

ORDINANCE NO. 888
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

AN ORDINANCE AMENDING ARTICLE 4, CHAPTER 2
OF THE CITY CODE REGARDING COMMISSIONS

THE CITY COUNCIL OF THE CITY OF NEW BRIGHTON ORDAINS as follows:

Section 1. New Brighton City Code; Chapter 2: Administration; Article 4 – Commissions; Sections 2 – 56 through 2 – 149 is amended as follows:

Article 4. Commissions

Division 1 - General Conditions

Sec. 2-56. General.

The commissions are intended to utilize members of the community in an advisory capacity to assist the City Council and staff with achieving goals and objectives for the City and to ensure that the ideas of citizens are well represented in the policy making process. Commissioners serve at the pleasure of the City Council and membership of each commission should reflect the diverse community in which we live. The general operating principles in this Division shall apply to all commissions, committees, boards and tasks forces. (Ord. No. 610, 12-13-94; Code of 2001; Ord. 854, 9.26.2017)

Sec. 2-57. Definitions

(1) **Commission.** All boards, committees, task forces and commissions. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-58. Commission Size.

Unless otherwise noted, all commissions will have a maximum of nine members, a maximum of one student member, and an ex-officio member as set forth in this section. (Ordinance No. 813; 04-24-2012; Ord. No. 854, 9.26.2017)

Sec 2-59. Appointment.

The City Council shall appoint the members of all commissions and may fill vacancies for unexpired terms. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-60. Compensation.

Commission members shall serve without compensation. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-61. Terms for Commission Members.

- (1) Unless otherwise noted, commission members will be appointed to a term of three years. Council may choose to shorten or modify a commissioner's term length for any reason at any time.
- (2) The time period for each three-year term will be April 1st to March 31st.
- (3) Commission terms will be staggered so the terms of approximately 1/3 of the members of each commission shall expire every year.
- (4) In the event of death, removal, or ineligibility of a commission member to participate on an appointed body, the Mayor shall declare a vacancy in the position and shall appoint a person to fill the vacancy as soon as conveniently possible for the remainder of the term subject to approval by a majority vote of the City Council present. (Ord. No. 610, 12-13-94; Ord. No 617, 11-14-95; Code of 2001; Ord. No. 854, 9.26.2017)

Sec. 2-62. Recruitment of Commissioners.

- (1) The City Clerk will advertise for new members at least once per year and as directed by the City Manager.
- (2) All commission candidates are required to complete a City application form in order to be considered for a commission appointment. This does not pertain to appointments to the Absentee Ballot Board whose members will be appointed from the roster of election judges approved by the City Council.
- (3) In order to attract qualified members, existing commissioners will assist the City in identifying knowledge, skills, and abilities important to accomplishing its assigned duties and responsibilities. (Ord. No. 610, 12-13-94; Code of 2001)
- (4) The City Council will evaluate the application materials submitted by each candidate and will consider the overall balance of diversity as well as the variety of individual skills, abilities, and geographic location throughout the City when evaluating the individual applications.
- (5) Formal interviews are not required but may be used by the City Council when appointing individuals to a particular commission.
- (6) The sole responsibility for appointment resides with the City Council as the confirming authority. There is no guarantee of appointment or reappointment to any commission. (Ord 781, 7-14-2009)

Sec. 2-63. Student Commissioners

- (1) The City Council may appoint student members to each commission.
- (2) Student commission members will be appointed to a term of one year that begins in April 1st and ends March 31st.

(3) Student members have full discussion and voting rights. (Ord. No. 856, 11.14.2017; Ord. No. 882, 4.8.2021)

Sec. 2-64. Council Representation.

(1) The City Council shall appoint one of its members as an ex officio member of each commission for a term of one year. This member shall have full rights of discussion but will not be a voting member of the commission.

(2) The City Council may designate an alternate ex officio member from among their members to attend and participate in a commission meeting in the event of an absence of the regularly appointed ex officio member. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-65. Staff Liaison.

