

Proposing that there be submitted to the qualified voters of the City of Minneapolis an amendment to Chapter 1 of the Minneapolis City Charter relating to City and Ward Boundaries, repealing the current Section 3 and adding a new Section 3 relating to Thirteen Wards, giving the responsibility for redistricting to the Minneapolis Charter Commission (with input from an advisory group); and Chapter 16, Section 1, of the Minneapolis City Charter relating to Parks and Parkways: Park and Recreation Board--Election--Terms of Office, deleting references to the Reapportionment Commission and inserting in lieu thereof "Charter Commission".

Section 1. That Section 3 of Chapter 1 of the Minneapolis City Charter be and is hereby repealed.

~~CHAPTER 1. CITY AND WARD BOUNDARIES~~

~~Section 3. Thirteen Wards.~~ A. ~~The City shall consist of thirteen Wards with as nearly equal population as practicable. Within the time specified in paragraph C hereof the Redistricting Commission shall readjust the boundaries of the Wards in accordance with the following standards:~~

- ~~1. 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.~~
- ~~2. 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.~~
- ~~3. To the extent possible, the Wards shall be numbered consecutively, first on the East side of the Mississippi river and then on the West side and from North to South. However, notwithstanding the foregoing, effective the date of this amendment and thereafter, 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.~~
- ~~4. Population shall be determined by use of the official population, as stated by census tracts and blocks in the official United States Census. 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.~~

~~B. 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. The Commission shall consist of members, as provided herein, who are eligible voters of the City.~~

~~The Redistricting Commission shall be appointed as follows:~~

- ~~1. 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. The remaining members of the City Council shall appoint one person to the Commission.~~
- ~~2. The Charter Commission shall request a list of nominees from the following sources:~~

~~The City Chair, or if there is no City Chair, the State Chair, of each 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. Each party list shall contain at least six, but not more than ten, names of persons broadly representative of the city population. Nominees shall not currently be or within two years previous to appointment, have been, an elected official of municipal, county, state or federal government, nor an employee of a political party, nor a candidate, in a primary or general election, for a public office for which the ballot indicates a political party designation of candidates, nor an employee of city government. Each party list shall include persons from groups traditionally under represented in city government, including racial minorities. 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. Requests for appointees and nominees shall be made by the Charter Commission 45 days prior to the above deadline.~~

- ~~3. 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. 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.~~

~~Within 15 days after receiving the lists of party nominees and self nominees, 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.~~

~~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: a) political parties who do not qualify as major parties; or b) self-nominees who are not affiliated with any political party.~~

~~No political party shall constitute a majority of the Redistricting Commission.~~

~~The members selected by the Charter Commission, and the Council appointees shall then, within ten days, meet at a time and place selected by the Charter Commission and elect by a majority vote one more person to serve on the Redistricting Commission who shall serve as its chair. 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.~~

~~If a member shall cease to serve, the vacancy shall be filled in the same manner as that member's original appointment.~~

~~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. Members of the Commission shall receive per diem on the same basis as members of the City Planning Commission.~~

~~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.~~

~~C. At or within the times prescribed by law, 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. Neighborhoods, as delineated by the Planning Department, shall be solicited for their input. The plan shall state the boundaries and population of each Ward and shall be deemed completed when filed with the city Clerk with the signatures of a majority of the members of the commission. 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. Whenever Wards have been so readjusted, no further Ward adjustment shall be made until the announcement of the next decennial United States Census. In the event any territory shall be annexed to the City, it shall become part of the adjoining Ward.~~

~~D. 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.~~

~~E. (1) 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.~~

~~(2) If a redistricting plan is questioned in a proceeding before the Court, and insufficient time remains to determine the issue, the Court may either (a) postpone the effective date of the plan, or (b) if the proposed plan appears to more closely reflect the distribution of population than the existing Ward apportionment, order that the proposed apportionment be effective for the next election without prejudice to the issue with respect to subsequent elections.~~

~~(3) 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 re adoption.~~

~~F. 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. 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.~~

~~G. This amendment shall take effect immediately upon certification of its adoption by the voters of the City of Minneapolis.~~

~~H. 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.~~

Section 2. That Chapter 1 of the Minneapolis City Charter be amended by adding thereto a new Section 3 to read as follows:

CHAPTER 1. CITY AND WARD BOUNDARIES

Section 3. Thirteen Wards.

