

**ORDINANCE**  
**By Whiting**

**Amending Title 2 of the Minneapolis Code of Ordinances relating to Administration.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 10.30 contained in Chapter 10, Boards, Commissions and Advisory Bodies, be amended to read as follows:

**10.30. - Applicability of chapter.** This Chapter 10 shall apply as follows:

(1) *Tier 1 Bodies.* This chapter shall not apply to Tier 1 Bodies except for the ethics education training requirement in Section 10.80(b)(3) and to the extent that specific provisions are expressly incorporated into the body's enabling legislation.

(2) *Tier 5 Bodies.* This chapter shall not apply to Tier 5 Bodies, except for Section 10.20(b)(5) and the ethics education training requirement in Section 10.80(b)(3), which shall apply. Other provisions of this chapter shall apply only if expressly adopted by the enabling legislation.

(3) *Tier 2 Bodies; Tier 3 Bodies created by ordinance.* Sections 10.10, 10.20, 10.90, and 10.110 and the ethics education training requirement in Section 10.80(b)(3) shall apply to all Tier 2 Bodies and also to Tier 3 Bodies to the extent such Tier 3 Bodies are already existing pursuant to this code of ordinances on the effective date of this Chapter. The remaining sections of this chapter shall not apply to these bodies as long as the enabling legislation continues in effect without amendment. However, the city council may by ordinance amendment make any or all additional parts of this chapter applicable to such Tier 2 and Tier 3 Bodies.

(4) *Tier 3 Bodies created by resolution.* This chapter, inclusive of all its sections, shall apply to all existing Tier 3 Bodies created by resolution. This chapter shall supersede any inconsistent prior resolutions. The city clerk shall bring forward new resolutions to conform already existing Tier 3 Bodies created by resolution with the provisions of this Chapter.

(5) This chapter shall apply to all Tier 2, 3, and 4 Bodies created by the city council after the effective date of this Chapter. Nothing in this chapter shall apply to or limit the mayor's creation of advisory groups intended to advise the mayor.

Section 2. That Section 10.80 contained in Chapter 10, Boards, Commissions and Advisory Bodies, be amended to read as follows:

**10.80. – Oversight, orientation, restrictions, and requirements.** (a) *Oversight.* Each body shall report to the mayor and to a designated standing committee of the city council, which the city council shall determine as part of its organization and as needed from time to time thereafter.

(b) *Orientation.*

(1) The city clerk shall develop and oversee an orientation program to inform all newly appointed and reappointed members about the general functions, powers, and duties of the body to which they have been appointed, applicable laws and policies, and the city's expectations of members. Each newly

appointed or reappointed member shall participate in the clerk's orientation and must complete and return to the clerk a written acknowledgement of completion.

(2) All members shall sign a participant agreement acknowledging the duties and responsibilities of the appointment, in a form approved by the city attorney, as part of the clerk's orientation process.

~~(3) All newly appointed or reappointed members shall complete and file the oath required by Section 10.50(e)(3), sign and return to the clerk the participant agreement, and successfully complete the clerk's orientation and return to the clerk the written acknowledgment thereof before serving on the body and in any event no later than ninety (90) days after appointment or reappointment. Any member who fails to complete these requirements within ninety (90) days after appointment or reappointment shall be deemed to have resigned and the position shall be deemed vacant. All newly appointed or reappointed members must complete the following requirements within ninety (90) days after appointment or reappointment:~~

a. Complete and file the oath required by Section 10.50(e)(3);

b. Sign and return to the clerk the participant agreement;

c. Successfully complete the clerk's orientation; and

d. Successfully complete the ethics education training required in the city's Code of Ethics in Chapter 15, Ethics in Government.

Any member who fails to complete these requirements ninety (90) days after appointment or reappointment will be deemed to have resigned and the position will be vacant.

(4) If a member who has signed a participant agreement fails or refuses to abide by it, the body of which the member is a part may bring this failure or refusal to the attention of the city clerk, who will advise the appointing authority of the reported conduct. The appointing authority may take any action it deems appropriate up to and including removal of the member, if not otherwise prohibited by law.

*(c) Restrictions on service.*

(1) A member may not serve concurrently on more than one (1) body to which this section applies unless this restriction is waived by a majority vote of the city council. A member of a Tier 1 or Tier 5 Body may not also serve concurrently on a Tier 2, 3, or 4 Body unless this restriction is waived by a majority vote of the city council.

(2) A member may not be reappointed to a body if the member has already served consecutively on the same body for eight (8) or more years, unless this restriction is waived by a majority vote of the city council.

(3) A member may not serve on a body concurrently with another member with whom the person shares a significant familial relationship as defined in Section 15.280 of the Code of Ordinances.

(4) Neither the mayor nor any city council member shall serve as a member of a body unless charter or ordinance specifically provides that the seat shall be filled by a person holding that office.

(5) No current city employee shall be a member of a body.

(6) Any member who runs for any elective office, or who seeks appointment to fill a vacancy in an elective office, must take a leave of absence from the body while seeking election or appointment to the position. This leave begins on the date that the member files for or is nominated to the elective office or applies for appointment to fill a vacancy in the elective office. Any attendance requirements pursuant to Section 10.40(a)(2)(d) shall not apply to the member during this leave of absence.

(7) This Subsection (c) shall not apply to members who, by law or custom, are appointed by another organization or unit of government.

(d) *Ethics.* All members must comply with the city's Code of Ethics as set forth in Chapter 15, Ethics in Government, ~~and must complete ethics training on a schedule to be determined by the city council and the city's ethics officer.~~

(e) *Compensation.* Members shall serve without compensation unless such compensation is expressly provided for in the enabling legislation or resolution and the required resources are appropriated by the city.

Section 3. That Section 15.260 contained in Chapter 15, Ethics in Government, be amended to read as follows:

**15.260. Ethics education.** ~~Each local official or employee shall attend an ethics education seminar within twelve (12) months of the effective date of this Code. New employees and local officials shall participate in an~~ New employees and elected local officials shall complete ethics education training within six (6) months of becoming a local official or employee. Employees shall ~~participate in~~ complete ethics education training every three (3) years thereafter. ~~Non-employee local officials and elected local officials shall participate in an~~ Elected local officials shall complete ethics education training every four (4) years thereafter. A non-employee local official shall complete ethics education training within the time frame required for completion of orientation in Section 10.80 (b)(3) of this Code each time the non-employee local official is appointed or reappointed to a body. Employees in the job titles of election judge and stagehand/production technician temporary intermittent are exempt from this education requirement but shall be provided a copy of this Code upon hire. The training shall educate persons as to their duties and responsibilities under this Code. The human resources department shall design and implement the ethics education training. Department heads are responsible for ensuring that all of their employees attend this training.