CHARTER COMMISSION

October 03, 2022
7:00 PM
Fridley Civic Campus, 7071 University Ave N.E.

AGENDA

Call to Order

Roll Call

Approval of Agenda

Approval of Meeting Minutes

1. Approval of May 2, 2022 Charter Commission Meeting Minutes

Administrative Matters

2. Introduction of Beth Kondrick, Deputy City Clerk
3. Rosenberg's Rules of Order
4. Resignation of Bruce Nelson
5. 2022 Annual Report
6. 2023 Charter Commission Meeting Dates

Old Business

7. Mission Statement and Strategic Values

New Business

8. Review of Bylaws

Future Meeting Topics/Communications

9. Future Meeting Topics

Adjournment

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Approval of May 2, 2022 Charter Commission Meeting Minutes

Background

Attached are the minutes from May 2, 2022 for the Commission's consideration.

Recommendation

Staff recommend the approval of the May 2, 2022 Charter Commission Meeting Minutes.

Attachments and Other Resources

- May 2, 2022 Charter Commission Meeting Minutes

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

CHARTER COMMISSION

May 2, 2022
7:00 PM
Fridley Civic Campus, 7071 University Avenue N.E.

MINUTES

CALL TO ORDER
Chair Nelson called the meeting to order at 7:00 p.m.

PRESENT
Gary Braam, Don Findell, Ibsen Gabriel, Greg Gardner, Manuel Granroos, Nikki Karnopp, Ted Kranz, Bruce Nelson, Rick Nelson, Oluwaseyi Olawore, Pam Reynolds, Val Rolstad, Cynthia Soule, Avonna Starck, Melissa Moore, City Clerk

ABSENT
Kelli Brillhart

APPROVAL OF AGENDA

Motion by Commissioner Rolstad to approve the meeting agenda. Seconded by Commissioner Nelson.

Commissioner Reynolds asked for a list of future meeting topics be maintained and reflected in the agenda under Future Meeting Topics. At previous meetings she asked for review of chapters four, five, and seven.

UPON A VOICE CALL VOTE, ALL VOTING AYE, CHAIR NELSON DECLARED THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF MEETING MINUTES

1. Approval April 4, 2022, Charter Commission Meeting Minutes

Motion by Commissioner Granroos to approve the meeting minutes of April 4, 2022. Seconded by Commissioner Starck.

UPON A ROLL CALL VOTE, ALL VOTING AYE, CHAIR NELSON DECLARED THE MOTION CARRIED UNANIMOUSLY.

ADMINISTRATIVE MATTERS

2. Upcoming Term Expiring: Manuel Granroos

Staff informed the Commission that Commissioner Granroos' term is expiring in September.

Motion by Commissioner Reynolds to approve the reappointment of Commissioner Granroos. Seconded by Commissioner Nelson.

UPON A ROLL CALL VOTE, ALL VOTING AYE, CHAIR NELSON DECLARED THE MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS

3. Mission Statement and Strategic Values

Commissioner Reynolds said she did not want to include "Act ethically" under the Stewardship strategic value because the Commission would need to define the Commission's interpretation of the term. Ms. Moore stated she recommend the Commission somehow define the term, or it may choose to adopt by reference the Ethics chapter of the Fridley City Code, which are ethical obligations that cover the City Council, all other advisory commissions, and staff. Commissioner Starck offered different ethical standard documents of other bodies that may serve as inspiration. The Commission engaged in a discussion.

Motion by Commissioner Gabriel to strike "Act ethically" from the Stewardship strategic value. Seconded by Commissioner Reynolds.

UPON A ROLL CALL VOTE, ALL VOTING AYE, CHAIR NELSON DECLARED THE MOTION CARRIED UNANIMOUSLY.

Commissioner Reynolds asked to reconsider the use of "educating" under the Engagement strategic value. The group discussed the specific initiatives listed in Exhibit D of the agenda.

Commissioner Olawore asked if the Commission had any sort of code of conduct document, and if not, he would like the group to work on developing one. Members discussed past instances of disagreeing with points of view, but the work was always finished in a respectful way. Commissioner Olawore asked that for the benefit of new members, some sort of code of conduct or technical guide be created to better onboard new members to the group's processes.

