

AGENDA

1. CALL TO ORDER AND ROLL CALL: Groehler, Mueller, Scanlan, Allen, Bergman, Meehan, Berg, Hansen, Nailson, Leslie
2. CONSIDERATION OF MINUTES
 - A. Approve Charter Commission meeting minutes from June 6, 2024
 - B. Approve Charter Commission meeting minutes from August 15, 2024
3. ORGANIZATIONAL BUSINESS AND CORRESPONDENCE
 - A. Election of Officers
 - B. Appointment of Recording Secretary
 - C. Review By-Laws
4. CONSENT BUSINESS
 - A. None
5. HEARINGS AND RESOLUTIONS
 - A. None
6. OTHER BUSINESS
 - A. Review the Human Rights Commission amendment to Section 1.04 Equity.
 - B. Review Current City Charter
7. AGENDA FOR NEXT MEETING
 - A. Set Next Meeting Date
8. ADJOURNMENT

ROBBINSDALE CHARTER COMMISSION

Thursday, June 6, 2024

7:00 P.M.

6th Corner Meeting Room
City Hall
4100 Lakeview Ave. N

Meeting Minutes

1. Meeting called to order at 7:01 p.m. by Bergman.

2. Roll Call

Present: Mueller, Scanlan, Allen, Bergman, Meehan, Hansen, Nailon, Leslie

Absent: Groehler, Molt, Berg

3. Review/Discussion of Minutes

- Hansen Moved, seconded by Meehan to approve the Minutes from the April 4, 2024, meeting minutes.
- The vote was unanimous and the motion passed.

4. Organization Business and Correspondence

- Allen asked about quorum definitions.
- It was noted that quorum is 50 percent of members, plus one, based on the number of members on the commission.

5. Consent Business

- None

6. Hearings and Resolutions

- None

7. New Business

A. Review of City Charter

- None.

B. Review attorney recommended Charter Updates

❖ Section 2.07 Vacancies in the Council

- City Attorney Tietjen provided an overview of her potential recommendations, noting Vacancies in the Council was an important item for discussion and that she included a few different proposals.
- The commission agreed they prefer the vacancy be appointed by the Council.
- Hansen noted the proposed language might be confusing and noted the version he submitted in the packet.

- Scanlan Moved, seconded by Meehan to adopt the proposed language from member Hansen.
- City Attorney Tietjen asked where Hansen’s proposal is intended to fit in the section.
- Hansen stated his proposal would replace Section 2.07 Vacancies in the Council entirely.
- City Attorney Tietjen detailed her 2 proposals in more depth.
- Bergman noted he would prefer the second proposal recommended by Attorney Tietjen.
- Hansen asked if the conditions of vacancy could be bulleted.
- Allen asked Attorney Tietjen to summarize the key differences between the proposals. Tietjen noted the differences.
- The members noted which proposals they preferred.
- Allen asked about the timeline of vacancies and wanted to make sure there would be minimal time without representation. The commission agreed.
- Scanlan Moved, seconded by Leslie to call the question. The vote was unanimous and the motion carried.
- A roll call was taken for the motion to adopt the proposed language from member Hansen.
- Ayes: Mueller, Meehan, Hansen, Nailon.
- Nays: Scanlan, Allen, Bergman, Leslie
- The motion failed.
- Leslie Moved, seconded by Scanlan to adopt proposed language 1 from Attorney Tietjen with the conditions of vacancy bulleted.
- Hansen asked about appointment until a special election or the next regularly scheduled election, noting his preference would be for the next regularly scheduled election.
- The commission agreed and wanted the language to reflect that an election to fill a vacancy would happen at the next regularly scheduled election.
- Leslie amended his motion to include language to remove “special election” and reference to it in this section. The new section would be as follows:

A vacancy occurs if:

- a) an elected official dies;
- b) is convicted of a felony;
- c) is in violation of the official oath;
- d) resigns;
- e) ceases to maintain a legal residence in the City;
- f) fails to qualify for office;
- g) fails, without good cause, to perform any of the duties of their office for a period of three months.

In the case of a Council member voluntarily resigning their position, the resignation will be accepted at the next Council meeting following the Council Member’s declaration of their intent to resign. In the case of a vacancy, the Council will, by Resolution, declare such a vacancy to exist and will appoint an eligible person to fill the same within 30 days of the passage of the Resolution.

If the vacancy occurs before the first day to file affidavits of candidacy for the next regular City election and more than two years remain in the unexpired term, an election will be held at the

next regular City election and the appointed person will serve until the qualification of a successor is elected.

If the vacancy occurs on or after the first day to file affidavits of candidacy for the regular City election or when less than two years remain in the unexpired term the appointed person will serve until the qualification of a successor. A person appointed to fill a vacant position can file an affidavit of candidacy to seek election to the position.

- A roll call was taken.
 - Ayes: Mueller, Scanlan, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
 - Nays: None.
 - The vote was unanimous and the motion carried.
- ❖ Section 3.06 Emergency Ordinances
- Bergman Moved, seconded by Leslie to make the changes recommended by Attorney Tietjen as proposed in the agenda packet.
 - The commission discussed what constitutes an emergency and agreed to the proposed language.
 - A roll call was taken.
 - Ayes: Mueller, Scanlan, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
 - Nays: None.
 - The vote was unanimous and the motion carried.
- ❖ Section 5.13 Recall
- Bergman noted options from Attorney Tietjen and member Hansen.
 - Scanlan Moved, seconded by Meehan to adopt the proposed language from Attorney Tietjen in the agenda packet but to create a bulleted list for the reasons a city official may be subject to a recall.
 - A roll call was taken.
 - Ayes: Mueller, Scanlan, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
 - Nays: None.
 - The vote was unanimous and the motion carried.
- ❖ Section 5.15 Filing of Petition
- Leslie Moved, seconded by Allen to approve the changes proposed by City Attorney Tietjen.
 - Hansen provided an overview of his potential amendments to this section as shown in the agenda packet.
 - The commission discussed the required signatures needed for filing a petition and as a general consensus thought 40 percent was high.
 - Member Hansen noted he would like to include business days in the proposal from Attorney Tietjen's proposal.
 - Leslie amended his motion to include "business days" in the proposed language. Allen seconded the amendment.
 - A roll call was taken.
 - Ayes: Mueller, Scanlan, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
 - Nays: None.
 - The vote was unanimous and the motion carried.

C. Discuss Member Hansen's proposal.

❖ Section 1.04 Plain Language.

- Hansen Moved, seconded by Scanlan to adopt Section 1.04 Plain Language.
- Hansen provided an overview of his proposal and his reasoning for wanting to include it in the Charter.
- The commission noted they would already be held to the standards of the Plain Writing Act and weren't sure this is necessary to include in the Charter. It was also noted other agencies may have language that cannot be changed to what might be considered plain language.
- Leslie noted his concern over implementation and resources that would be needed.
- Attorney Tietjen noted adding this to the Charter would mandate this and questioned if the Charter was the appropriate place for this.
- Leslie Moved, seconded by Muller to call the question. The vote was unanimous and the motion carried.
- A roll call was taken.
- Ayes: Hansen.
- Nays: Mueller, Scanlan, Allen, Bergman, Meehan, Nailon, Leslie
- The motion failed.

❖ Section 1.05 Equity.

- This item was tabled.

❖ Section 2.10 Investigation of City Affairs.

- Hansen Moved, seconded by Nailon to amend section 2.10.
- Member Hansen provided an overview noted these additions are to add clarity to the Section.
- Nailon noted he appreciated the clarity.
- Leslie questioned the final sentence proposal and asked about information that cannot be made to the public.
- The commission continued discussion and determined they would appreciate the City Attorney reviewing this further.

Mueller left the meeting at 9:12 p.m.

- Member Hansen withdrew his motion.
- Leslie Moved, seconded by Allen to have City Attorney Tietjen review the proposal further.
- A roll call was taken.
- Ayes: Scanlan, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
- Nays: None
- The vote was unanimous and the motion carried.

Leslie left the meeting at 9:17 p.m.

Nailon Moved, seconded by Meehan to allow the city attorney to further review the rest of the proposed items from Member Hansen.

A roll call was taken.

Ayes: Scanlan, Allen, Bergman, Meehan, Hansen, Nailon

Nays: None.

The vote was unanimous and the motion carried.

8. Old Business A – Outreach efforts to the community

- None

9. Agenda for Next Meeting – Set Next Meeting Date

- Allen Moved, seconded by Hansen to set the next meeting for August 15, 2024, at 7 p.m. The vote was unanimous and the motion carried.

10. Adjournment

- Allen Moved, seconded by Scanlan to adjourn the meeting at 9:22 p.m. The vote was unanimous and the motion carried.

Chase Peterson-Emem, City Clerk

Larrin Bergman, President

ROBBINSDALE CHARTER COMMISSION

Thursday, August 15, 2024

7:00 P.M.

6th Corner Meeting Room
City Hall
4100 Lakeview Ave. N

Meeting Minutes

1. Meeting called to order at 7:02 p.m. by Bergman.

2. Roll Call

Present: Groehler, Mueller, Allen, Bergman, Meehan, Hansen, Nailon, Leslie

Absent: Scanlan, Molt, Berg

3. Review and Discussion of Minutes

- None

4. Organization Business and Correspondence

- None

5. Consent Business

- None

6. Hearings and Resolutions

- None

7. New Business

A. Vote on updated language to Section 5.13 Recall.

- Peterson-Etem provided an overview and noted the City Council would be voting on this item next Tuesday, but we wanted to provide the Charter Commission with an opportunity for input.
- City Attorney Tietjen noted the Minnesota Supreme Court issued an opinion on petition to recall and suggested the same language be used in this section.
- Muller Moved, seconded by Groehler to accept the proposed language.
- Groehler noted public trust was struck from the language and appreciated that as it is vague and like that there are definitions. She asked if removing this would alter possible changes in future amendments.
- Bergman stated this vote would only be for this item, but that can be addressed.
- Meehan asked about the requirements for being a Council member.
- Leslie noted the requirements.
- City Attorney Tietjen noted this is specifically for a recall petition and that it has to affect the performance of official duties rather than conduct as a private individual.

- The commission discussed communication preparedness for potential unplanned situations.
- A roll call was taken:
- Ayes: Groehler, Mueller, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
- Nays: None
- The vote was unanimous and the motion carried.

B. Review Member Hansen’s proposals.

❖ Addition of Equity Section

- Hansen provided an overview of the item, noting this language has support from the Human Rights Commission.
- Groehler asked if the charter is the correct place to be enshrining this language.
- Leslie questioned who would be doing this work and how it’s audited and thought it would be good as an updated mission or vision statement. He indicated he was unsure the charter was the appropriate place for this language as well.
- Bergman asked if other cities have this language in their charters.
- City Attorney Tietjen noted she has not seen this in other charters.
- Meehan noted he likes the original language provided by Hansen.
- Hansen stated he would be okay moving forward with the first paragraph of the original language.
- The commission noted they like the additional but continued to question enforcement.
- Leslie asked if the commission would consider removing “and consider the impact of city ordinances and regulations.”
- Allen Moved, seconded by Leslie to approve the first paragraph of Hansens’ original proposal, striking through ~~“and consider the impact of city ordinances and regulations.”~~ To now read, “The City shall strive to improve equity for historically marginalized groups and people in the protected classes of: race, religion, disability, national origin, sex, marital status, familial status, age, sexual orientation, and gender identity.”
- The commission agreed to ask this be brought directly to a Council meeting for approval.
- A roll call was taken.
- Ayes: Groehler, Mueller, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
- Nays: None
- The vote was unanimous and the motion carried.