- A. The City shall consist of thirteen Wards with as nearly equal population as practicable. Within the time specified in paragraph C hereof the Charter Commission shall readjust the boundaries of the Wards in accordance with the following standards:
1. 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.
 2. 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.
 3. To the extent possible, the Wards shall be numbered consecutively, first on the East side of the Mississippi river and then on the West side and from North to South. However, notwithstanding the foregoing, effective the date of this amendment and thereafter, 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.
 4. Population shall be determined by use of the official population, as stated by census tracts and blocks in the official United States Census. Whenever it is necessary to modify census data in fixing a Ward boundary, the Charter 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 Charter 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 Charter Commission as to population shall be conclusive, unless manifestly contrary to the census.
- B. In each year ending in the number two, or whenever the number of Wards is changed, or when required by court order, the Charter Commission will draw Ward boundaries.

The Commission will appoint an Advisory Group of not more than nine members who are eligible voters of the City of Minneapolis. The Advisory Group will be advisory only and will operate in accordance with rules and procedures established by the Commission. Applications for the Advisory Group will be accepted for at least 45 days prior to the appointment of its members by the Commission. The City Clerk will receive all applications to serve on the Advisory Group. The application will include such information as may be specified by the Charter Commission. Applicants shall not currently be, or within two years previous to appointment have been, an elected official of municipal, county, state or federal government, nor an employee of a political party, nor a candidate in a primary or general election for a public office for which the ballot indicates a political party designation of candidates, nor an employee of City government. In appointing members to the Advisory Group, the Charter Commission will consider the diversity of its membership.

The City Council, upon request of the Charter Commission, shall promptly provide funding for such staff and other assistance as the Commission deems necessary to complete its work in a timely manner.

- C. At or within the times prescribed by law, the Charter 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 four public hearings prior to adoption of the plan. At least two of the public hearings shall be for the purpose of reviewing the proposed plan. A copy of the proposed plan shall be published as a legal notice for the public at least seven (7) days prior to the public hearing on the proposed plan. Neighborhoods, as delineated by the Planning Department, shall be solicited for their input. The plan shall state the boundaries and population of each Ward and shall be deemed completed when approved by a majority of Commissioners voting at a duly called meeting of the Charter Commission and filed with the City Clerk. 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. Whenever Wards have been so readjusted, no further Ward adjustment shall be made until the announcement of the next decennial United States Census. In the event any territory shall be annexed to the City, it shall become part of the adjoining Ward.
- D. The District Court shall exercise original jurisdiction in any matter relating to redistricting in the manner provided by law, and upon application by a person having legal standing after notice and hearing may compel the execution of any action required hereunder by order of the Court.
 - 1. If a redistricting plan is questioned in a proceeding before the Court, and insufficient time remains to determine the issue, the Court may either (a) postpone the effective date of the plan, or (b) if the proposed plan appears to more closely reflect the distribution of population than the existing Ward

boundaries, order that the proposed redistricting be effective for the next election without prejudice to the issue with respect to subsequent elections.

2. If a redistricting plan is challenged in a proceeding before the Court, and the Court finds the plan is improper, the Court shall return the plan to the Charter Commission for revision and readoption.
- E. 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.
 - F. This amendment shall take effect immediately upon certification of its adoption by the voters of the City of Minneapolis.
 - G. 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.
 - H. Special School District No. 1, Minneapolis. Within the time specified in Charter Chapter 1, section 3, and Chapter 16, section, 1, the Charter Commission shall set the boundaries of the school board districts in accordance with the redistricting principles it uses to set the boundaries of the City Wards and the Park Board districts, and in accordance with Minnesota law.

Section 3. That Chapter 16, Section 1, of the Minneapolis City Charter be amended to read as follows:

CHAPTER 16. PARKS AND PARKWAYS

Section 1. Park and Recreation Board--Election--Terms of Office. 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.

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) 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. Commissioners serving at the time this amendment [adopted November 4, 1975] takes effect shall continue in office for the balance of their respective terms.*

*Special law reference--The user may wish to note that § 3 of Laws 1986, Ch. 433, changed the time of election and extended certain terms of commissioners of the park and recreation board.