MOTION by Commissioner Starck to approve the draft mission statement found in Exhibit B of the agenda. Seconded by Commissioner Karnopp.

UPON A ROLL CALL VOTE, VOTING AYE WERE BRAAM, FINDELL, GABRIEL, GARDNER, GRANROOS, KARNOPP, KRANZ, NELSON, CHAIR NELSON, OLAWORE, SOULE, STARCK, VOTING NAY WAS REYNOLDS, CHAIR NELSON DECLARED THE MOTION CARRIED.

The Commission asked staff to begin coordinating a joint meeting with the City Council.

MOTION by Commissioner Olawore to provide, in writing, the approved mission statement to the Commission at least two weeks prior to the September meeting for consideration to amend the Bylaws. Seconded by Commissioner Starck.

UPON A ROLL CALL VOTE, VOTING AYE WERE BRAAM, FINDELL, GABRIEL, GARDNER, GRANROOS, KARNOPP, KRANZ, NELSON, CHAIR NELSON, OLAWORE, SOULE, STARCK, VOTING NAY WAS REYNOLDS, CHAIR NELSON DECLARED THE MOTION CARRIED.

FUTURE MEETING TOPICS/COMMUNICATIONS

Future meeting topic items requested by commissioners:
- Chapter No. 4: Nominations and Elections
- Chapter No. 5: Initiative, Referendum and Recall
- Chapter No. 7: Taxation and Finances

ADJOURNMENT

MOTION by Commissioner Starck to adjourn the meeting. Seconded by Commissioner Rolstad.

UPON A ROLL CALL VOTE, ALL VOTING AYE, CHAIR NELSON DECLARED THE MOTION CARRIED AND THE MEETING ADJOURNED AT 8:20 P.M.

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Introduction of Beth Kondrick, Deputy City Clerk

Background

On July 25, 2022 the Fridley City Council approved Resolution No. 2022-86, which approved the City Manager's reorganization of the Communications and Engagement Division. Responsibilities for leading that division were given to the City Clerk. The change also allowed the City to recruit for the role of Deputy City Clerk. Recruitment and a round of interviews led the City Manager to offer the position to Beth Kondrick.

Beth has worked for the City for seven years as Administrative Assistant to the Engineering Division. She has extensive knowledge of the City's organization and administration, along with experience writing code language and administering elections. Beth will be responsible for administering the City's business licensing obligations, assisting with agenda management and recodification. She will offer backup coverage to the City Clerk and general support for the Charter Commission.

In her time at Fridley Beth has earned a reputation for service, work ethic and for approaching every conversation from a customer-centric perspective. Her skills in facilitating groups combined with her knowledge of local government will play a vital role in the City Clerk's Office.

Recommendation

None.

Attachments and Other Resources

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Rosenberg's Rules of Order

Background

In 2014 the Fridley City Council approved Resolution No. 2014-17, formally establishing Rosenberg's Rules of Order (Exhibit A) as the City's parliamentary procedures for public meetings. On May 31 the City offered a training session on Rosenberg's Rules of Order. The course was given by the City Attorney. Members of the City Council and all of the City's advisory commissions were invited to attend.

Such meeting procedures are important because they establish a framework for orderly conduct of meetings and encourage equal participation. Staff encourage all members of the Commission familiarize themselves with Rosenberg's Rules of Order and the presentation provided by the City Attorney (Exhibit B).

Recommendation

None.

Attachments and Other Resources

- Exhibit A: Rosenberg's Rules of Order
- Exhibit B: Presentation Slides from Rachel Tierney, City Attorney

Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and automony of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

About the Author

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words "I move … "

A typical motion might be: "I move that we give a 10-day notice in the future for all our meetings."

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion,** for example, "A motion at this time would be in order."
2. **Suggesting a motion to the members of the body,** "A motion would be in order that we give a 10-day notice in the future for all our meetings."
3. **Making the motion.** As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed,* the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold." The motion can contain a specific time in which the item can come back to the body. "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, "I move the previous question" or "I move the question" or "I call the question" or sometimes someone simply shouts out "question." As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a "request" rather than as a formal motion. The chair can simply inquire of the body, "any further discussion?" If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the "question" as a formal motion, and proceed to it.