❖ Edits to Section 2.10 Investigation of City Affairs.

- City Attorney Tietjen noted her possible recommendations in the agenda packet.
- Groehler noted breach of public trust and stated that it is subjective and asked if the same language used the Section 5.13 Recall could be adopted for this section.
- City Attorney Tietjen noted a possible adjustment to her recommendation to remove the term breach of public trust.
- Hansen noted he liked the changes recommended by Tietjen.
- Groehler asked about the word practicable and if that was correct.
- It was the consensus of the commission to use the word possible, instead of practicable.
- Nailon Moved, seconded by Mueller to approve the edits from member Hansen, and to also include the edits from City Attorney Tietjen, but removing “breached the public trust,” and replacing with “committed malfeasance or nonfeasance,” and replacing “practicable” with “possible.” Changes will show as follows:

Section 2.10. Investigation of City Affairs. The power to make investigations into the City's affairs, to subpoena witnesses, administer oaths, and compel the production of records and data is available to:

- a) The Council
- b) The City Manager
- c) Any officer(s) formally authorized by either the Council or the City Manager

The Council shall provide for an audit of the City's accounts at least once a year by the state department in charge of such work or by a certified public accountant. The Council may at any time require an examination or audit of the accounts of any officer or department of the city government and it may require a survey or research study of any subject of municipal concern.

If, as the result of an investigation, the City Council finds evidence that an elected official has committed malfeasance or nonfeasance, the Council will direct that any public data be made available as soon as reasonably possible.

- A roll call was taken.
 - Ayes: Groehler, Mueller, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
 - Nays: None.
 - The vote was unanimous and the motion carried.
- ❖ Edits to Section 5.04 Form of Petition and of Signature Papers.
- Bergman noted he wasn't sure about number 2, from the persons signing this petition list.
 - Groehler noted it is a bit redundant when looking at the first sentence of the section.
 - The commission agreed to remove number 2 and 3 from the persons signing list.
 - The commission also agreed to remove "first, middle, and last name" to "full legal name."
 - Allen Moved, seconded by Hansen to approve the changes as noted by member Hansen, but to remove item 2 and 3 from the persons signing list and change "first, middle, and last name" to "full legal name."
 - A roll call was taken.
 - Ayes: Groehler, Mueller, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
 - Nays: None.
 - The vote was unanimous and the motion carried.
- ❖ Edits to Section 5.05 Filing of Petitions and Action Thereon.
- The commission discussed these changes and unanimously decided to take no action on section 5.05
- ❖ Edits to Section 5.14 Recall Petitions
- Hansen stated he would alter the language in persons signing to match the language approved in Section 5.04 Form of Petition and of Signature Papers.
 - Groehler noted City Attorney Tietjen's note about the need for listing the reasons for the recall again and agreed that it seems unnecessary.
 - The commission agreed to strike the definition of recall as it's already listed in the charter.
 - The commission also agreed to the persons signing language as listed in Section 5.04.

- Groehler Moved, seconded by Allen to approve the changes as noted by member Hansen, but to remove the reasons for recall, remove item 2 and 3 from the persons signing list, and change “first, middle, and last name” to “full legal name.”
 - A roll call was taken.
 - Ayes: Groehler, Mueller, Allen, Bergman, Meehan, Hansen, Nailon, Leslie
 - Nays: None.
 - The vote was unanimous and the motion carried.
- ❖ Edits to Section 6.02 Powers and Duties of the City Manager – Subdivision 5.
 - Leslie proposed leaving the language as is.
 - The commission agreed and no action was taken on this item.
 - ❖ Adding Subdivision 10 to Section 6.02 Powers and Duties of the City Manager.
 - The commission agreed they were not prepared to move forward with this change and no action was taken.

8. Old Business A – Outreach efforts to the community

- None

9. Agenda for Next Meeting – Set Next Meeting Date

- Allen Moved, seconded by Leslie to set the next meeting for April 17, 2025, at 7:00 p.m. The vote was unanimous and the motion carried.

10. Adjournment

- Leslie Moved, seconded by Allen to adjourn the meeting at 8:48 p.m. The vote was unanimous and the motion carried.

Chase Peterson-Emem, City Clerk

Larrin Bergman, President

CITY OF ROBBINSDALE

BY-LAWS

ROBBINSDALE CHARTER COMMISSION

February 22, 1979

Amended: September 26, 1979; April 20, 1987; January 10, 1990; April 23, 1990; February 24, 1994; January 29, 1997; April 26, 1999; April 23, 2002; May 20, 2002; April 28, 2005; April 23, 2009; September 24, 2020; April 22, 2021; April 4, 2024

Section I. Meeting of the Commission

A. Time. The Commission shall hold meetings as deemed necessary by the Commission to fulfill its obligations as required by Minnesota law and by the terms of its bylaws.

B. Place. Unless the Commission designates another place in advance, all meetings of the Commission shall be held at City Hall, and shall be open to the public to the extent of the law.

C. Meetings. In addition to the required annual meeting, the president or any four members of the Commission may call a meeting of the Commission upon notice to all members in accordance with applicable law. Such notice shall be posted in accordance with Minnesota Statutes, except that such notice shall be posted not less than 5 days prior to the proposed meeting date. In addition to posting notice as require by state law, the notice shall also be posted on the City's website as far as practicable.

D. No Smoking. Smoking or use of other tobacco products by Commissioners or other meeting attendees shall not be permitted during Commission meetings.

Section II. Organizational Meeting

The Commission shall hold an organizational meeting each year in April or as soon as practicable thereafter, but no later than August, in order to:

- a) elect a president
- b) elect a vice-president
- c) appoint a recording secretary

Nominations for these offices shall be entertained and considered at the organizational meeting and the meeting prior thereto.

In the event an elected officer submits a resignation during a term of office, a special election will be held after notice at the next Commission meeting to elect a Commission member to complete the resigned officer's term.

Section III. Agenda

The Commission, at each meeting, shall propose an agenda for its next meeting. Additional items may be added to the agenda for a meeting at the discretion of the President or upon request of any four (4) Commissioners at any time.

Section IV. Officers and Duties

A. President. The presiding officer of the Commission shall be the president. The president shall preserve order and decorum at all meetings of the Commission. The president shall state every question coming before the Commission, announce the decision of the Commission on all subjects and decide all questions of order, subject to an appeal to the Commission in which event a majority vote of the Commission shall govern and conclusively determine such questions of order. The president may vote on all questions or resolutions or contracts and shall sign all documents adopted by the Commission when the president was present.

B. Vice President. The vice-president shall assume all duties of the president if the president is absent, unable or unwilling to act.

C. Secretary. The secretary of the Commission shall keep the record of all Commission meetings. Unless two (2) Commissioners request a reading of the minutes, such minutes may be approved without reading if the secretary of the Commission had previously furnished each member with a written copy. The secretary shall prepare and submit to the Chief Judge of the District Court an annual report as required by law (See MSA Sec. 410.05, Subd. 2). The office and duties of the secretary, upon approval by a simple majority of the Commission, may be assumed by a City employee, rather than a member of the Commission.

Synopsis of Debate - When Entered in Minutes. The secretary may at the secretary's discretion or when directed by the presiding officer, enter in the minutes a summary of the discussion on any question coming regularly before the Commission.

Section V. Quorum

A majority of the membership of the Commission shall constitute a quorum at any meeting of the Commission. A small number may adjourn from time to time, provided that, where such adjournment is longer than for 48 hours, notice of the adjourned meeting shall be given to all Commission members. Except as otherwise provided, the vote of a majority of Commissioners present at a meeting at which a quorum is present shall be the act of the Commission.

Section VI. Order of Business

Before proceeding with the business of the commission, the secretary of the Commission shall check the roll of the members and the names of those shall be entered in the minutes.

Promptly at the hour set on the day of each meeting, the business of the Commission shall be taken up for consideration and disposition in the following order:

1. Call to Order
2. Approval of Minutes
3. Organizational Business and Correspondence
4. Consent Business
5. Hearings and Resolutions
6. Other Business
7. Agenda for Next Meeting
8. Adjournment

Section VII. Absences

A. Excused Absences. Commission members unable to attend a Commission meeting shall call the president, secretary or Commission staff prior to the meeting for an excused absence.

Robbinsdale Charter Commission By-laws

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B. Unexcused Absences. The third unexcused absence during one year of a Commissioner shall be deemed a resignation from the Commission, provided that such Commissioner has received, prior to such third unexcused absence, notice of the consequences of such third unexcused absence.

C. Annual Review. The Commission will review attendance records of Commissioners annually.

Section VIII. Rules of Debate

A. Presiding Officer May Vote. The presiding officer shall be entitled to vote on each issue.

B. Recognition -- Improper References to be Avoided. Every member desiring to speak shall address the Chair. Upon recognition by the presiding officer, the member shall be limited to the question under debate, and avoid all personalities and indecorous language.

C. Interruptions. A member, once recognized, shall not be interrupted when speaking unless to call the member to order or to vote on a motion to close a debate, or as herein otherwise provided. If a member, while speaking, were called to order, the member shall cease speaking until the question of order is determined and if in order, the member shall be permitted to proceed.

D. Remarks of Commission Member -- When Entered in Minutes. A Commissioner may request, through the presiding officer, the privilege of having an abstract of a statement of any subject under consideration by the Commission entered in the minutes.

E. Members May File Protests Against Commission Action. Any member shall have the right to have the reasons for the member's dissent from, or protest against, any action of the Commission entered in the minutes.

Section IX. Public Presentation to the Commission

Any person desiring to address the Commission shall first secure the permission of the presiding officer.

A. Written Communications. Interested parties or their authorized representatives may address the Commission by written communications.

B. Oral Communications. Interested parties or their authorized representatives may address the Commission by oral communications on any matter concerning the Commission's business, or any matter over which the commission has control; provided the preference shall be given to those persons who have notified the presiding officer in advance of their desire to speak in order that they may appear on the agenda.

C. Reading of Protests, etc.. Interested persons or their authorized representatives may address the Commission by reading of protests, petitions or communications relating to matters then under consideration as provided in Paragraph B above.

D. Addressing the Commission -- Time Limit. A person other than a Commissioner addressing the Commission, upon permission of the presiding officer, shall step forward, shall give his or her name and address in an audible tone of voice for the records, and unless further time is granted by the Commission, shall limit the address to three (3) minutes or such other period as the Commission shall establish by majority vote. All remarks shall be addressed to the Commission as a body and not to any member thereof. 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 presiding officer.

Section X. Special Committees

The presiding officer shall appoint all special Commission committees, unless otherwise directed by the Commission.

