



MEMORANDUM

TO: City Planning Commission
FROM: [Jason Wittenberg](#), Planning Manager, (612) 673-2297
DATE: January 12, 2015
SUBJECT: City Planning Commission Bylaws Amendment – Annual Reports

As part of the City's Plain-Language Charter Revision, a provision referencing a City Planning Commission annual report has been deleted. This proposed amendment to the Commission's bylaws would require the continued creation of an annual report documenting Commission activities. Staff recommends that the bylaws call for completion of the report no later than the end of the first quarter of each year. CPED staff will continue to partner with the Commission and its executive committee on the report's format and content. Recent annual reports can be accessed using the following link: <http://www.ci.minneapolis.mn.us/PlanningCommission/index.htm>

At the Committee of the Whole meeting on December 4, 2014, commissioners informally discussed the proposed amendment and voted to forward it to the full Commission for approval. The amendment would add a new Section 10 to read as follows:

SECTION 10

ANNUAL REPORT

10.1 Annual Report. Not later than March 31st of each year, the Planning Commission and staff shall produce an annual report of Commission activities from the previous calendar year.

**BYLAWS AND RULES OF PROCEDURE
THE PLANNING COMMISSION
OF THE CITY OF MINNEAPOLIS**

(As Amended February 9, 1978, March 30, 1978, June 26, 1980, April 27, 1994, December 14, 1994, April 26, 1995, February 21, 1996, May 7, 1997, November 19, 1997, January 28, 2002, October 7, 2002, January 26, 2004, November 22, 2004 and January 12, 2015)

The following rules of procedure are adopted by the City Planning Commission to facilitate the performance of its duties and exercising of its functions as a commission created by the City Council under Chapter 13 of the Home Rule Charter of the City of Minneapolis (11/2/20).

SECTION 1

THE PLANNING COMMISSION

- 1.1 Name. The name of this Commission shall be the Minneapolis City Planning Commission.
- 1.2 Powers and Duties. The powers and duties of this Commission shall be as provided in the Minneapolis City Charter, Chapter 13, which is attached and incorporated by reference.
- 1.3 Membership. Membership of the Commission shall be as provided in Chapter 13, Section 1, of the City Charter.
- 1.4 Code of Ethics. The Planning Commission subscribes to the "Statement Of Planning Principles," "Individual Responsibilities Of Planning Commissioners," and "Code of Ethics" which are attached and incorporated by reference.
- 1.5 Stipends. Stipends for a member of the Commission shall be as provided in Chapter 13, Section 1, of the City Charter.

SECTION 2

OFFICERS

- 2.1 Officers. The officers of the Commission shall be a President, Vice President, Secretary, and such other officers as it may deem necessary.
- 2.2 Election. At the annual meeting in February of each year, the Commission shall elect a President, Vice President, a Secretary, and such other officers as it may deem necessary; but in case of failure to elect at the time specified, the election shall take place at a subsequent meeting without delay.

The President, the Vice President, and the Secretary shall hold their respective offices until the next annual meeting after election and until their successors are elected and qualified.
- 2.3 Nomination. A nominating committee shall be established at the first meeting in January prior to the annual meeting in February for the purpose of nominating candidates for President, Vice President and Secretary for the following year. The nominating committee shall consist of three members appointed by the President. Other nominations for office shall also be permitted by individual members of the Planning Commission at the annual meeting. Elected officials serving on the Planning Commission shall not be eligible to serve as officers on the Commission.
- 2.4 Vacancy. Should an office become vacant, the Commission shall elect a successor for the unexpired term of said office.

SECTION 3

DUTIES OF OFFICERS

- 3.1 President. The President shall have the duties and powers usually attendant upon the office of the President and such other duties and powers as may be provided from time to time by the Commission. The President shall preside at all meetings of the Commission. The President may present to the Commission matters judged to require attention and need not vacate the chair for that purpose. The President of the Commission shall appoint the chairperson(s) of all committees. The President of the Commission shall appoint commissioners to represent the Commission outside Commission meetings. The President of the Commission may at any time direct procedural changes in the conduct of the Commission's business.
- 3.2 Vice President. The Vice President shall act, in the absence of the President at any meeting; and when the President is absent or disabled, all duties of the office or as a member of any committee shall temporarily devolve upon the Vice President.
- 3.3 Secretary. The Secretary shall preside at all meetings of the Commission in the absence of the President and Vice President. The Secretary shall perform the duties required by law and all duties properly devolving upon such officer. The Secretary shall sign final plats and other official actions for the Commission. When the Secretary is absent, other Commission officers are authorized to sign final plats and other official actions for the Commission.
- 3.4 Commission Clerk. The Planning Department shall make available staff to serve as Commission Clerk. The Clerk shall conduct administrative duties on behalf of the Commission as it shall decide, and in addition shall have the authority to keep the papers and records of the Commission, keep a record of the proceedings of the Commission and prepare official actions of the Commission for certification and filing with the Hennepin County Recorder which do not require approval of the City Council.