When a member of the body makes such a motion ("I move the previous question"), the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item.* This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," or "I move the question," or "I call the question," or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it's pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the "no" votes and double that count to determine how many "yes" votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote "no" then the "yes" vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote "abstain" or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of "those present" then you treat abstentions one way. However, if the rules of the body say that you count the votes of those "present and voting," then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are "present and voting."

Accordingly, under the "present and voting" system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are "present"), but you treat the abstention votes on the motion as if they did not exist (they are not "voting"). On the other hand, if the rules of the body specifically say that you count votes of those "present" then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like "no" votes.

How does this work in practice? Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are "present and voting." If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three "yes," one "no" and one "abstain" also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members "present." Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a "no" vote. Accordingly, if the votes were three "yes," one "no" and one "abstain," then the motion fails. The abstention in this case is treated like a "no" vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an "abstention" vote? Any time a member votes "abstain" or says, "I abstain," that is an abstention. However, if a member votes "present" that is also treated as an abstention (the member is essentially saying, "Count me for purposes of a quorum, but my vote on the issue is abstain.") In fact, any manifestation of intention not to vote either "yes" or "no" on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote "absent" or "count me as absent?" Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually "absent." That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

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Rosenberg's Rules of Order

Rachel G. Tierney
Kennedy and Graven, Chartered
rtierney@kennedy-graven.com
612-337-9234

Why have rules of order?

Establish	Establish a framework for the orderly conduct of meetings.
Encourage	Encourage participation.
Enforce	Enforce the will of the majority, while protecting the rights of the minority.

The Chair is in charge!

Mayor

Chair of Planning Commission

Board Chair

- Leads the meetings
- Applies the rules at all meetings
- All decisions are final (unless overruled by body)
- Decides whether a motion is an "amendment" or a "substitute"
- Determines how long to take a recess
- It's nice to....
  - Speak last
  - Let others make and second motions

Establishing & Keeping A Quorum

A quorum is one more than half the body.

3 Council Members	4 Planning Commission Members

Business can only be conducted with a quorum, but fewer can adjourn.

Agenda & Discussion

Chair's Role

1. Announce agenda item and subject
2. Invite a report (e.g. staff report)
3. Invite questions or clarification from members
4. Invite (<u>and lead/control</u>) public comment
5. Invite a motion from the members
6. Invite second
7. Restate motion (make a clear record)
8. Ask for a vote
9. Announce the result

MOTIONS

3 Basic Motions

1. Basic Motion: puts forward a decision for the body
    - I move to create a committee to discuss building a pool.
2. Motion to Amend: modifies the basic motion
    - I move to amend that the pool be downtown.
3. Substitute Motion– does away with the basic motion, and puts a new motion before the body
    - I move that we build a playground instead.

Motions That Require A Simple Majority

- Adjourn (or fix time to adjourn)– ends the meeting
- Recess – take a break, chair decides for how long.
- Table – come back to this matter, either certain time or open ended
- Appeal – challenge a ruling of the Chair
- Reconsider
  - Made by member who voted in majority
  - At hearing where original vote was taken (unless rules are suspended)
  - Places the original matter before the body as if prior vote never happened

Motions That Require A 2/3 Majority

- Call the question (limit debate) – stop talking and vote
- Close nominations – for officers of body
- Object to the consideration of a question
- Suspend the rules

Motions that DON'T get discussion

Simple Majority and no discussion:

- Adjourn (or fix time to adjourn)– ends the meeting
- Recess – take a break, chair decides for how long.
- Table – come back to this matter, either certain time or open ended

2/3 Majority and no discussion:

- Call the question (limit debate) – stop talking and vote

What about multiple motions?

No more than three at a time.

Take them backwards.

Take the last one first.

Second, is . . . second.

First is third.

How to count votes: count all that are PRESENT and VOTING *

Absent/ abstain:	Zero	One	Two	Three	Four
Council: Simple Majority	3	3	2	Lack of Quorum	Lack of Quorum
Council: 2/3 Majority	4	3	2	Lack of Quorum	Lack of Quorum
Planning Commission: Simple Majority	4	4	3	3	Lack of Quorum
Planning Commission: 2/3 Majority	4	4	3	3	Lack of Quorum

When is it okay to interrupt?