There are hereby created six Park and Recreation Districts within the city, each of which shall be composed of the area presently contained within the election precincts listed opposite the respective Park and Recreation District as follows:

DISTRICT I

Precincts 1 through 11 of Ward 1
Precincts 1 through 9 of Ward 2
Precincts 1 through 5 of Ward 3

DISTRICT II

Precincts 1 through 13 of Ward 4
Precincts 6 through 12 of Ward 3
Precincts 1 through 9 of Ward 5

DISTRICT III

Precincts 1 through 20 of Ward 6
Precincts 10 through 14 of Ward 2
Precincts 1, 2, and 4 through 10 of Ward 9
Precincts 13 and 14 of Ward 3
Precinct 2 of Ward 12

DISTRICT IV

Precincts 1 through 16 of Ward 7
Precincts 1 through 8 of Ward 10
Precincts 1 through 5 of Ward 8
Precincts 10 through 12 of Ward 5
Precinct 3 of Ward 9

DISTRICT V

Precincts 1 and 3 through 16 of Ward 12
Precincts 4 through 16 of Ward 11
Precincts 14 through 16 of Ward 8
Precincts 11 through 14 of Ward 9

DISTRICT VI

Precincts 1 through 18 of Ward 13
Precincts 9 through 15 of Ward 10
Precincts 6 through 13 of Ward 8
Precincts 1 through 3 of Ward 11

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~~ Charter 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~~ Charter Commission. The ~~Reapportionment~~ Charter 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. Without dividing any election precincts, the boundary lines prescribed by this section shall be retained as nearly as practicable in readjusting the boundaries of any park and recreation district.

Said Park and Recreation Board shall have a common seal, and 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. And all contracts so made and entered into shall be signed and executed by the President and Secretary under the direction of the Board.

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.

The said Park and Recreation Board shall elect annually from their own number a President and a Vice President, and shall appoint annually a Secretary who shall not be a member of said Board. And said officers shall hold their respective offices until their successors are elected and qualified.

The said election shall be held on the first business day in January of each year, and 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.

The person elected as Secretary, before entering upon the duties of office, shall file with the Comptroller-Treasurer [Finance Officer] of said City a corporate surety bond in such form and in the amount of at least \$35,000 or in such higher amount as may be fixed by the Park and Recreation Board as security for the faithful performance of the official duties of office and the safekeeping of public funds. The premium of such bonds shall be paid from the Park and Recreation Fund. Said Secretary shall have power and is hereby authorized to administer oaths in all proceedings under this chapter and incident thereto.

It shall be the duty of the said Secretary to submit to the said Board at the first meeting in January, a report showing the transactions of the Secretary's office, and other information necessary for the conduct of business.

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. It 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. A majority of the members of said Board shall constitute a quorum; but no action of said Board, designating or purchasing or leasing lands, creating a bonded debt, or filling vacancies in the Park and Recreation Board, shall be valid unless voted for by six (6) members of said Board; and a record of its proceedings shall be kept, and the said Board shall make and publish an annual report setting forth their general proceedings, and containing a statement of the receipts and expenditures of said Board; which statement of receipts and expenditures shall be submitted to the City Comptroller-Treasurer [Finance Officer] to be audited in the same

manner as accounts of city officers. 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. 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, countersigned by the City Comptroller-Treasurer [Finance Officer].

Special law reference--Chapter 181, Laws 1974, provides that each member of the board of park commissioners (park and recreation board) may, upon request therefor, be paid \$35.00 for each board meeting, notwithstanding any provision of the Charter to the contrary. Such compensation is to be paid as an operating expense of the board.

Special law reference--For a special act relating to the appointment of assistant superintendents of the board of park commissioners (park and recreation board), see Laws 1969, Ch. 1024.

No Commissioner shall be interested in any contract made under the authority of said Board, or in any lands to be acquired by said Board, except that any Commissioner who shall be owner of, or interested in, any lands which may be designated or appropriated for the uses of this Chapter shall be entitled to receive compensation therefor as provided herein, but shall not act officially in respect to any matter in which such person may be pecuniarily interested.

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.

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.

Amendment note--The amendment of May 12, 1967, amended the first 4 paragraphs above by reorganizing the park board, changing its title from board of park commissioners to park and recreation board, and changing the title "park

commissioners" to "park and recreation commissioners." The amendment of June 28, 1968, changed the date for organization and updated type, method of provision and amount of the bond for secretary of park board. The amendment of January 2, 1974, changed the date of annual meetings of the park board to the first business day in January of each year and whenever vacancies occur. The amendment of November 4, 1975, decreased the term of office for park and recreation board members from six years to four years. 83-Or-180 changed the responsibility for reapportionment of park and recreation districts to the reapportionment commission.