The City Manager shall appoint one staff member to assist each commission. Unless otherwise noted, the staff liaison to each commission shall have full rights of discussion but will not be a voting member of the commission.

Sec. 2-66. Chairperson and Vice-Chairperson.

(1) Each commission shall annually recommend a chairperson and vice-chairperson from among their members to the Council for formal approval. The City Council shall annually designate a chairperson and vice-chairperson to serve as the presiding officer at meetings of the commission. The City Council may designate any member regardless of the commission's recommendation.

(2) As the presiding officer, the chairperson will be expected to provide leadership for the commission and to facilitate the conduct at regular meetings. The vice-chairperson is expected to prepare for a future chairperson role and to fill-in for the current chairperson in the event of an absence.

(3) All the following criteria shall be met when selecting the chairperson and vice-chairperson:

A. The member has demonstrated in-depth knowledge of the Commission's roles and responsibilities or has an applicable background that demonstrates an ability to lead a commission

B. If the member has previously served on the commission or any commission, the member has a good attendance record and expects to be able to make all meetings while serving as chairperson or vice-chairperson.

C. The member has demonstrated leadership and involvement in past activities of the commission or has other applicable experiences that would qualify them to lead a commission.

D. The member has demonstrated the ability to understand and further the City Council's overall mission, specifically relating to the commission's responsibilities.

E. A chairperson or vice chairperson understands and agrees to manage commission business in a fair and impartial fashion and in a manner consistent with any training provided by staff or Council directives.

(4) A commission chairperson or vice-chairperson that is appointed by the Council shall serve one year in this capacity and may be reappointed.

(5) Any commission chairperson or vice-chairperson may be removed from office by a majority vote of the City Council. (Ord. 856, 9.26.2017)

Sec. 2-67. Record of Action.

In accordance with Minnesota State Statute 15.17, each commission will work with City staff to maintain a public record of its discussions, recommendations and other activities. Minutes will be kept of each meeting and forwarded to the City Council upon approval by a majority of a quorum of the commission. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-68. Reports.

The chairperson of each commission shall present an annual report to the City Council at a regular Council business meeting in the first quarter of the City's budgetary year. This annual report must include a summary of activities and accomplishments of the commission during the previous year in addition to the commission's work plan for the current year. (Ord. 811, 03-27-2012)

Sec. 2-69. Qualifications and Expectations

(1) Unless otherwise specified, each member of any Commission shall be a resident of the City during their term of service.

(2) Each commission and its individual members are responsible for complying with applicable state laws including open meeting and data practice laws.

(3) All commission members shall refrain from bidding or entering into any contracts, agreements, or other engagements with the City while serving on a commission or creating or participating in any situation where a real or perceived conflict of interest may exist. (Ord. No. 735, 1-24-06, Code of 2001; Ord. 854, 9.26.2017)

(4) Each commission and its individual members are responsible for conducting their business consistent with city policies as described in the Commissioner Handbook as it is amended from time to time.

(5) Each commission is expected to operate in alignment with the City's Strategic Priorities and the City's Equity Strategic Action Plan as they are amended from time to time.

(6) Any member of a commission may be removed from office by a majority vote of the City Council for any reason. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-70. Absence of Members.

Attendance at meetings is of the utmost importance in carrying out the work of a commission. If a member misses four of the scheduled meetings during the commission calendar year (April through March), the member's seat may become vacated and the City Council can begin the process of filling the vacated seat. The City Manager shall be responsible for notifying the member of the intended and resulting action. (Ord 781, 7-14-2009, Ord. 797, 03-22-2011, Ord. 811, 03-27-2012))

Sec. 2-71. Leaves of Absence.

For a variety of reasons, commission members may need to take a leave of absence for period of time. Members of any commission or committee may request in writing to the City Council a leave of absence not to exceed four months from their appointed position. Leaves of absence will be granted at the discretion of the City Council. (Ord 781, 7-14-2009)

Sec. 2-72. Task Forces and Subcommittees.