Section XI. Reports and Resolutions to be Filed with Secretary

All reports and resolution shall be filed with the secretary of the Commission and entered with the minutes.

Section XII. Waiver and Amendment

By consent of a two-thirds majority of Commission members, these rules may be waived or amended.

Section XIII. Adjournment

A motion to adjourn shall always be in order and decided without debate.

Section XIV. Robert's Rules of Order

Robert's Rules of Order, as revised from time to time, shall be accepted as an authority on parliamentary practice on matters not specifically covered.

Section XV. Publicizing Commission Action

The president or designated representative, as appointed by the Commission, is the authorized spokesperson for the Commission, except as otherwise directed by a majority of the Commission. All comments other than the authorized spokesperson are to be identified as personal and not representative of the Commission.

Section XVI. Charter Amendments

No vote shall be taken on any proposed Charter Amendment unless the proposed wording of the amendment has been included in a written notice delivered to all Commissioners at least three days prior to the meeting at which the Commission is to vote on the amendment.

Any such vote shall be made by roll call. No proposed Charter Amendment shall be approved by the commission unless there is a quorum of current Charter Commission members present to vote in favor thereof.

Section XVII. Appointments

Members can serve pursuant to State Statute 410.05. (Copy attached)

In addition to the Statute, the Charter commission will intentionally seek to improve the commission's representation and reflection of the makeup of the Robbinsdale voter community, including race and gender.

410.05 CHARTER COMMISSION.

Subdivision 1.Appointment.

When the district court of the judicial district in which a city is situated, deems it for the best interest of the city so to do, the court, acting through its chief judge, may appoint a charter commission to frame and amend a charter. Upon presentation of a petition requesting such action, signed by at least ten percent of the number of voters of the city, as shown by the returns of the last regular city election, or upon resolution of the governing body of the city requesting such action, the court shall appoint a charter commission. The commission shall be composed of not less than seven nor more than 15 members, each of whom shall be a qualified voter of the city. The size of the commission shall be determined within the above limits by the court, except that where the commission is appointed pursuant to a petition of the voters or resolution of the governing body of the city, the size of the commission shall be as specified in such petition or resolution. Any city may by charter provision fix the size of the charter commission at a figure which shall not be less than seven nor more than 15 members, and such charter provision shall prevail over any inconsistent provisions of this subdivision. Except as otherwise provided in the charter, no person shall be disqualified from serving on a charter commission by reason of holding any other elective or appointive office other than judicial. The charter may provide that members of the governing body of the city cannot serve on the charter commission.

Subd. 2.Commission members; terms, vacancies.

Charter commission members shall hold office for the term of four years, and until their successors are appointed and qualify, except that of members initially appointed after July 1, 1967, eight shall be appointed for two-year terms and seven for four-year terms. Vacancies in the commission shall be filled by appointment of the chief judge for the unexpired terms. Upon the expiration of each term, the chief judge shall appoint new or reappoint existing commission members within 60 days. Appointments shall be made by order filed with the court administrator of the district court. An appointee who neglects to file with the court administrator within 30 days a written acceptance and oath of office shall be deemed to have declined the appointment and the place shall be filled as though the appointee had resigned. The charter commission, within 30 days after the initial appointment of the commission, shall make rules, including quorum requirements, with reference to its operations and procedures. 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. The commission shall forward a copy of the report to the clerk of the city. Any member may be removed at any time from office, by written order of the district court, the reason for such removal being stated in the order. When any member has failed to perform the duties of office and has failed to attend four consecutive meetings without being excused by the commission, the secretary of the charter commission shall file a certificate with the court setting forth those facts and the district court shall thereupon make its order of removal and the chief judge shall fill the vacancy created thereby.

Subd. 3. Commission appointments; nominees.

A city council, a charter commission, or the petitioners requesting the appointment of a charter commission may submit to the court the names of eligible nominees which the district court may consider in making appointments to the charter commission.

Subd. 4. Commission meetings.

The charter commission shall meet at least once during each calendar year, and upon presentation of a petition signed by at least ten percent of the number of voters of the municipality, as shown by the returns of the last annual municipal election, or upon resolution approved by a majority of the governing body of the city requesting the commission to convene, the commission shall meet to consider the proposals set forth in such petition or resolution.

Subd. 5. Discharge.

(a) A charter commission in a statutory city may be discharged as follows:

(1) if the charter commission of a statutory city determines that a charter is not necessary or desirable, the commission may be discharged by a vote of three-fourths of its members; or

(2) if a petition signed by registered voters equal in number to at least five percent of the registered voters in the city requesting a referendum to discharge the charter commission is filed with the city clerk, an election must be held on the issue at a general election or a special election pursuant to section [205.10](#). If a majority of the votes cast support the referendum, the charter commission shall be discharged.

(b) Another commission may not be formed sooner than one year from the date of discharge.

History:

(1269) RL s 749; 1909 c 423; 1913 c 535 s 1; 1949 c 210 s 1; 1959 c 305 s 5; 1961 c 608 s 1; Ex1967 c 33 s 1; 1971 c 208 s 1-3; 1973 c 123 art 5 s 7; 1976 c 44 s 20; 1979 c 330 s 3; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1987 c 51 s 1; 2004 c 197 s 1,2; 2008 c 331 s 6; 2020 c 87 s 1



TO: Charter Commission
PREPARED BY: Chase Peterson-Etem, City Clerk/Assistant to City Manager
APPROVED BY: Tim Sandvik, City Manager
DATE: July 17, 2025
RE: Review the Human Rights Commission amendment to Section 1.04 Equity.

Background:

At the June 17, 2025, City Council meeting, the Council unanimously approved the first reading of an ordinance that included adding Section 1.04. Equity, to the Charter. The second reading of this item is going to the Council on July 15, 2025, two days prior to the next Charter meeting. The ordinance is expected to pass as was presented at the first reading. During the time between the two readings, the Human Rights Commission provided staff a proposal to amend the equity section that the Charter Commission had already approved. Because of this timing, staff is asking the Charter Commission to review any proposals before bringing it to the Council, since the Commission has already discussed and recommended the language.

Analysis:

None

Recommendation:

Discuss the proposal from the Human Rights Commission.

Attachments:

1. Proposed equity amendment text with HRC revision

July 8, 2025

To the Mayor and City Council,

On behalf of the Robbinsdale Human Rights Commission (HRC), I write to express the HRC's support for the proposed Equity Amendment to the City Charter, which had a first reading at the June 17, 2025 City Council meeting.

The HRC proposes a friendly amendment to the proposed language to better ensure alignment and consistency with the state's Human Rights Act as codified at Minn. Stat. Sec. 363A.001 et seq. (2024). The current language of the proposed amendment identifies most, but not all, of the classes of identity protected from discrimination by the state's human rights law. The HRC proposal adds the missing groups, and also adds references to the areas of life and community systems identified in statute where discrimination based on these protected classes is expressly prohibited, with one change. Based on a recommendation from city staff, the HRC proposal replaces "education" with "recreation services" because we were advised that the City does not provide educational programs and services but does provide park and recreation programs and services. The naming of these specific areas of life and community systems reflects state public policy that inequities in these areas are unfair and particularly harmful.

Proposed amendment text, with underlined text showing HRC proposed additions, and strikeout text showing HRC proposed deletions:

Section 1.04 Equity. The City shall strive to improve equity for historically marginalized groups and people ~~in the~~ protected by the Minnesota Human Rights Act as codified at Minnesota Statutes 363A.02 (2024), including, but not limited to, people in one or more of the following protected classes of: race, color, creed, status with regard to public assistance, religion, disability, national origin, sex, marital status, familial status, age, sexual orientation, and gender identity; ~~;~~ and including, but not limited to, in the areas of employment, housing and real property, public accommodations, public service, and recreation services.

If you have any questions, I would be happy to answer them to the best of my ability. Also, the next HRC meeting is on July 24 at 7:00 PM in case you would like to bring any questions to the HRC.

Thank you in advance for your consideration of this proposal, and for your leadership and service on behalf of the City and its residents.

Sincerely,



Julie Ralston Aoki, Chair
Robbinsdale Human Rights Commission

HOME RULE

CITY CHARTER

CITY OF ROBBINSDALE, MINNESOTA

Adopted November 8, 1938
Collated March 1, 1965

Recodified by Ordinance Amendment No. 1, Effective 10-9-68
Collated October 16, 1979

This document includes Charter Amendments 1 through 42

Last amendment effective 11-18-24

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CITY CHARTER

CHAPTER 1

NAMES, BOUNDARIES, POWERS, AND GENERAL PROVISIONS

Section 1.01. Name and Boundaries. The City of Robbinsdale, in the County of Hennepin, and State of Minnesota, shall, upon taking effect of this charter, continue to be a municipal corporation, under the name and style of the City of Robbinsdale, with the same boundaries as now are or hereafter may be established.

Section 1.02. Powers of the City. The City shall have all powers which it may now or hereafter be possible for a municipal corporation in this state to exercise in harmony with the constitution of this state and of the United States. It is the intention of this charter that every power which the people of the city might lawfully confer upon themselves, as a municipal corporation, by specific enumeration in this charter shall be deemed to have been so conferred by the provisions of this section. This charter shall be construed liberally in favor of the city and the specific mention of particular powers in the charter shall not be construed as limiting in any way the generality of the power herein sought to be conferred.

Section 1.03. Charter a Public Act. This charter shall be a public act and need not be pleaded or proved in any case.

CITY CHARTER

CHAPTER 2

FORM OF GOVERNMENT

Section 2.01. Form of Government. The form of government established by this charter is the "Council-Manager Plan." The council shall exercise the legislative power of the city and determine all matters of policy. The City Manager shall be the head of the administrative branch of the City government and shall be responsible to the council for the proper administration of all affairs relating to the city.

Section 2.02. Boards and Commissions. The council shall itself be and perform the duties and exercise the powers of boards and commissions. The council may, however, establish by ordinance boards or commissions to advise the council with respect to any municipal function or activity, to investigate any subject of interest to the city, or to perform quasi-judicial functions.

Section 2.03. Council Members, Qualifications and Terms. The council shall be composed of a mayor and four council members who shall be qualified electors, and shall hold no other public office except that of notary public or member of the National Guard or naval or military reserve, and who shall further qualify as provided in this charter.

The mayor and council members must reside within the boundary limits of the city and the council members must further satisfy residence requirements as set forth in Section 2.04.

The mayor shall be elected at large. Each of the council members shall be elected by the registered voters of the ward in which they reside. The mayor and the council members shall be elected for a term of four years and until their successors are elected and qualified, except that at the first election held after the adoption of this section, the offices of council members for the Third and Fourth Wards shall be filled for a two-year term. There shall be rotation in the terms of the mayor and council members so that the end of the term of the mayor and council members for the First and Second Wards is separated by two years from the end of the term of the council members for the Third and Fourth Wards.

Charter Amendment Ordinance No. 2, adopted unanimously by the City Council July 8, 1968.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 23, Ordinance No. 91-09, adopted unanimously by the City Council September 3, 1991.