Only in the following circumstances:

1. Point of privilege: manage an issue that is interfering with the meeting (does not require a second).
   - It's cold in here, or it's too loud outside and I can't hear.
2. Point of order: an action was just taken that violates these rules (does not require a second).
   - We voted but there was not second, or that was the 4th motion without a vote.
3. Appeal: Disagree with a ruling of the chair.
4. Call for the "orders of the day": get back on topic (does not require a second).
5. Withdraw motion: can only be made by the maker of the motion.

NOW YOU CAN INTERRUPT ME... QUESTIONS?

Contact info:

ssonsalla@kennedy-graven.com

rtierney@kennedy-graven.com

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Resignation of Bruce Nelson

Background

Chair Nelson has submitted his resignation from the Charter Commission (attached).

Recommendation

Staff recommend a motion to accept the resignation of Commissioner Nelson. Staff recommend the Commission direct staff to advertise an opening on the Commission and call for applications.

Attachments and Other Resources

- Bruce Nelson resignation letter

From: Moore, Melissa
To: Moore, Melissa
Subject: Bruce Nelson Resignation
Date: Friday, September 09, 2022 2:37:20 PM
Attachments: text_0.txt

Dear Melissa, after a great deal of thought I've decided to resign from the Charter Commission. Over time I began to grow tired of the negative remarks and feelings being expressed in our meetings. At first I thought this negativity would just come and go, but it stayed . We have a good group of people but most of them don't ever speak up because of this negativity. I no longer want to be a part of this negativity. Melissa you do a wonderful job representing the city and attending the meetings . Keep up the great work and I hope the vibe will get more positive, where it belongs . Sincerely, Bruce Nelson

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

2022 Annual Report

Background

Pursuant to Minnesota Statute § 410.05 Subd. 2, "the Commission shall submit to the Chief Judge of the District Court, on or before December 31 of each year, an annual report outlining its activities and accomplishments for the preceding calendar year." Attached is a draft letter outlining work done in 2022 by the Charter Commission.

Recommendation

Staff recommend the Commission review the Annual Report, provide any direction on revisions, and make a motion to approve.

Attachments and Other Resources

- 2022 Annual Report

Fridley Civic Campus

October 3, 2022

Honorable Stoney Hiljus
Tenth Judicial District
Kanabec County Courthouse
18 North Vine Street, Suite 318
Mora, MN 55051

Re: Fridley Charter Commission 2022 Annual Report

Dear Honorable Judge Hiljus,

Pursuant to Minnesota Statute § 410.05 Subd. 2, please accept this 2022 Annual Report of the Fridley Charter Commission (Commission).

The Commission met on the following dates in 2022: January 10, February 7, March 7, April 4, May 2, and October 3.

At its Annual Meeting the Commission held its election of officers and selected the following members to serve as its officers: Bruce Nelson as Chair, Rick Nelson as Vice Chair and Oluwaseyi Olawore as Secretary.

In 2022 the Commission:

- Conducted interviews and recommended Commissioners Ibsen Gabriel and Greg Gardner for appointment to the Commission;
- Participated in parliamentary procedures training on Rosenberg's Rules of Order;
- Performed a detailed analysis of the Commission's Bylaws; and
- Focused its work on engaging in a Strengths, Opportunities, Aspirations, and Results (SOAR) activity to craft an updated mission statement and discover several strategic values.

If you have any questions or comments, please contact me.

Respectfully submitted,

Melissa Moore

Melissa Moore
Staff Liaison, Fridley Charter Commission
City Clerk/Communications Manager
763-572-3523, melissa.moore@fridleymn.gov

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

2023 Charter Commission Meeting Dates

Background

Vice Chair Nelson requested staff prepare a calendar to discuss meeting dates of the Commission for 2023 (Exhibit A). At its September 26, 2022 meeting, the Fridley City Council (Council) will discuss and approve its 2023 calendar (Exhibit B).

Staff request the Commission does not meet on evenings the Council meets. The City Clerk is often required at Council meetings and Council conference meetings.

Recommendation

Staff recommend the Commission discuss meeting dates for next year and approve a motion to set meeting dates for 2023.