SECTION 4

MEETINGS

- 4.1 Annual Meeting. The annual meeting of the Commission shall be the second regular meeting in February of each year. The major items to be considered and action to be taken at the annual meeting are election of officers, appointment of co-chairs of the standing committee(s).
- 4.2 Regular Meetings. Regular meetings of the Commission shall be held at 4:30 p.m. on Monday. Meetings shall be scheduled in the weeks of the regular meetings of the City Council excluding free weeks. If the regular meeting of the Commission falls upon any of the following holidays: Chanukah, Christmas, Thanksgiving, Veterans Day, Independence Day, New Years Day, Passover (first two and last two nights), Rosh Hashanah, Yom Kippur, such meeting shall be held at the same hour on the day before, or other such time decided on by the Commission at its annual meeting. (For Chanukah, Thanksgiving, Christmas, Passover, Rosh Hashanah and Yom Kippur, the holiday includes the evening before the holiday.) The meetings shall be held in the City Council Chambers unless a different location of said meeting is required. Meetings shall be open to the public. Adjustments to the regular meeting schedule defined above shall be approved on the last regular Commission meeting of the year.
- 4.3 Special Meetings. A special meeting of the Commission subject to public notice requirements may be called by the President at any time. Commissioners may request the same in writing. Each commissioner shall be notified of the time, place, and purpose of any special meetings at least 24 hours before the meeting. No business shall be transacted at any special meeting other than that named in the call thereof, except, by consent of two-thirds of the entire Commission, or by unanimous consent if only a quorum is present, in which event, any measure considered shall be subject to a majority vote, except for actions amending the Comprehensive Municipal Plan when a majority affirmative vote of the entire Commission shall be required. Any measure adopted shall have the same effect as if so adopted at a regular meeting.
- 4.4 Quorum. Five members of the Commission shall constitute a quorum. No business shall be transacted at any regular meeting except when a quorum is present. If a quorum is lacking, the meeting may reconvene into a Committee of the Whole, the quorum of which shall be three (3). All action taken by the Committee of the Whole must be confirmed when a quorum is reached at that meeting or at the next regular meeting or special meeting at which a quorum of the Commission is present. The Commission may adjourn from time to time, absentees being notified thereof, and in case there shall be no quorum present on the day of a regular, adjourned, or special meeting, the commissioners present may adjourn from time to time until a quorum is obtained, or may adjourn said meeting without any further date being designated.
- 4.5 Absence From Meetings. Each commissioner shall be responsible for notifying the Commission Clerk if he or she must be absent from a regularly scheduled meeting. The Commission Clerk shall then submit this information to the President at the beginning of each meeting. The President may excuse members from meetings due to personal or work related conflicts. In the event a member is absent from three regular full Commission meetings during the course of a year, unless excused by the President of the Commission, the President may recommend that the Mayor or appropriate Board consider the resignation of such member from the Commission. In the event that a member has six (6) or more excused absences in a year, the President shall consult with the member to determine his or her ability to serve fully on the Commission.

- 4.6 Manner of Voting. The voting on all questions coming before the Commission may be a voice vote called for by the chair. The vote shall be entered in the minutes of each meeting. A roll call on any question before the Commission may be taken upon the demand of one or more members of the Commission. At the request of the Commission, the President shall direct that the yeas and nays be taken and entered on the record on any question before the Commission.

All recommendations and actions shall be by a majority vote a quorum being present, except for actions amending the Comprehensive Municipal Plan when a majority affirmative vote of the entire commission shall be required. The number of ayes and nays shall be recorded and accompany the recommendation or action.

- 4.7 Notice. All Planning Commission meetings shall comply with public notice requirements and the open meeting law.
- 4.8 Stipend. To receive a stipend for attendance at regularly scheduled Commission meetings, a commissioner must be present for, at least, 50 percent of the official meeting time. Stipend approvals for attendance at other than regularly scheduled Commission meetings shall be at the discretion of the Planning Director.
- 4.9 Participation. Prior to being officially seated on the Commission and participating in Commission business, a new commissioner must complete an orientation provided by Planning staff.

SECTION 5

ORDER OF BUSINESS

- 5.1 Order of Business. The roll shall be taken at each meeting and a record made of those commissioners present and absent.

The order of business shall be established at the discretion of the President of the Commission or in the President's absence, the officer of the Commission chairing the meeting.