Section 2.04. Resident Council Members. The council members shall be qualified as follows: One council member shall be, at the time of election or appointment, a resident of the First Ward. One council member shall be, at the time of election or appointment, a resident of the Second Ward. One council member shall be, at the time of election or appointment, a resident of the Third Ward. One council member shall be, at the time of election or appointment, a resident of the Fourth Ward.

Continued residence in the ward in which each of the said council members resides at the time of election or appointment shall be a qualification to hold office during said council member's term.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 2.05. Wards. The area of the City as now or hereinafter established shall be divided into four wards. Review of the wards shall be made by the Council and reapportionment to comply with this section shall be made within two years from the year in which a Federal Census is taken so that wards are substantially equal in population. Reapportionment shall be by ordinance. If the Council shall fail to reapportion within the period prescribed the Mayor and Council shall forfeit all remuneration until the wards of the City are reapportioned as required by this charter.

This ordinance shall be effective on January 1, 1985.

Charter Amendment No. 17, Ordinance No. 84-13, adopted by the City Council August 7, 1984.

Section 2.06. Incompatible Offices. No member of the council shall be appointed city manager, nor shall any member hold any paid municipal office or employment under the city; and until one year after the expiration of that person's term as mayor or council member, no former member shall be appointed to any paid appointive office or employment under the city.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 2.07. Vacancies In The Council.

A vacancy occurs if:

- a) An elected official dies;
- b) is convicted of a felony;
- c) is in violation of the official oath;
- d) resigns;
- e) ceases to maintain a legal residence in the City;
- f) fails to qualify for office;
- g) fails, without good cause, to perform any of the duties of their office for a period of three months.

In the case of a Council member voluntarily resigning their position, the resignation will be accepted at the next Council meeting following the Council Member's declaration of their intent to resign. In the case of a vacancy, the Council will, by Resolution, declare such a vacancy to exist and will appoint an eligible person to fill the same within 30 days of the passage of the Resolution.

If the vacancy occurs before the first day to file affidavits of candidacy for the next regular City election and more than two years remain in the unexpired term, an election will be held at the next regular City election and the appointed person will serve until the qualification of a successor is elected.

If the vacancy occurs on or after the first day to file affidavits of candidacy for the regular City election or when less than two years remain in the unexpired term the appointed person will serve until the qualification of a successor. A person appointed to fill a vacant position can file an affidavit of candidacy to seek election to the position.

Charter Amendment No. 10, Ordinance No. 77-16, adopted unanimously by the City Council May 17, 1977.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 21, Ordinance No. 90-06, adopted unanimously by the City Council on May 15, 1990.

Charter Amendment No. 36, Ordinance No. 18-07, adopted unanimously by the City Council on August 6, 2018.

Charter Amendment No. 39, Ordinance No. 21-03, adopted unanimously by the City Council on June 15, 2021

Charter Amendment No. 42, Ordinance No. 24-08, adopted unanimously by the City Council on August 20, 2024

Section 2.08. The Mayor. The mayor shall be the presiding officer of the council, except that the council shall choose from its members a mayor protem who shall hold office at the pleasure of the council and shall serve as mayor in case of the mayor's disability or absence from the city, or in case a vacancy in the office of mayor until a successor has been appointed and qualified. The mayor shall have a vote as a member of the council. The mayor shall exercise all powers and perform all duties conferred and imposed upon that office by this charter, the ordinances of the city, and the laws of the state. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by courts for the purpose of serving civil process, and by the governor for the purposes of martial law. The mayor shall study the operations of the city government and shall report to the council any neglect,

dereliction of duty, or waste on the part of any officer or department of the city. In time of public danger or emergency the mayor may, with the consent of the council, take command of the police, maintain order and enforce the law.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 2.09. Salaries of Elected Officials. The Mayor and each council member shall receive a salary the amount of which shall be prescribed by ordinance.

Charter Amendment No. 6, Ordinance No. 72-11, adopted unanimously by the City Council September 25, 1972.

Charter Amendment No. 16, Ordinance No. 84-11, adopted unanimously by the City Council June 5, 1984.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 2.10. Investigation of City Affairs. The council and the city manager, or either of them, and any officer or officers formally authorized by them, or either of them, shall have power to make investigations into the city's affairs, to subpoena witnesses, administer oaths, and compel the production of books and papers. The council shall provide for an audit of the city's accounts at least once a year by the state department in charge of such work or by a certified public accountant. The council may at any time provide for an examination or audit of the accounts of any officer or department of the city government and it may cause to be made any survey or research study of any subject of municipal concern.

Section 2.11. Interferences With Administration. The council or any member thereof shall not dictate the appointment of any person by the City Manager. Except for the purpose of inquiry the council and its members shall deal with and control the administrative service solely through the city manager, and neither the council nor any member thereof shall give any orders to any of the subordinates of the city manager, either publicly or privately.

Charter Amendment Ordinance No. 3, adopted unanimously by the City Council December 5, 1968.

CITY CHARTER

CHAPTER 3

PROCEDURE OF COUNCIL

Section 3.01. Council Meetings. At the first regularly scheduled council meeting in January following a regular municipal election, the newly elected members of the council shall assume their duties. Thereafter the council shall meet twice a month. The mayor or any two members of the council may call special meetings of the council upon notice to each member of the council as required by law. All meetings of the council are public meetings, and any person may inspect the minutes and records of the meetings at reasonable times in accordance with law.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 23, Ordinance No. 91-09, adopted unanimously by the City Council September 3, 1991.

Section 3.02. Council Meeting Officers. The council shall choose such officers and employees as may be necessary to serve at its meetings. The council shall appoint a secretary of the council. The secretary shall give notice of its meetings, shall keep the journal of its proceedings and shall perform such other duties as shall be required by this charter or by ordinance. The council may designate any official or employee of the city, except the city manager, the mayor, or a member of the council, as secretary.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 3.03. Rules Of Procedure And Quorum. The council shall determine its own rules and order of business. A majority of all members elected shall constitute a quorum to do business, but a smaller number may adjourn from time to time. The council may by ordinance provide a means by which a minority may compel the attendance of absent members.

Section 3.04. Ordinances, Resolutions And Motions. Except as in this charter otherwise provided, all legislation shall be by ordinance. The "yes" and "no" vote on ordinances, resolutions, and motions shall be recorded unless the vote is unanimous. An affirmative vote of a majority of all the members of the council shall be required for the passage of all ordinances and resolutions, except as otherwise provided in this charter.

Section 3.05. Procedure On Ordinances, Including Ordinances Repealing or Amending Ordinances. The enacting clause of all ordinances shall be in the words, "The City of Robbinsdale does ordain." Every ordinance shall be presented in writing. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced. Within ten days after introduction, public notice of every proposed ordinance shall be posted in the City Hall and continuous public notice shall be maintained in the City Hall until the ordinance's passage and effective date or defeat. At least fourteen days prior to passage, summaries of proposed ordinances, except emergency ordinances, shall be published, in a manner permitted by law.

Charter Amendment No. 10, Ordinance No. 77-16, adopted unanimously by the City Council May 17, 1977.
Charter Amendment No. 19, Ordinance No. 89-21, adopted unanimously by the City Council December 5, 1989.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by the City Council July 18, 2006

Section 3.06. Emergency Ordinances. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, safety, or welfare in which the emergency is defined and declared in a preamble thereto, and is adopted by a vote of all members of the council. No prosecution shall be based upon the provisions of any emergency ordinance until two business days after the ordinance has been filed with the city clerk and posted in three conspicuous places in the City or until the ordinance has been published in the City's official means of publication, unless the person charged with violation had actual notice of the passage of the ordinance prior to the alleged violation.

Charter Amendment No. 27, Ordinance 03-17, adopted unanimously by City Council June 17, 2003
Charter Amendment No. 40, Ordinance 21-05, adopted unanimously by City Council July 6, 2021
Charter Amendment No. 41, Ordinance 23-09, adopted unanimously by City Council July 18, 2023
Charter Amendment No. 42, Ordinance 24-08, adopted unanimously by City Council August 20, 2024

Section 3.07. Procedure On Resolutions. Every resolution shall be presented in writing and read in full before a vote is taken thereon, unless the reading of a resolution is dispensed with by unanimous consent.

Section 3.08. Signing And Publication of Ordinances, Including Ordinances Repealing or Amending Ordinances And Resolutions. Every ordinance or resolution passed by the council shall be signed by the mayor, by the mayor pro tem, or by two other members, attested by the city clerk and filed and preserved by the city clerk. Every ordinance shall be published, in a manner permitted by law, within thirty days after passage and a summary of each such ordinance adopted by the City Council shall be published in the next newsletter of the City. In the case of lengthy ordinances, or ordinances which include charts or maps, the title and a summary of the ordinance clearly informing the public of the intent and effect of the ordinance may be published, with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the city clerk and available to any resident by request upon the paying of a nominal fee not to exceed the actual copying cost. A copy of the entire text of the ordinance shall be posted in a public location which the council designates. Prior to the publication of the title and summary the council shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance. To the extent and in the manner provided by law an ordinance may incorporate by reference a statute of Minnesota, a state administrative rule or regulation, a code, or ordinance or part thereof without publishing the material referred to in full.

Charter Amendment No. 10, Ordinance No. 77-16, adopted unanimously by the City Council May 17, 1977.
Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 19, Ordinance No. 89-21, adopted unanimously by the City Council December 5, 1989.
Charter Amendment No. 28, Ordinance No. 04-04, adopted unanimously by the City Council June 15, 2004.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by the City Council July 18, 2006.
Charter Amendment No. 41, Ordinance No. 23-09, adopted unanimously by the City Council July 18, 2023.

Section 3.09. When Ordinances and Resolutions Take Effect. A resolution or an emergency ordinance is effective immediately upon its passage or at such later date as is fixed therein. An ordinance that is expressly excepted from referendum under Section 5.01 of this Charter is effective on the day following publication or such later date as is fixed in it. Every other ordinance passed is effective on the 30th day after its publication, or at such later date as is fixed therein. Every ordinance and resolution adopted by the voters of the city is effective immediately upon its adoption, or at such later time as is fixed therein.

Charter Amendment No. 10, Ordinance No. 77-16, adopted unanimously by the City Council May 17, 1977.
Charter Amendment No. 32, Ordinance 06-09, adopted unanimously by the City Council July 18, 2006.

Section 3.10. Repeal and Amendment of Ordinances and Resolutions. Every ordinance or resolution repealing a previous ordinance or resolution or section or subdivision thereof shall give the number, if any, and the title of the ordinance or resolution to be repealed in whole or in part. Any ordinance or resolution repealing in whole the text of any section or subdivision of a previous ordinance or resolution need not contain the text of the section or subdivision being repealed. No Ordinance or resolution or section or subdivision thereof shall be amended in part by reference to the title alone, but such an amending ordinance or resolution shall set forth in full each section or subdivision to be amended in part and shall indicate new matter by underscoring and old matter to be omitted by lining it through. If repeal or amendment of a section or subdivision requires the renumbering or relettering of another section or subdivision, the ordinance need only state that subsequent sections or subdivisions are to be redesignated as necessary. In publication, in a manner permitted by law, the same indications of omitted and new matter shall be used except that italics or boldface type may be substituted for underscoring and omitted matter may be printed in capital letters within parentheses.