Attachments and Other Resources

- Exhibit A: 2023 calendar
- Exhibit B: City Council meeting schedule for 2023

City of Fridley
Friendly, Responsive & Driven

2023

Charter Commission Meetings

Meetings held at 7:00 pm
Fridley Civic Campus
7071 University Avenue N.E.

Melissa Moore, City Clerk
763-572-3526
melissa.moore@fridleymn.gov

To ensure a quorum, please notify Melissa by 10 am on the meeting date.

No meetings will be held in June, July, August, November, or December unless called by the Chair.

JANUARY

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City of Fridley Calendar **DRAFT**

2023

JANUARY

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OCTOBER

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IMPORTANT DATES

January
- 2 ***New Year's Day (Obs.)***
- 9 Conference Meeting
  City Council Meeting
- 16 ***Martin Luther King Jr. Day***
- 23 Conference Meeting
  City Council Meeting

February
- 13 Conference Meeting
  City Council Meeting
- 20 ***Presidents' Day***
- 27 Conference Meeting
  City Council Meeting

March
- 13 Conference Meeting
  City Council Meeting
- 27 Conference Meeting
  City Council Meeting

April
- 10 Conference Meeting
  City Council Meeting
- 17 Comm. App. Dinner
- 22 Town Hall Meeting
- 24 Conference Meeting
  City Council Meeting

May
- 8 Conference Meeting
  City Council Meeting
- 22 Conference Meeting
  City Council Meeting
- 29 ***Memorial Day***

June
- 12 Conference Meeting
  City Council Meeting
- 26 Conference Meeting
  City Council Meeting

July
- 3 ***City Holiday***
- 4 ***Independence Day***
- 10 Conference Meeting
  City Council Meeting
- 24 Conference Meeting
  City Council Meeting

August
- 14 Conference Meeting
  City Council Meetng
- 28 Conference Meeting
  City Council Meeting

September
- 4 ***Labor Day***
- 11 Conference Meeting
  City Council Meeting
- 22 Emp. App. Breakfast
- 25 Conference Meeting
  City Council Meeting

October
- 9 Conference Meeting
  City Council Meeting
- 23 Conference Meeting
  City Council Meeting

November
- 10 ***Veterans Day (Obs.)***
- 13 Conference Meeting
  City Council Meeting
- 23 ***Thanksgiving***
- 24 ***City Holiday***
- 27 Conference Meeting
  City Council Meeting

December
- 7 Annual Meeting
- 11 Conference Meeting
  City Council Meeting
- 18 City Council Meeting
- 25 ***Christmas***

X - Holiday ○ - City Council Meeting □ - Council Conference Meeting △ - Other Meeting

One floating holiday in addition to 11 holidays.

9/22/2022

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Mission Statement and Strategic Values

Background

On March 1 and May 3, 2021 the Fridley Charter Commission (Commission) agreed on the need to conduct work planning sessions to evaluate and plan the direction of its work that may result in an amended mission statement and corresponding strategic values. At its March, April, and May meetings, the Commission participated in a Strengths, Opportunities, Aspirations and Results (SOAR) Activity. That work, subsequent debate, and approval allowed the Commission to reach agreement on an amended mission statement:

> The Fridley Charter Commission's mission is to collaboratively evaluate and propose changes to the City Charter that reflect the importance of the City Charter, to enable effective government operations and reflects the values of the residents of Fridley.

At the May meeting Commissioner Olawore made a motion to direct staff to incorporate this updated mission statement into the Bylaws and provide them to the Commission for consideration at this meeting. Staff regret they did not satisfy this directive in time for the Commission to vote on officially adding the new mission statement to the Bylaws this evening. Section nine of the Bylaws requires any amendment of the Bylaws be provided in writing at least two weeks prior to a vote. In the Commission's next agenda item (Bylaw review), staff anticipate the Commission will revise the Bylaws and direct staff to put those changes into writing. After tonight's meeting staff will email the revised Bylaws document to the Commission, which will satisfy the two week requirement in time for the Commission to vote on the Bylaw amendment at its October meeting.

Also at the May meeting the Commission made slight revisions to its Strategic Values document (attached). These values are meant to serve as a guide for the Commission to fulfill its mission. If the Chair wishes, they may form committees to begin working on any of the ideas provided in the right column.

Recommendation

Staff recommend the Commission consider the Strategic Values document and make a motion to integrate those values into its Bylaws.