- 5.2 Consent Items. Unless there is objection from the Commission, staff or anyone in attendance at the meeting, items may be moved to the consent agenda and acted upon without discussion.
- 5.3 Application Reports. The application before the Commission shall be presented in summary by Planning staff. In those instances where the matter is considered noncontroversial and does not warrant a summary, the President may entertain a motion without presentation of the summary, unless an objection is expressed by anyone present.
- 5.4 Postponements and Continuances. The Commission may postpone or continue any application for further information and consideration.
- 5.5 Testimony. The President or presiding officer shall ensure that each person addressing the Commission shall give his/her name and address for the record. All remarks should be addressed to the Commission as a body and not to any specific member. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the President. No questions shall be asked a Commission member except through the President.
- 5.6 Minutes. All decisions of the Planning Commission shall be contained in minutes kept by the Commission Clerk and approved by the Commission at a subsequent Commission meeting.

SECTION 6

COMMITTEES

- 6.1 Executive Committee. There shall be an Executive Committee consisting of the officers of the Commission and the chair(s) of the standing committee(s). The Executive Committee shall have such duties as are assigned to it by the President of the Commission.
- 6.2 Standing Committees. Standing committees shall be appointed by the President at the annual meeting each year, or as soon thereafter as possible. The Standing Committee(s) shall be as follows: Committee of the Whole.

The Commission shall, from time to time, define the duties of the Standing Committees. Nothing contained herein shall restrict the right of the Commission to decide a matter without first referring it to a committee.

- 6.3 Special Committees. The President may Designate additional special committees as the President may deem necessary, or as the Commission shall otherwise direct, and shall be an additional member, ex officio, of all committees. Committees shall consist of at least three (3) members except where otherwise ordered by the Commission. The Commission may, at any time, change the number of members of any committee in such way as it may deem best. A majority of any committee shall constitute a quorum of such committee.

SECTION 7

RULES AND PROCEDURES

- 7.1 Rules of Procedure. The Commission shall, from time to time, issue operating rules, regulations, procedures, and policies of the Commission. These rules shall be in writing and Commission members shall receive a copy of such rules, regulations, procedures and policies before the next regular scheduled meeting. One copy of all such rules, regulations, procedures and policies shall be kept as a public document in the Minneapolis Planning Department and a second copy shall be deposited as a public document with the City Clerk. These rules, regulations, procedures and policies shall be maintained in a clear readable form and shall be kept together in some form of binder or book. Rules, regulations, procedures and policies shall not have any effect on the Commission until such shall have been adopted.

Any rules or regulations pursuant to the above paragraph may be suspended at any regular meeting.

- 7.2 Conflict of Interest. No commissioner may participate in a decision process where a conflict of interest occurs as defined by the Minneapolis Code of Ordinances, Chapter 15, "Ethics In Government." When a commissioner learns of the existence of a conflict of interest the commissioner must disclose the conflict as required by the ordinance and other applicable authority and act in accordance with the provisions of the "Code Of Ethics" as stipulated in Section 1.4 of these Bylaws.
- 7.3 Amendment. The President of the Commission may at any time direct procedural changes in the conduct of the Commission's business.

SECTION 8

PARLIAMENTARY AUTHORITY

- 8.1 Robert's Rules Of Order. The President or other presiding officer shall be guided by Robert's Rules of Order unless the Commission has established other rules of parliamentary procedure.
- 8.2 Parliamentarian. The President or other presiding officer shall serve as parliamentarian. The Commission shall have the authority to appoint an independent parliamentarian when it so chooses.

SECTION 9

DISCIPLINARY PROCEDURES

- 9.1 Authority. The Planning Commission may establish rules and regulations to discipline its members as permitted in Chapter 13, Section 1, of the City Charter. The Planning Commission may also incorporate by reference standards of conduct appropriate to Planning Commissioners as accepted by the American Planning Association (APA), American Institute of Certified Planners (AICP) or other recognized body for purposes of setting standards.
- 9.2 Code of Ethical Conduct. It is the policy of the Planning Commission and its individual members to be governed by the "Code of Ethics," "Statement of Planning Principles," and "Individual Responsibilities Planning Commissioners" as referenced in Section 1.4 of these Bylaws.
- 9.3 Violations and Remedies. In addition to the authority in Section 9.1, the presiding officer may recommend and the body may direct removal of a commissioner during a Commission meeting for disruptive conduct prejudicial to the conduct of Commission business. In addition, the Commission may recommend removal of a commissioner from the commission to the appointing authority in the event of violation.

SECTION 10

ANNUAL REPORT

- 10.1 Annual Report. Not later than March 31st of each year, the Planning Commission and staff shall produce an annual report of Commission activities from the previous calendar year.

Amended 4.8, February 7, 1996

Amended 4.9, May 7, 1997

Amended 4.1, 4.2 and 4.4, November 24, 1997

Amended 2.3, October 7, 2002

Amended 4.2, November 22, 2004

Added Section 10, including 10.1, January 12, 2015