
34. Amend the proposed Charter revision related to "holding over" to provide for the appointment of interim department heads if and when necessary.
35. Amend the proposed Charter revision to provide that the Budget Office and Budget Director report to Finance Officer, instead of the City Coordinator.
36. Amend the proposed Charter revision to change references to "Comptroller-Treasurer" and "Treasurer" to "Finance Officer" throughout Charter and ordinances.
37. Amend the proposed Charter revision to eliminate the requirement that City Council authorize employee payroll, in favor of the Finance Officer.
38. Amend the proposed Charter revision related to "assistant chiefs", "deputy chiefs", and "fire police" to reflect how the Fire Department currently uses these positions.
39. Amend the proposed Charter revision to delete the references to MFD "double platoon" staffing system.
40. Amend the proposed Charter revision to provide greater clarity regarding standard of cause necessary to remove officers other than Civil Service Commissioners.
41. Amend the proposed Charter revision to insert language about what happens in the event the Mayor misses the April 1st deadline to establish the City's goals and priorities.
42. Amend the proposed Charter revision to clarify the language related to the powers delegated to anyone who attends a board, committee, or other public body of which the Mayor is a member, by proxy.
43. Amend the proposed Charter revision to eliminate the requirement that "eligibility" lists are good for two years.

44. Amend the proposed Charter revision to clarify Charter language regarding returning an appointee to his or her former civil service position if his or her service as an appointed person is terminated for cause, misconduct, misfeasance, malfeasance, etc.

45. Amend the proposed Charter revision by eliminating the Charter provision related to penalties for bribery.

46. Amend the proposed Charter revision by eliminating certain provisions related to the Planning Commission that have never been complied with and/or used, including the requirement that the Commission submit an annual report each year, and the Commission's authority to "employ engineers or other persons and incur such other expenses as are deemed necessary".

47. Amend the proposed Charter revision to reinsert language specifying over whom the Civil Rights Commission has jurisdiction.

48. Amend the proposed Charter revision related to the City's powers to ensure that the proposed Charter revision does not expand the City's powers, as provided in the current Charter.

B. Further direct staff to draft any additional Charter amendments that it deems appropriate as it reviews the Charter and prepares the amendments specified above.

C. Further direct staff to meet with the City's Director of Labor Relations, and other appropriate staff about options regarding "rule of 3" and "rule of the list" for hiring and promotions in the new proposed charter.

D. Further direct staff to report back to the IGR Committee with periodic updates, and to report back in June 2010 with amendments.