Charter Amendment No. 14, Ordinance No. 84-09, adopted unanimously by City Council May 1, 1984.
Charter Amendment No. 19, Ordinance No. 89-21, adopted unanimously by City Council December 5, 1989.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 3.11. Revision and Codification of Ordinances. The council may revise, rearrange, and codify its ordinances

and such additions and deletions as may be deemed necessary, except as otherwise provided for under Section 5.08. Such ordinance code shall be published in book, pamphlet, or continuously revised loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public free or at reasonable charge. Publication in such a code shall be a sufficient publication of any ordinance provision not previously published if a notice is published, in a manner permitted by law, for at least two successive weeks that copies of the codification are available at the office of the city clerk.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 3.12. Amendments to Zoning Ordinance and Comprehensive Plan. Unless otherwise provided by state law, all amendments to the zoning ordinance and comprehensive plan shall require a four-fifths affirmative vote of the City Council.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 26, Ordinance No. 02-09, adopted unanimously by the City Council August 20, 2002.

CITY CHARTER

CHAPTER 4

NOMINATIONS AND ELECTIONS

Section 4.01. General Election Laws To Apply. Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of voters and the conduct of primary and general elections shall apply for all municipal elections of such officers as are specified in this charter. The council shall through ordinances duly adopted in compliance with such state laws and this charter, adopt suitable and necessary regulations for the conduct of such elections.

Section 4.02. Regular Municipal Elections. A regular municipal election shall be held on the 1st Tuesday after the 1st Monday in November of the year in which an election is to be held at such place or places as the city council may designate by resolution. The city clerk shall provide notice of such election pursuant to Minnesota Statutes, section 205.16.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.
Charter Amendment No. 39, Ordinance No. 21-03, adopted unanimously by the City Council on June 15, 2021

Section 4.03. Primary Elections. The city council shall provide by ordinance or resolution that, whenever three or more candidates have filed for any city office a primary election will be held, citywide or in any particular ward, or section, and such primary election shall be held on a date permitted by law not less than 25 days prior to the general or special election. The city clerk shall provide notice of primary elections pursuant to Minnesota Statutes, section 205.16.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.
Charter Amendment No. 39, Ordinance No. 21-03, adopted unanimously by the City Council on June 15, 2021

Section 4.04. Special Elections. The city council may by resolution passed by a majority vote of its members order a special election to be held on one of the special election dates established by Minnesota Statutes, section 205.10 subd. 3a and provide all means for holding such special election, provided that proper notice of such election is provided pursuant to Minnesota Statutes, section 205.16. The procedure at such election shall conform as nearly as possible to that prescribed for other municipal elections.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.
Charter Amendment No. 33, Ordinance No. 07-13, adopted unanimously by the City Council October 2, 2007.
Charter Amendment No. 36, Ordinance No. 18-07, adopted unanimously by the City Council August 6, 2018.
Charter Amendment No. 39, Ordinance No. 21-03, adopted unanimously by the City Council on June 15, 2021

Section 4.05. Judges Of Election. The council shall appoint qualified voters for each voting precinct to be judges of election therein as provided by Minnesota Statutes, chapter 204B.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 23, Ordinance No. 91-09, adopted unanimously by the City Council September 3, 1991.
Charter Amendment No. 39, Ordinance No. 21-03, adopted unanimously by the City Council on June 15, 2021

Section 4.06. Nominations. Any person desiring to become a candidate for mayor or council member shall file with the city clerk of the city an affidavit of candidacy pursuant to Minnesota Statutes, chapter 205, and follow all other election law requirements prescribed by federal, state, county, or city laws, statutes, ordinances, regulations, or policies.

A filing fee of thirty dollars shall be required of candidates for all offices elected under this charter. All fees

shall be paid into the general fund of the city.

The city clerk shall cause to be published and posted a sample ballot as required by Minnesota Statutes, Section 205.16.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Charter Amendment No. 38, Ordinance No. 20-10, adopted unanimously by City Council November 17, 2020.

Charter Amendment No. 39, Ordinance No. 21-03, adopted unanimously by the City Council on June 15, 2021

Section 4.07. Canvass of Elections & Taking Of Office. The council shall meet and canvass the election returns between the third and tenth days after any regular or special election, and shall make full declaration of the results as soon as possible and file a statement thereof with the city clerk, and said statement shall be made a part of the minutes. This statement shall include: (a) the total number of good ballots cast; (b) the total number of spoiled or defective ballots; (c) the vote for each candidate, with a declaration of those who are elected; (d) a true copy of the ballots used; (e) the names of the judges of election; (f) such other information as may seem pertinent. The city clerk shall forthwith notify all persons elected of the fact of their election, and the persons elected shall take office at the time provided by Section 3.01 upon taking, subscribing and filing with the city clerk the required oath of office.

Charter Amendment No. 36, Ordinance No. 18-07, adopted unanimously by the City Council August 6, 2018.

CITY CHARTER

CHAPTER 5

INITIATIVE, REFERENDUM AND RECALL

Section 5.01. Powers Reserved By The People. The people of the city reserve to themselves the power, in accordance with the provisions of this charter, to initiate and adopt any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, to require such an ordinance when passed by the council to be referred to the electors for approval or disapproval, and to recall elected public officials. These powers shall be called Initiative, Referendum, and Recall respectively. Initiative is the process for voters to propose and adopt an ordinance. Referendum is the process to require an ordinance passed by the council to be referred to the voters for approval or disapproval. Recall is the process for removing an elected public official from office. Initiative and referendum may not be used with an ordinance that involves land use or zoning.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 30, Ordinance No. 05-04, adopted unanimously by the City Council July 19, 2005.

Section 5.02. [NOTE: This section was deleted.]

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 24, Ordinance No. 99-09, adopted unanimously by the City Council September 21, 1999.

Section 5.03. Initiation of Measures. The initiative is governed by Sections 5.03 through 5.09. Any five eligible voters may form themselves into a committee for the initiation of any ordinance except as provided in Section 5.01. Before circulating any petition they shall file a verified copy of their proposed ordinance with the city clerk together with their names and addresses as members of such committee. They shall also attach a verified copy of the proposed ordinance to each of the signature papers herein described, together with their names and addresses as sponsors thereof.

Section 5.04. Form Of Petition And Of Signature Papers. The petition for the adoption of any ordinance shall consist of the ordinance, together with all the signature papers and affidavits thereto attached. Such petition shall not be complete unless signed by a number of eligible voters equal to at least 15% of the total number of registered voters in the city at the time of the regular municipal election immediately prior to the filing of said petition. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

INITIATIVE PETITION

Proposed an ordinance to _____ (stating the purpose of the ordinance), a copy of which ordinance is hereto attached. This Ordinance is sponsored by the following committee of eligible voters:

Name	Address
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

The undersigned eligible voters, understanding the terms and nature of the ordinance attached, petition the council for its adoption or, in lieu thereof, for its submission to the voters for their approval.

Signature	Name (printed)	Address
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

At the end of the list of signatures shall be appended the affidavit of the circulator.

Section 5.05. Filing of Petitions And Action Thereon. All the signature papers shall be filed in the office of the city clerk as one instrument. Within five days, after filing of the petition, the city clerk shall ascertain by examination the number of eligible voters whose signatures are appended thereto and whether this number is at least fifteen per cent of the total number of registered voters in the city at the time of the regular municipal election immediately prior to the filing of said petition. If the clerk finds the petition insufficient or irregular, the clerk shall at once notify one or more of the committee of sponsors of that fact, certifying the reasons for the finding. The committee shall then be given thirty days in which to file additional signature papers and to correct the petition in all other particulars. If at the end of that period the petition is found to be still insufficient or irregular, the city clerk shall file it in the clerk's office and shall notify each member of the committee of that fact. The final finding of the insufficiency or irregularity of a petition shall not prejudice the filing of a new petition for the same purpose, nor shall it prevent the council from referring the ordinance to the electors at the next regular or any special election at its option.

Section 5.06. Action of Council On Petition. When the petition is found to be sufficient, the city clerk shall so certify to the council at its next meeting, stating the number of petitioners and the percentage of the total number of eligible voters which they constitute, and the council shall at once read the ordinance and refer it to an appropriate committee, which may be a committee of the whole. The committee or council shall thereupon provide for public hearings upon the ordinance, after the holding of which the ordinance shall be finally acted upon by the council not later than sixty-five days after the date upon which it was submitted to the council by the city clerk. If the council fails to pass the proposed ordinance, or passes it in a form different from that set forth in the petition and unsatisfactory to more than one-fifth of the petitioners, the proposed ordinance shall be submitted by the council to the vote of the voters at the next regular municipal election; but if the number of signers of the petition is equal to at least 20 percent of the total number of registered voters in the city at the time of the regular municipal election immediately prior to the filing of said petition, the council shall call a special election upon the ordinance. Such special election shall be held on the next available date for a special election pursuant to Section 4.04 of this Charter, except that no special election shall be held within 30 days of the determination of the need for a special election; but if a regular election is to occur within three months, the council may submit the ordinance at that election in lieu of holding a special election hereunder. If the council passes the proposed ordinance with amendments and at least four-fifths of the committee of petitioners do not express their dissatisfaction with such amended form by a statement filed with the city clerk within ten days of the passage thereof by the council, the ordinance need not be submitted to the voters.

Charter Amendment No. 36, Ordinance No. 18-07, adopted unanimously by the City Council August 6, 2018.

Section 5.07. Initiative Ballots. The ballots used when voting upon any such proposed ordinance shall state the substance of the ordinance and shall give the voters the opportunity to vote either "yes" or "no" on the question of adoption. If a majority of the voters voting on any such ordinance vote in favor of it, it shall thereupon become an ordinance of the city. Any number of proposed ordinances may be voted upon at the same election but the voter shall be allowed to vote for or against each separately. In case of inconsistency between two initiated ordinances approved at one election, the one approved by the higher percentage of voters voting on the question shall prevail to the extent of the inconsistency.

Section 5.08. Amendment Or Repeal. Any ordinance adopted by the vote of the people cannot be repealed or amended except by a vote of the people.

Section 5.09. Initiation of Charter Amendments. Nothing in this charter shall be construed as in any way affecting the right of the voters under the constitution and the statutes of Minnesota to propose amendments to this charter.

Section 5.10. Referendum. The referendum is governed by Sections 5.10 through 5.12. If prior to the date when an ordinance takes effect, a petition signed by eligible voters of the city equal in number to fifteen percent of the total number of registered voters in the city at the time of the regular municipal election immediately prior to the filing of said petition, is filed with the city clerk requesting that any such ordinance be repealed or submitted to the voters, the ordinance shall thereby be prevented from going into operation. The council shall thereupon reconsider the ordinance at its next regular meeting and either repeal it or by "yes" and "no" vote re-affirm its adherence to the ordinance as passed. In the latter case the council shall immediately order a special election to be held thereon, or submit the ordinance at the next regular municipal election, pending which the ordinance shall remain suspended. If a majority of the voters voting thereon is opposed to the ordinance, it shall not become effective; but if a majority of the voters voting thereon favor the ordinance, it shall go into effect immediately or on the date therein specified.