(1) With prior approval of the City Council, a commission may organize a task force to study and report to the Commission, and ultimately the City Council, on specific matters. After reporting its findings to the City Council, the task force shall terminate unless the City Council directs further action by the task force. A task force may include members of commissions, as well as other qualified residents or business representatives.

(2) Commissions may appoint a subcommittee consisting only of its members to complete special assignments. Reports of the subcommittee must be approved by the full commission before recommendations are made to the City Council.

(3) The City Council may appoint a task force to study and report on specific matters.

Secs. 2-73--2-79. Reserved.

Division 2 - Parks, Recreation, and Environmental Commission

Sec. 2-80. Established.

A Parks, Recreation, and Environmental Commission shall be established for the City. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-81. Purpose.

The Parks, Recreation and Environmental Commission shall advise and make recommendations to the City Council regarding environmental stewardship and sustainability, recreational programs, parks and open space in the community. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-82. Duties and Responsibilities.

Specifically, the duties and responsibilities of the Parks, Recreation and Environmental Commission shall be to:

- (1) Advise the City Council on cooperative agreements and policies with other public and private agencies, groups or individuals relative to recreational programs and facilities; and,
- (2) Advise architectural engineers or other land use applicants on the preparation of specific plans related to parkland and needs prior to their presentation to the City Council for formal approval; and,
- (3) Initiate, research, periodically review and recommend policies and plans for parks, recreation programs, use of open space and trail systems; and,
- (4) Develop and make recommendations to maintain a Comprehensive Parks Plan in addition and provide comment to the Planning Commission regarding updates to the portion of the City's Comprehensive Plan relating to open space needs, parks and recreation programs, and trail systems; and,
- (5) Periodically update an assessment of current programs regarding open space, parks and recreation, and trail systems; and,
- (6) Keep the School District and other partnering agencies informed, seeking their participation and cooperation in the use of park land, buildings, and equipment.
- (7) Perform other duties as directed by the City Council. (Ord. No. 610, 12-13-94; Code of 2001)

Secs. 2-83--2-99. Reserved.

Division 3 - Economic Development Commission

Sec. 2-100. Established.

An Economic Development Commission shall be established for the City. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-101. Purpose.

The purpose of the Economic Development Commission shall be to advise the City Council on matters concerning industrial and commercial development in the City. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-102. Members of the Commission.

The Commission shall consist of:

(1) The membership of this commission may be open to any resident or non-resident affiliated with a New Brighton business who is interested in the business climate and economic direction of the City. There shall at least five (5) New Brighton residents represented on the Commission. (Ord. No. 610, 12-13-94; Ord. No. 653, 1-26-99; Ord. No. 666, 1-25-00; Code of 2001, Ord 781, 7-14-2009)

Sec. 2-103. Duties and Responsibilities.

The specific duties and responsibilities of the Economic Development Commission shall be to:

(1) Assist and advise the City in preparing economic development marketing plans, business retention programs, and developing different strategies that could be utilized in attracting real estate development opportunities to the City.

(2) Aid the City Council and Planning Commission in the proper strategic development of areas suitable for real estate development. Recommend long and short range plans and strategies for real estate development.

(3) Confer with and advise the City Council, Planning Commission, and staff of the Community Development Department on all matters concerning real estate development.

(4) Assist with and provide insight on developing, compiling, coordinating, and publicizing information on matters concerning industrial and commercial development. Provide advice and assist with the collection of data and information pertinent to the economic well-being of the City.

(5) Assist in the preparation and implementation of plans and strategies for business retention.

(6) Support the activities and endeavors of New Brighton business organizations.

(7) Perform other duties as directed by the City Council. (Ord. No. 610, 12-13-94; Code of 2001, Ord 781, 7-14-2009)

Secs. 2-104--2-119. Reserved.

Division 4 - Planning Commission

Sec. 2-120. Established.

A Planning Commission shall be established for the City. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-121. Purpose.

The purpose of the Planning Commission shall be to advise the City Council on all land use planning matters and perform operations and procedures outlined in Minnesota Statutes, Section 462.354. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-122. Members of the Commission.