Attachments and Other Resources

- Strategic Values document

Fridley Charter Commission Strategic Values

Strategic Value	Attained Through	Specific Initiative(s)
Collaboration	1. Active communication with the City Council. 2. Respecting differing opinions on matters and working to find consensus. 3. Continuous refinement and improvements to the Charter to ensure it is a document which best serves the residents and City government.	1. Schedule annual Conference Meeting check-in with the City Council. 2. Commission work planning session to forecast and plan what chapters of the Charter the group would like to work on.
Stewardship	1. Maintaining responsibility for the applicability and efficacy of the Charter. 2. Ensuring the directives of the Charter reflect the will of Fridley residents.	1. Schedule annual training opportunity for the Commission, setting specific topics to be addressed. 2. Schedule annual review of the Commission's Bylaws, mission statement, and strategic values. Set any new specific initiatives.
Engagement	1. Educating the residents of Fridley on the role of the City Charter and Charter Commission. 2. Participating in community events to listen and learn how residents feel about certain issues. 3. When Commission openings occur, actively recruit new voices that reflect the changing demographics of Fridley.	1. Schedule annual proclamation by the City Council regarding the role and importance of the City Charter, and the responsibilities of the Charter Commission. 2. Review the City's website regarding the Commission's roles and responsibilities. Provide suggested revisions. 3. Amend Bylaws to include "Resident Feedback" section to Commission agendas. 4. Forecast and plan future engagement opportunities.

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Review of Bylaws

Background

At its May meeting the Commission approved a motion to review its Bylaws. Pursuant to section nine of the Bylaws (attached), any revision to the document requires the written amendment be provided to the Commission at least two weeks prior to a vote. If the Commission reaches a consensus on revisions, staff will email a revised version of the Bylaws to the Commission no more than one week after this evening's meeting.

At its October 5, 2020 meeting the Commission discussed changes to the Bylaws concerning secret votes in contested elections. Removing this portion of the sentence was included in the Bylaws draft included in the Commission's October 5, 2020 agenda, and was approved by the Commission on October 5. However, the Commission did not receive the Bylaws draft at least two weeks prior to the vote on October 5. For that reason, staff put the portion of the sentence back in this working draft. Staff recommend the Commission remove this portion of the sentence for the same reason stated above.

In 2020 the City Clerk's Office began the process of branding all of the City's written documents into one consistent style. The rationale for this initiative was to make the City's communications more accessible to the public – easy to read (more "common" language), easy to navigate (it is easy for the reader to find what they are looking for), and clearer (all of the City's written documents look/sound consistent). This initiative began with an overhaul to the City's public agendas, is one of the motivating factors of the City's recodification project, and continues to be used in other areas staff are working on to make functions of local government more accessible. Considering these efforts, staff recommend the Bylaws be put into the City's common style for written documents. This change would only be for formatting purposes (font, margins, list style, etc.).

Recommendation

Staff recommend a review of the Bylaws. Staff recommend a motion to put the Bylaws into the City's new style format for written documents and request a legal review from the City Attorney.

Attachments and Other Resources

- Approved Bylaws from October 5, 2020

FRIDLEY HOME RULE CHARTER COMMISSION
BY-LAWS
Approved October 5, 2020

I. NAME -- the name of the organization shall be the Fridley Home Rule Charter Commission.

II. PURPOSE -- the purpose of this organization shall be to frame and amend the Charter to meet the needs of the residents of Fridley.

III. MEETINGS

A. Commission meetings will be held in the Fridley Municipal Center; or a designated public location upon proper notice.

B. The annual meeting shall be held in March of each year. The election of officers shall take place at the annual meeting.

C. Special meetings may be called by the chair. In addition, the Chair shall call a special meeting within ten (10) days upon receipt of a written request signed by at least five (5) members. Such special meeting shall require proper notice to the commissioners and the public.

D. A quorum to conduct business shall be determined according to the following schedule:

Number of Appointed Charter Commission Members	Quorum
15, 14, 13	7
12 or 11	6
10 or fewer	5

E. Except as provided in these by-laws, all meetings shall be governed in accordance with Rosenberg's Rules of Order Newly Revised 2011.