Section 5.11. Referendum Petitions. The requirements laid down in Section 5.03 and 5.04 for the formation of committees for initiation of ordinances and the form of petitions and signature papers shall apply to the referendum as far as possible, but with such verbal changes as may be necessary. A referendum petition shall read as follows:

REFERENDUM PETITION

Proposing the repeal of an ordinance to _____ (stating the purpose of the ordinance), a copy of which ordinance is hereto attached. The proposed repeal is sponsored by the following committee of eligible voters:

Name	Address
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

The undersigned petitioners, understanding the nature of the ordinance hereto attached and believing it to be detrimental to the welfare of the city, petition the council for its submission to the voters for their approval or disapproval.

Signature	Name (printed)	Address
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

At the end of the list of signatures shall be appended the affidavit of the circulator.

Section 5.12. Referendum Ballots. The ballots used in any referendum election shall conform to the rules laid down in Section 5.07 of this charter for initiative ballots.

Section 5.13. Recall. The recall procedure is governed by Sections 5.13 through 5.17. Any five eligible voters within the city may form themselves into a committee for the purpose of bringing about the recall of any officer elected by the entire City.

A City official may be subject to a Recall petition for malfeasance or nonfeasance, or both. Malfeasance means conduct that: i) affects the performance of official duties rather than the official's personal character as a private individual; ii) substantially affects the rights and interests of the public; and iii) is wholly illegal and wrongful. Nonfeasance means the intentional repeated failure to perform acts that are required duties of the public official.

Any five eligible voters within a section or ward may form themselves into a committee for the purpose of bringing about the recall of any officer elected from their respective section or ward. Such committee shall certify to the city clerk the name of the officer whose removal is sought, a statement of the grounds for removal of not more than 250 words, and their intention to bring about this recall. A copy of this certificate shall be attached to each signature paper and no signature paper shall be put into circulation previous to such certification.

Charter Amendment No. 42, Ordinance No. 24-08, adopted unanimously by the City Council August 20, 2024.

Section 5.14. Recall Petitions. The petition for the recall of any official shall consist of a certificate identical with that filed with the city clerk together with all the signature papers, but the circulator of every paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

RECALL PETITION

Proposing the recall of _____ from office as _____ which recall is sought for the reasons set forth in the attached certificate. This movement is sponsored by the following committee of eligible voters:

Name	Address
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

The undersigned eligible voters, understanding the nature of the charges against the officer sought to be recalled, and residing in the city, section, or ward (whichever is applicable) from which the officer was elected, desire the holding of a recall election for that purpose.

Signature	Name (printed)	Address
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

At the end of the list of signatures shall be appended the affidavit of the circulator.

Section 5.15. Filing Of Petition. Within thirty days after the filing of the original certificate, the committee shall file the completed petition in the office of the city clerk. The city clerk shall examine the petition within the next five business days, and if the city clerk finds it irregular in any way, or finds that the number of signers is less than twenty-five per cent of the total number of registered voters eligible to vote on candidates for that office at the time of the regular municipal election immediately prior to the filing of said petition, the city clerk shall notify one or more members of the committee. The committee shall then be given ten days in which to file additional signature papers and to correct the petition in all other respects, but they may not change the statement of the grounds upon which the recall is sought. If at the end of that time the city clerk finds the petition still insufficient or irregular, the city clerk shall notify all the members of the committee to that effect and shall file the petition in the clerk's office. No further action shall be taken thereon.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 42, Ordinance No. 24-08, adopted unanimously by the City Council August 20, 2024.

Section 5.16. Recall Election. If the petition or amended petition is found sufficient, the city clerk shall transmit it to the council without delay, and also shall officially notify the person sought to be recalled of the sufficiency of the petition and of the pending action. The council shall at its next meeting, by resolution, provide for the holding of a special recall election to conform as nearly as possible to that prescribed for other municipal elections. The clerk shall include with the published notice of the election the statement of the grounds for the recall and also, in not more than 500 words, the answer of the officer concerned in justification of the officer's course in office. Candidates to succeed the officer to be recalled shall be nominated in the usual way.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 5.17. Form Of Recall Ballot. Unless the officer whose removal is sought resigns within ten days after the receipt by the council of the completed recall petition, the form of the ballot at such election shall be as near as may be: "Shall _____ be recalled?," the name of the officer whose recall is sought being inserted in the blank, and the qualified electors shall be permitted to vote separately "yes" or "no" upon this question. The ballot shall also contain the names of the candidates to be voted upon to fill the vacancy, in case the recall is successful, under the caption: "Candidates to fill the place of _____ if recalled;" but officer whose recall is sought shall not be a candidate upon such ballot. If a majority of those voting on the question of recall vote in favor of recall, the official shall be thereby removed from office, and the candidate who receives the highest number of votes for the officer's place shall be elected thereto for the remainder of the unexpired term. If the officer sought to be recalled resigns within ten days after the receipt by the council of the completed recall petition, the form of ballot at the election shall be the same, as nearly as possible, as the form in use at a regular municipal election.

Charter Amendment No. 20, Ordinance No. 90-05, adopted unanimously by the City Council May 15, 1990.
Charter Amendment No. 40, Ordinance No. 21-05, adopted unanimously by the City Council July 6, 2021.

CITY CHARTER

CHAPTER 6

ADMINISTRATION OF CITY AFFAIRS

Section 6.01. The City Manager. The city manager shall be the chief administrative officer of the city. The city manager shall be chosen by the council solely on the basis of that person's training, experience, and administrative qualifications. The choice shall not be limited to inhabitants of the city or state but the city manager shall be a citizen of the United States. The city manager shall be appointed for an indefinite period and the city manager shall be removed at the discretion of the council at any time by a three-fifths vote of the city council. During the absence or disability of the city manager, the duties of that office shall be performed by some properly qualified person designated by the council as acting manager.

Charter Amendment Ordinance No. 3, adopted unanimously by the City Council December 5, 1968.
Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 6.02. Powers And Duties of The City Manager.

Subdivision 1. Subject to the provisions of this charter and any council regulations consistent therewith, the city manager shall control and direct the administration of the city's affairs. The city manager shall have the powers and duties set forth in the following sub-divisions:

Subdivision 2. The city manager shall see that this chapter and the laws, ordinances and resolutions of the city are enforced.

Subdivision 3. The city manager shall appoint, upon the basis of merit and fitness and subject to applicable civil service rules, if any, all employees of the city, except that the appointment of officers and department heads shall be upon the advice and consent of the council and except that the appointment, removal and suspension of the city attorney, shall be at the sole discretion of the council. The city manager may remove or suspend any employee subject to applicable civil service provisions, if any, except that the removal or suspension of officers and department heads shall be with the advice and consent of the council.

Charter Amendment Ordinance No. 3, adopted unanimously by the City Council December 5, 1968
Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 29, Ordinance No. 04-05, adopted unanimously by the City Council June 15, 2004.

Subdivision 4. The City Manager shall exercise control over all departments and divisions of the city administration created by this charter or by the council.

Subdivision 5. The City Manager shall attend all meetings of the council, with the right to take part in the discussion but not to vote; but the council may in its discretion, subject to any applicable provisions of state law, exclude the city manager from any meeting at which the city manager's removal is considered.

Charter Amendment No. 24, Ordinance No. 99-09, adopted unanimously by the City Council September 21, 1999

Subdivision 6. The City Manager shall recommend to the council for adoption such measures as the city manager may deem necessary for the welfare of the people and the efficient administration of the city's affairs.

Subdivision 7. The City Manager shall keep the council fully advised as to the financial condition and needs of the city, and the city manager shall prepare and submit to the council the annual budget.

Subdivision 8. The City Manager shall prepare and submit to the council for adoption an administrative code incorporating the details of administrative procedure, and from time to time the city manager shall suggest amendments to such code.

Subdivision 9. The City Manager shall perform such other duties as may be prescribed by this charter or by law or required of the office by ordinances or resolutions adopted by the council.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 6.03. Departments of Administration. The council may create such departments, divisions, and bureaus for the administration of the city's affairs as may seem necessary, and from time to time alter their powers and organizations. It may, in conjunction with the city manager, prepare a complete administrative code for the city and enact it in the form of an ordinance, which may be amended from time to time by ordinance.

Section 6.04. Subordinate Officers. There shall be a city clerk, city treasurer, city assessor, and such other officers subordinate to the city manager as the council may create by ordinance. The city clerk shall be subject to the direction of the city manager, and shall have such duties in connection with the keeping of the public records, the custody and disbursement of the public funds, and the general administration of the city's affairs as the council and this charter prescribe. The city clerk may be designated to act as secretary of the council and also as treasurer. The council may by ordinance abolish offices which have been created by ordinance, and it may combine the duties of various offices as it may see fit.

Section 6.05. Purchase And Contracts. The City Manager shall be the chief purchasing agent of the city. All city purchases and contracts shall be made or let by the City Manager when the amount of the intended purchase or contract does not exceed fifty thousand (\$50,000) dollars, subject to the provisions of state law relating to such contracts.

Charter Amendment No. 9, Ordinance No. 76-1, adopted unanimously by the City Council February 9, 1976.
Charter Amendment No. 25, Ordinance No. 02-08, adopted unanimously by the City Council August 20, 2002.
Charter Amendment No. 35, Ordinance No. 13-14, adopted unanimously by City Council November 5, 2013.
Charter Amendment No. 41, Ordinance No. 23-09, adopted unanimously by City Council July 18, 2023.

Section 6.06. Contracts: How Let. Contracts entered into by the city for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property shall be governed by state laws relating to such contracts.

Charter Amendment No. 9, Ordinance No. 76-1, adopted unanimously by the City Council February 9, 1976.
Charter Amendment No. 12, Ordinance No. 78-12, adopted unanimously by the City Council November 21, 1978.
Charter Amendment No. 23, Ordinance No. 91-09, adopted unanimously by the City Council September 3, 1991.

CITY CHARTER

CHAPTER 7

TAXATION AND FINANCES

Section 7.01. Council To Control Finances. The council shall have full authority over the financial affairs of the city, and shall provide for the collection of all revenues and other assets, the auditing and settlement of accounts, and the safe-keeping and disbursement of public moneys, and in the exercise of sound discretion shall make appropriations for the payment of all liabilities and expenses.

Section 7.02. Fiscal Years. The fiscal year of the city shall be the calendar year.

Section 7.03. System Of Taxation. Subject to the state constitution, and except as forbidden by it or by state legislation, the council shall have full power by ordinance for a system of local taxation. In the taxation of real and personal property as such, the city shall conform as fully as possible to the general state law as to the assessment of such property and the collection of such taxes.

Section 7.04. Board Of Equalization. The council shall constitute a board of equalization to equalize assessments of property for taxation purposes according to law. The council may transfer its powers and duties to the county in accordance with law.

Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Section 7.05. Preparation Of The Annual Budget. The city manager must prepare a preliminary budget. The budget must include the general fund but may include other funds as directed by the council. The budget shall indicate the sums to be raised and from what sources as well as the sums to be spent and for what purposes, by fund, for each department or division of the city. The budget must show the income and expenditures classified in accordance with generally accepted accounting principles. The city manager must submit, along with the estimates, such explanatory statements as needed to highlight major changes to the prior year budget. The budget must show comparative figures for the current fiscal year, actual and estimated, and for the two preceding fiscal years.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 22, Ordinance No. 92-03, adopted unanimously by the City Council April 8, 1992.

Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Section 7.06. Passage Of The Budget. The council must, by resolution, adopt the final budget within the time required by law. The preliminary budget must be submitted to council with adequate time for the council to review and adopt the preliminary levy within the time required by law. The council must consider the budget at subsequent budget meetings until a budget is adopted.

Public hearings, notice of public hearings, and other legal publication requirements shall be in accordance with state law. All required notices must state that copies of the budget are available at City Hall for public inspection during normal business hours. The consideration of the budget and all required public hearings must be conducted so as to give citizens a reasonable opportunity to be heard. The city manager must present the budget in the detail requested by the council. The adopted budget must set forth the complete financial plan of the city for the ensuing fiscal year. The sums appropriated by the budget may not exceed the estimated revenues and reserves to fund the expenditures in the budget.

The council must adopt the budget at the public hearing as required by state law by a resolution which shall set forth the total for each budgeted fund.

A separate tax levy resolution of the council must levy sufficient taxes to provide adequate revenues for the budgeted expenditures. The clerk must certify the tax levy resolution to the county auditor in accordance with law.

The sums fixed in the budget resolution are appropriated for the purposes identified in the budget resolution and no other.

Charter Amendment No. 22, Ordinance No. 92-03, adopted unanimously by the City Council April 8, 1992.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Section 7.07. Enforcement of The Budget. It shall be the duty of the city manager to enforce the provisions of the budget. The city manager shall not approve any order upon the city treasurer for any expenditure unless an appropriation has been made in the adopted budget, nor for any expenditure covered by the adopted budget unless there is a sufficient unexpended balance left after deducting the total past expenditures and the sum of all outstanding orders and encumbrances. No officer or employee of the city shall place any order or make any purchase except for a purpose and to the amount authorized in the adopted budget. Any obligation incurred by any persons in the employ of the city for any purpose not authorized in the budget or for any amount in excess of the amount therein authorized shall be a personal obligation upon the person incurring the expenditure.

Charter Amendment No. 24, Ordinance No. 99-09, adopted unanimously by the City Council September 21, 1999.

Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Section 7.08. Alterations In The Budget. After the budget resolution has been adopted, the council shall have no power to increase the amounts fixed in the budget resolutions, by the insertion of new items or otherwise, beyond the estimated revenues unless the actual receipts exceed the estimates and then not beyond the actual receipts. The council may at any time, by resolution approved by a majority of its members, reduce the sums appropriated for any purpose by the budget resolution, or by a vote of four members, authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

Section 7.09. Emergency Appropriation In Budget. The council may include an emergency appropriation as a part of the budget but not to exceed 5% of the total budget. A transfer from the emergency appropriation to any other appropriation shall be made only by a vote of at least four members of the council and shall be used only for emergency purposes designated by the council.

Section 7.10. Disbursements. How Made. No disbursement of city funds shall be made except as permitted by applicable law. No disbursement may be made, by check or electronic transfer or otherwise, unless the claim to which it relates has been documented by an itemized bill, payroll, time sheet, or other document reviewed and approved by a responsible city officer. Each disbursement shall specify the purposes for which the disbursement is made and the fund from which it is drawn, or a payment register shall be prepared and maintained which shall contain the aforementioned information/ Payments made by check shall bear the actual facsimile signature of the mayor and the city manager. The council may by ordinance make further regulations for the safekeeping and disbursement of the funds of the city.

Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Section 7.11. Funds To Be Kept. There shall be maintained by the city treasurer a classification of funds which shall provide for a general fund for the payment of such expenses of the city as the council may deem proper, and such other funds as may be required by statute, ordinance or resolution. The council shall have full power by ordinance or resolution to make inter-fund loans, except from non-expendable trust and agency funds, as may be deemed necessary and appropriate from time to time.

Charter Amendment No. 24, Ordinance No. 99-09, adopted unanimously by the City Council September 21, 1999

Section 7.12. Accounts And Reports. The city manager is the chief accounting officer of the city. The city manager must keep the council informed on the financial status of the city. The city manager must provide for an annual audit of the city's finances by either the state auditor or a firm of certified public accountants as required by state law. A summary of the report must be published once, in a manner permitted by law, as prescribed by the state auditor's office.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 22, Ordinance No. 92-03, adopted unanimously by the City Council April 8, 1992.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 7.13. City Indebtedness.

Subdivision 1. Except as provided in Sections 7.14, 7.15 and 7.17, no obligations shall be issued to pay current expenses, but the council may issue and sell obligations for any other municipal purpose in accordance with law and within limits prescribed by law.

Charter Amendment No. 15, Ordinance No. 84-10, adopted unanimously by the City Council June 5, 1984.
Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Subdivision 2. Surpluses in any of the sinking funds of the city may be invested in any bonds or obligations issued by the Housing and Redevelopment Authority in and for the city subject to the limitations contained in Subdivision 3 of this section.

Charter Amendment No. 4, adopted by the voters at a special election on April 14, 1969.
Charter Amendment No. 8, adopted by the voters at a special election on June 10, 1975.
Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Subdivision 3. The council without obtaining the approval of the electors, may issue and sell obligations to provide funds to purchase obligations and to invest in obligations of the Housing and Redevelopment Authority in and for the City of Robbinsdale issued for the corporate purposes of said authority. The total investment in obligations of the Housing and Redevelopment Authority may not exceed 2 per cent of the annual real property assessed valuation of the city.

Charter Amendment No. 4, adopted by the voters at a special election on April 14, 1969.
Charter Amendment No. 8, adopted by the voters at a special election on June 10, 1975.
Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

Section 7.14. Tax Anticipation Certificates. At any time after January 1st following the making of an annual tax levy, the council may issue certificates of indebtedness in anticipation of the collection of taxes levied for any fund and not yet collected. The total amount of certificates issued against any fund for any year with interest thereon until maturity shall not exceed ninety percent of the total current taxes for the fund uncollected at the time of issuance. Such certificates shall be issued on such terms and conditions as the council may determine and shall bear interest at no more than the lawful rate, but they shall become due and payable not later than the 1st day of April of the year following their issuance. The proceeds of the tax levied for the fund against which tax anticipation certificates are issued and the full faith and credit of the city shall be irrevocably pledged for the redemption of the certificates in the order of their issuance against the fund.

Section 7.15. Emergency Debt Certificates. If in any year the receipts from taxes or other sources should from some unforeseen cause become insufficient for the ordinary expenses of the city, or if any calamity or other public emergency should subject the city to the necessity of making extraordinary expenditures, the council may by ordinance issue and sell on such terms and in such manner as the council determines emergency debt certificates to run not to exceed three years and to bear interest not to exceed the maximum limit provided by law.

Section 7.16 Bonds Outside the Debt Limit. The council may issue bonds for the legal purposes outside of the debt limit as provided by law.

Section 7.17 Financing of Certain Equipment. The council may, by resolution and without public referendum, issue capital notes subject to the city debt limit to purchase public safety equipment, ambulance and other medical equipment, road construction and maintenance equipment, and other capital equipment having an expected useful life at least as long as the term of the notes. The notes shall be issued on terms and in a manner to be determined by the council. The total principal amount of the capital notes issued in a fiscal year shall not exceed one-tenth of one percent of the assessed value of the city for that year. A tax levy shall be made for the payment of the principal and interest on the notes as in the case of bonds. Notes issued under this section shall require an affirmative vote of four-fifths of the council.

Charter Amendment No. 15, Ordinance No. 84-10, adopted unanimously by the City Council June 5, 1984.
Charter Amendment No. 37, Ordinance No. 20-09, adopted unanimously by the City Council November 17, 2020.

CITY CHARTER

CHAPTER 8

PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Section 8.01. Power To Make Improvements And Special Assessments. The city shall have the power to make any and every type of public improvement not forbidden by the laws of the State of Minnesota and to levy special assessments to pay all or any part of the cost of such improvements as are of local character. The amounts assessed to pay for such local improvements may equal the cost of the improvements, including all costs and expenses connected therewith, with interest, until paid, but in no case shall exceed the benefits to the property.

Section 8.02. Assessments For Services. The council may provide by ordinance that the cost of any service to streets, sidewalks, or other public property, or the costs of any services to other property undertaken by the city may be assessed against the property benefited and collected in like manner as are special assessments.

Section 8.03. Local Improvements. After this charter takes effect, all local improvements commenced prior thereto shall be completed and assessments may be levied and securities may be issued for the financing thereof as prescribed by the law applicable thereto. The council may prepare and adopt a comprehensive ordinance, prescribing the procedure which shall be followed thereafter, and such ordinance when adopted shall supersede all other provisions of the law on the same subject. In the absence of such ordinance or until adoption of such ordinance, all local improvements may be made and assessments levied therefore as prescribed by an applicable law.

Section 8.04. Public Works. How performed. Public works, including all local improvements, may be constructed, extended, repaired, and maintained either by day labor or by contract. The city shall require contractors to give bonds for the protection of the city and all persons furnishing labor and materials, pursuant to the laws of the state pertaining to and governing public works.

Section 8.05. Administrative Penalties.

- (A) The City Council may establish by ordinance a procedure for imposing an administrative penalty for any violation of the City Code or a City ordinance. The procedure must provide an opportunity for any person charged with an administrative penalty to be notified of the penalty and to have an opportunity to respond to the charge. The procedure may authorize the City to use the services of a non-City employee to decide whether an administrative penalty should be imposed.
- (B) The City Council may provide by ordinance that unpaid administrative penalties be collected as a special assessment against real property if the administrative penalty relates to the maintenance of the property or to an activity, proposed use, or delivery of City service associated with the property. The ordinance must provide that the City should first attempt to obtain voluntary payment of the penalty. The ordinance must also provide that notice and an opportunity to be heard will be given to the property owner listed on the official tax records before the penalty is assessed.
- (C) With respect to unpaid administrative penalties specially assessed against real property pursuant to Paragraph (B) of this Section, the special assessment may include the administrative and legal costs incurred by the City in connection with collecting those unpaid administrative penalties.

Charter Amendment No34, Ordinance No. 11-04, adopted unanimously by the City Council April 19, 2011.

CITY CHARTER

CHAPTER 9

EMINENT DOMAIN

(NOTE: Minnesota Statute on "Eminent Domain" superseded this section in 1971. The language herein is retained in the event that the state statute is ever repealed or amended.)

Section 9.01. Power To Acquire Property. The city is hereby empowered to acquire by purchase, gift, devise, or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by the city for any public use or purpose. Easements for slopes, fills, sewer, building lines, poles, wires, pipes, and conduits for water, gas, heat, and power may be acquired by gift, devise, purchase, or condemnation in the manner provided by law.