(1) The Planning Commission shall be composed of seven persons, a maximum of one student member, and an ex-officio member as set forth in Chapter 2, Article 4, Division 1 – General Provisions.

Sec. 2-123. Duties and Responsibilities.

The specific duties and responsibilities of the Planning Commission shall be to:

(1) Develop and make recommendations to the City Council regarding the maintenance of the Comprehensive Plan of the City.

(2) Develop and make recommendations to the City Council regarding land use regulations needed to implement the Comprehensive Plan of the City.

(3) Advise the City Council of findings of fact and recommend actions regarding applications and proposals concerning land use, comprehensive planning, zoning, platting, changes in streets and other matters of a general planning nature.

(4) Maintain ongoing relationships with and awareness of the activities of other City Commissions working in tandem to achieve the strategic goals and objectives of the City.

(5) Perform other duties as directed by the City Council. (Ord. No. 610, 12-13-94; Code of 2001)

Secs. 2-124--2-129. Reserved.

Division 5- Public Safety Commission

Sec. 2-130. Established.

A Public Safety Commission shall be established for the City. (Ord. No. 610, 12-13-94; Code of 2001)

Sec. 2-131. Purpose.

The purpose of this Commission shall be to advise the City Council on matters that relate to the goals, policies, and operation of public safety functions. (Ord. No. 610, 12-13-94; Ord. No. 626, 2-11-97; Code of 2001)

Sec. 2-132. Duties and Responsibilities.

The specific duties and responsibilities of the Public Safety Commission shall be to:

- (1) Assist the Public Safety Department in assessing community attitudes and concerns about public safety services.
- (2) Assist the Public Safety Department in developing long range strategic plans.
- (3) Assist the Public Safety Department in developing and monitoring achievement of performance measures regarding strategic plan goals and objectives.
- (4) Perform other duties as directed by the City Council. (Ord. No. 610, 12-13-94; Code of 2001)

Section 2-133--134. Reserved.

Division 6 –Equity Commission

Sec. 2-135. Established.

An *Equity* Commission shall be established for the City.

Sec. 2-136. Purpose.

The purpose of this Commission is to advise the City Council on: issues and goals related to diversity, equity and inclusion. It will focus city policy conversations and governance decisions with equity in mind.

Sec. 2-137. Definitions.

- (1) Equity.** Freedom from systemic bias or favoritism; Parity across differences; Product and service access, opportunity, quality, and outcomes that do not vary by race, ethnicity, language, age, gender or other meaningful differences.

Sec. 2-137. Duties and Responsibilities.

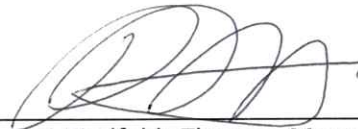
The duties and responsibilities of the Equity Commission shall be to:

- (1)** Advise the City Council regarding diversity, equity and inclusion representation, privileges, intercultural relations, race relations, cultural place-making and other situations affecting outcomes for underrepresented, marginalized populations in the City of New Brighton.
- (2)** Analyze the impact of policy and budget decisions on equity outcomes.
- (3)** Advise the City Council on good governance practice, policy, regulations, and ethics for improving equity.
- (4)** Advocate for equity with all of the City's governing environments and work in tandem with the Equity Strategy Team to ensure and support the organizational capacity of the city to operationalize equity.
- (5)** Perform other duties as directed by the City Council. (Ord. No. 885, 5-25-21)
- (6)** The Equity Commission may also address issues of Human Rights including supporting regional human rights organizations and endeavors.

Sec. 2-138 – Sec. 2 - 149. Reserved.

This ordinance shall be in full force and effect from and upon its adoption and publication according to law.

Adopted this 9th day of November, 2021 by the New Brighton City Council with a vote of 4 ayes and 0 nays. (Dunsworth absent)



Kari Niedfeldt-Thomas, Mayor



Devin Massopust, City Manager

ATTEST:



Terri Spangrud, City Clerk