F. The time of the meeting shall be called by the chair. If there is not a quorum within ten minutes after the meeting time is to commence, the members shall be dismissed. However, if the chair felt there was important business to be addressed, the chair would have the discretion to ask members to stay longer, but may not exceed an additional ten minutes past the specified time.

IV. MEMBERSHIP -- The membership of this organization shall be 15 members.

A. All members shall be expected to attend all meetings. If unable to attend, the member shall inform either the chair or the secretary as to the reason.

B. Any member missing three (3) consecutive meetings without an adequate excuse, or failing to perform the duties of the office shall be subject to a discharge from the Commission upon a written request to the Court, supported by two-thirds (2/3) of the Commission members present and voting.

V. OFFICERS

A. Election of Officers.

1. The officers of this organization shall be a Chair, Vice Chair and a Secretary.

2. The Chair, Vice Chair and Secretary shall be elected from the membership of the Commission.

3. The Chair, Vice Chair and Secretary shall be elected at the annual meeting. No officer shall serve more than two consecutive terms in the same office.

4. All officers shall begin their terms of office upon election to that office.

5. Election to vacant offices shall be made from the floor at the next meeting following the meeting at which the vacancy is declared.

6. Officers of this organization shall be declared duly elected by a simple majority vote of those present and voting. Any contested race for an office shall be done by a written ballot. The acting chair will ask for a teller committee of two (2) to count the ballots.

B. Duties of Officers and City Staff Liaison.

1. The Chair shall have the following responsibilities:
   a. to call all regular and special meetings;
   b. preside at all meetings;
   c. set the agenda;
   d. implement the decisions of this Commission; and
   e. participate in all Commission decisions as a voting member.

2. The Vice Chair shall assist the chair in the performance of these duties. In the event the Chair is unable to perform these duties, the Vice Chair shall discharge such duties.

3. The Secretary shall be responsible for:
   a. keeping an accurate record of attendance;
   b. recording of minutes at all meetings;
   c. distributing minutes to members within a reasonable time;
   d. giving notice to members who have missed two (2) consecutive meetings pursuant to Article IV, Section B, of the By-Laws;
   e. transmitting all correspondence and related resource material concerning

this Commission to the City Clerk for retention; and

f. presiding at meetings in the absence of the Chair and Vice Chair.

4. The city staff liaison shall be designated by the City Clerk and serve as a recording secretary at all meetings of the Charter Commission. The liaison, with the direction of the Secretary, will have the following responsibilities:
   a. serve in an advisory capacity at all meetings as a non-voting member;
   b. assist the Commission by providing research information as requested by Officers;
   c. accurately record attendance and minutes of all meetings;
   d. distribute minutes and notices of upcoming meetings with proposed agenda in a timely manner;
   e. prepare proposed Charter changes for submission to the City Council; and
   f. retain records of Commission proceedings as required by Minnesota state law.

VI. COMMITTEES

A. The Chair shall have the power to create committees, appoint members and designate chairs of those committees.

B. In January of each year the Chair shall appoint a nominating committee of three (3) or more members who shall report the nomination of one (1) or more candidates for each office. A written report of such nominations shall be transmitted electronically or by mail to each member at least ten (10) days before the annual meeting.

VII. VOTING

A. A majority vote of members present shall be sufficient to pass motions and resolutions except as provided elsewhere.

B. There shall be no secret votes, other than contested election(s) of officers.

VIII. ORDER OF BUSINESS

1. Call to Order by the Chair.
2. Roll Call.
3. Approval of Agenda
4. Approval of Minutes.
5. Administrative Matters.
6. Old Business.
7. New Business.
8. Future Meeting Topics.

9. Adjournment.

IX. AMENDMENT

A. These by-laws can be amended at any regular meeting of the Commission by a two-thirds (2/3) vote of those present, provided that the amendment has been submitted in writing electronically or by mail to the members at least two (2) weeks before the vote on the amendment.

AGENDA REPORT

Meeting Date: October 3, 2022 **Meeting Type:** Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Future Meeting Topics

Background

Future meeting topic items requested by commissioners:

- Chapter No. 4: Nominations and Elections
- Chapter No. 5: Initiative, Referendum and Recall
- Chapter No. 7: Taxation and Finances.

Recommendation

None.

Attachments and Other Resources