Section 9.02. Proceedings In Acquiring Property. The necessity for taking of any property by the city shall be determined by the council and shall be declared by a resolution which shall describe such property as nearly as may be and state the use to which it is to be devoted. The acquisition of such property may be accomplished by legal proceedings, as in taking land for Public use by right of eminent domain according to the laws of this state, except as otherwise provided in this charter. Any condemnation proceedings in progress when this charter takes effect shall be continued and completed under the laws under which such proceedings were begun.

Section 9.03. Payment of Award. Whenever an award of damages is confirmed in any proceedings for the taking of property under this charter, or whenever the court renders final judgment in any appeal from such award and the time for abandoning such proceedings by the city has expired, the city shall, within sixty days of such final determination, pay the amount of the award or judgment of the court, as the case may be; and if not so paid, judgment therefore may be had against the city.

Section 9.04. City May Abandon Proceedings. The city, may by resolution of the council at any stage of the condemnation proceedings, or at any time within thirty days after final determination thereof, abandon such proceedings as to all or any part of the property sought to be acquired and shall pay all reasonable costs and expenses thereof, including fees of counsel.

Section 9.05. City May Take Entire Plant. If the city condemns a public utility which is operated at the time of the commencement of condemnation proceedings as one property, or one system, it shall not be necessary in the condemnation proceedings or any of the proceedings of the council, to describe or treat separately the different kinds of property composing such system; but all the property, lands, articles, franchises, and rights which comprise such system may, unless otherwise ordered by the court, be treated together as one property and an award for the whole property in one lump sum may be made by the commissioners or other body assessing the damages on condemnation. This does not prevent the city, when the plant and property are separable into distinct parts, from acquiring only such part or parts thereof as may be necessary in the public interest.

Charter Amendment No. 23, Ordinance No. 91-09, adopted unanimously by the City Council September 3, 1991.

CITY CHARTER

CHAPTER 10

FRANCHISES AND PUBLIC UTILITIES

Section 10.01. Franchises Required. Except as otherwise provided by law, no person, firm, or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon or under any street, highway or public place for the purpose of operating a public utility or for any other purpose, without a franchise therefore from the City.

Section 10.02. Franchise Ordinance. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. A franchise shall be without any validity whatever until it has been unconditionally accepted in all its terms and filed with the city clerk.

Section 10.03. Term. No exclusive or perpetual franchise shall ever be granted. No franchise for a term exceeding twenty years shall be effective until approval by a majority of the electors voting thereon.

Section 10.04. Public Hearing. Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the council, the council shall hold a public hearing on the matter. Notice of such hearing shall be published at least once, in a manner permitted by law, not less than ten days prior to the date of the hearing. Additional notice of such hearing may be given in such a manner as the council may determine.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 10.05. Cost of Publication Of Franchise. The grantee shall bear the cost of publication of the franchise ordinance and shall deposit sufficient cash to guarantee the publication before the ordinance is passed.

Section 10.06. Power Of Regulation Reserved. Subject to any applicable law the council may by ordinance reasonably regulate and control the exercise of any franchise, including maximum rates, fares or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable law, ordinance, or regulation or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain. Franchise rights shall always be subject to the superior rights of the public to the use of streets and public places.

Section 10.07. Renewals Or Extensions Of Franchises. Every extension, renewal or modification of any existing franchise or of any franchise granted hereafter shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

Section 10.08. Applicability Of State Law. The provisions of this chapter relating to the regulation of rates and charges of an enfranchised public utility shall be inapplicable to the extent that rates and charges are regulated by the State Minnesota.

Charter Amendment No. 13, Ordinance No. 78-29, adopted unanimously by the City Council February 20, 1979.

CITY CHARTER

CHAPTER 11

PUBLIC OWNERSHIP AND OPERATION OF UTILITIES

Section 11.01. Acquisition & Operation Of Utilities. The city may own and operate any gas, water, heat, power, light, telephone or other public utility for supplying its own needs for utility service or for supplying utility service to private consumers or both. It may construct all facilities reasonably needed for that purpose and may acquire any existing utility properties so needed; but no proceedings to acquire any such public utility shall be consummated unless the city has the money in the treasury to pay for acquisition or has made provision for paying for the property proposed to be required. The operation of all public utilities owned by the city shall be under the supervision of the city manager.

Section 11.02. Rates And Finances. Upon recommendations made by the city manager or upon its own motion, the council may fix rates, fares and prices for municipal utilities but such rates, fares or prices shall be just and reasonable. Before any such rates, fares or prices are fixed by the council, the council shall hold a public hearing on the matter in accordance with Section 11.04. The council shall prescribe the time and the manner in which payments for all such services shall be made and may make such other regulations as may be necessary, and prescribe penalties for violations of such regulations.

Section 11.03. Purchase In Bulk. The council may, in lieu of providing for the local production of gas, electricity, water, and other utilities, purchase the same in bulk and resell them to local consumers at such rates as it may fix.

Section 11.04. Notice Of Hearings. Notice of hearings shall be published at least once, in a manner permitted by law, not less than ten days prior to the date of hearing. Additional notice of such public hearing may be given in such manner as the council may determine.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 11.05. Lease of Plant. The council may, if the public interests will be served thereby, contract with any responsible person, co-partnership, or corporation, for the operation of any utility owned by the city, upon such rentals and conditions as it may deem necessary; but such contract shall be embodied in and let only by an ordinance by four-fifths vote of the council and subject to popular referendum. Such ordinance shall not be an emergency ordinance. In no case shall such contract be for a longer term than ten years.

Section 11.06. Public Utility. How Sold. No public utility owned by the city shall be sold or otherwise disposed of by the city unless the full terms of the proposition of sale or other disposition are embodied in an ordinance approved by a majority of the electors voting thereon at a general or special election. In the case of water works or light plant, any sale, lease, or abandonment shall be subject, in addition, to the requirements of state statutes.

CITY CHARTER

CHAPTER 12

MISCELLANEOUS AND TRANSITORY PROVISIONS

Section 12.01. Official Publication. The council may annually designate a legal newspaper of general circulation in the city as its official newspaper in which may be published ordinances and other matters required by law to be so published as well as such other matters as the council may deem in the public interest to have published in this manner. The Council may in addition to or as an alternate to the official newspaper designate the City's internet website or other technology or source generally available to the public in which may be published ordinances and other matters permitted by law to be so published as well as such other matters the council may deem in the public interest to have published in this manner, which such publication is permitted by law.

Charter Amendment No. 23, Ordinance No. 91-09, adopted unanimously by the City Council September 3, 1991.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 12.02. Oath Of Office. Every officer of the city shall, before entering upon the duties of the office, take and subscribe an oath of office in the following manner: "I solemnly swear (or affirm) that I will support the constitution and will obey the laws of the United States and of the State of Minnesota, that I will, in all respects, observe the provisions of the charter and ordinances of the City of Robbinsdale and will faithfully discharge the duties of the office of _____, to the best of my judgment and ability."

Charter Amendment No. 24, Ordinance No. 99-09, adopted unanimously by the City Council September 21, 1999

Section 12.03. City Officers Not To Accept Favors Or Contracts. No member of the city council or employee of the city, shall solicit or receive any pay, commission, money, thing of value, or derive any profit, directly or indirectly, from or by reason of any improvement, alteration, or repair required by authority of the city more favorable than those granted to the public generally, or any contract to which the city shall be party, except the individual's lawful compensation, including authorized expenditures, or salary as such member of the city council or as such employee. No member of the city council or employee of the city shall solicit, accept or receive, directly or indirectly, from any public utility corporation or the owner of any public utility or franchise, any pass, frank, free ticket, free service, or any other favor, upon terms more favorable than those granted to the public generally. A violation of any of the provisions of this section shall disqualify the offender, if found guilty, from continuing in office or in the employment of the city, and the individual shall be removed therefrom. Any contract with the city in which any member of the council or employee of the city, is, or becomes directly or indirectly interested personally, shall be voidable at the option of the council; and any money which shall have been paid on such contract by the city may be recovered from any or all of the persons interested therein by joint or several action.

Charter Amendment No. 40, Ordinance No. 21-05, adopted unanimously by the City Council July 6, 2021.

Section 12.04. Official Bonds. The city manager, the city clerk, the city treasurer, and such other officers or employees of the city as may be provided for by ordinance shall each, before entering upon the duties of the individual's respective office or employment, give a corporate surety bond to the city in such form and in such amount as may be fixed by the council as security for the faithful performance of the individual's official duties and the safekeeping of the public funds. Such bonds may be either individual or blanket surety bonds in the discretion of the council. They shall be approved by the city council and approved as to form by the city attorney, and filed with the city clerk. The provisions of the laws of the state relating to official bonds not inconsistent with this charter shall be complied with. The premiums on such bonds shall be paid by the city.

Charter Amendment No. 40, Ordinance No. 21-05, adopted unanimously by the City Council July 6, 2021.

Section 12.05. Sales of Real Property. No real property of the city shall be disposed of except by ordinance. The proceeds of any sale of such property shall be used as far as possible to retire any outstanding indebtedness incurred by the city in the purchase, construction, or improvement of this or other property used for the same public purpose. If there is no outstanding indebtedness, the council may by ordinance or resolution designate some other public use for the proceeds.

Robbinsdale land used for park or recreational purposes or any land hereafter acquired or designated for park or recreational purposes by the City of Robbinsdale, shall not be conveyed or used for any other purpose unless authorized by the voters at a special or general election. This provision shall not affect the public use of a specific park or recreational area, when the area of such public use is 1/4 acre or less, or is less than 1/10 of the Park area, whichever is smaller, nor the temporary storage of snow.

Charter Amendment No. 7, adopted by the voters on November 7, 1972.

Section 12.06. Vacation Of Streets. The council may by ordinance, approved by at least four members of the council, vacate any street or alley or part thereof within the city. Such vacation may be made only after published notice and an opportunity for affected property owners and public to be heard, and upon such further terms and by such procedure as the council by ordinance may prescribe. A notice of completion of such proceedings shall be filed in accordance with law.

Section 12.07. Statutes Not Affected By Charter. All general laws and statutes of the state applicable to all Cities operating under home rule charters, or applicable to Cities of the same class as the city of Robbinsdale operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the City of Robbinsdale and shall be construed as supplementary to the provisions of this charter.

Section 12.08. Existing Ordinances Continued. All ordinances and regulations of the municipality in force when this charter takes effect, and not inconsistent with the provisions thereof, are hereby continued in full force and effect until amended or repealed.

Section 12.09. Fines and Penalties. All fines, forfeitures, and penalties recovered for the violation of any ordinance shall be paid into the city treasury. Every court or officer receiving such moneys, within 30 days thereafter, shall make return thereof under oath and be entitled to duplicate receipts for the amounts paid.

Section 12.10. Unclaimed Motor Vehicles, Disposition. Section 12.10 of the City Charter of the City of Robbinsdale entitled "Unclaimed Motor Vehicles, Disposition" is hereby repealed.

Charter Amendment Ordinance No. 5, adopted unanimously by the City Council June 8, 1970.

Charter Amendment No. 11, Ordinance No. 78-22, adopted unanimously by the City Council November 11, 1978.