

MINUTES

RAMSEY COUNTY CHARTER COMMISSION

May 1, 2006

7:00 p.m.

The Ramsey County Charter Commission met on Monday, May 1, 2006 at 7:00 p.m. at the Linwood Community Center, 860 St. Clair Avenue, St. Paul, MN.

MEMBERS PRESENT:

District 1: Sharon Klumpp
Jim Speckmann
District 2: Bob Bell
District 3: Frank Gurney
Charles Aguirre
District 4: Gretchen Wolf
District 5: Rod Halvorson
District 6: A. L. Brown
Russell Miller
District 7: Mary Nepper
At Large: Mike Fratto
Minoka Kitto

MEMBERS ABSENT:

District 2: John Gulbranson
District 4: Chris Leifeld
District 5: Lyle Nelson
District 7: Bud Berry
At Large: Anthony Coletta

OTHERS PRESENT:

Ramsey County Manager David Twa
Darwin Lookingbill, County Attorney's Office
Bonnie Jackelen, County Manager's Office
Bruce Kennedy, citizen
Steven Hahn, citizen

CALL TO ORDER:

Chair Sharon Klumpp called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES:

A MOTION was made, SECONDED and CARRIED to approve the minutes of the February 6, 2006 Charter Commission meeting.

CITIZEN INPUT/COMMENTS:

Bruce Kennedy appeared before the Charter Commission to discuss rank voting in special elections. He stated that he has been campaigning at the Legislature for instant runoff voting and it is a growing idea. Steven Hahn also spoke to the Charter Commission. He stated that he was from Australia and came to the United States in 1991. Australia uses instant runoff strategy and preferential voting and he has had some experience with it. Mr. Hahn stated that Australia has been using preferential voting since 1919 in Federal elections. It is also used in all elections in the State and lower houses, except for the Tazmanian House Assembly, which uses a modified proportionate representation system. As an example of a ballot, the voter is presented with a list of candidates and the opportunity to express a preference amongst those candidates. There are two ways of doing this. In preferential voting, a voter is required to express a preference amongst all candidates or they may have optional preferential voting in which case the voter marks their preference for one candidate. If that candidate receives the lowest number of votes, the preference does not continue on through the balloting. However, if all candidates are ranked, those preferences will continue throughout the balloting.

Mr. Kennedy and Mr. Hahn proposed to amend the Charter and to provide for the use of instant runoff and rank choice voting in special elections that occur when an official resigns or leaves office before the completion of their elected term. There was a special election held in St. Paul approximately a year ago to replace a city council member. Six or seven candidates ran for the position. Normally, when there are more than two candidates a primary is held. Then the top two candidates in the primary go on to a general election approximately one month later. Joe Mansky, Manager of the Elections Department of Ramsey County, stated that the total cost of the special election was \$73,000 and that amount is equally allocated to the primary and general elections. Therefore, the County could see a potential savings of \$36,000 by not holding the primary election. The primary also delays the replacement of the missing official by about a month and there is usually a low turnout in special elections as it is replacing only one official as opposed to a presidential election where there are more candidates to vote for. In the recent special election, there was a 7% turnout for registered voters for the primary and a 10% turnout for the general election.

The City of San Francisco has been using this system for a few years. San Francisco used a process by which only a November election was held but if no candidate had more than 50% of the votes, there was a run-off in December. By eliminating that run-off, the city is saving about \$1.6 million per election. Burlington, Vermont is the most recent city to use this same process. The City of Hopkins (a Charter city) used rank voting and a proportional representation system in the 1950s and then discontinued it but now they are considering using that process again. Minneapolis also has a campaign in progress to collect signatures to have instant run-off for city elections that would eliminate a primary. The League of Women Voters studied the issue and endorsed it as an acceptable electoral method.

There was substantial exit polling in San Francisco and that information is available. The results were good. People liked it and preferred it. Mr. Kennedy observed the election in San Francisco in November 2005 and he stated that it went quite well. San Francisco invested initially in education and community group discussions, videotapes and on-line demonstrations, and even

mailed postcards out to each resident. The postcard mailing was the most effective educational tool.

Reasons to use this type of election process:

1. Voter expression, majority rule.
2. Efficiency and economy for campaigns.
3. Higher turnout in separate elections—although not guaranteed.

As far as election equipment, Ramsey County uses optical scan machines that are unable to capture a ranking. The machines would have to be updated with “firmware” which is embedded software. Mr. Kennedy was unsure of the cost to upgrade the machines. Mr. Kennedy stated that he would not recommend upgrading the machines at the present time, but at a time when a special election is occurring.

MOTION to recommend inviting Joe Mansky of the Elections Division to the next meeting to discuss election mechanics. Motion SECONDED. Motion CARRIED.

HISTORY OF THE RAMSEY COUNTY HOME RULE CHARTER

The Home Rule Charter came into effect in November 1992. Mr. Lookingbill then discussed the background and theory of the Charter and why it was proposed. Many cities within Minnesota have municipal Charters and counties also are allowed to have Charters but they are less frequent. The reason is that the traditional notion of county government is that they are an administrative arm of the state and in charge of administrating state programs, providing some local control and oversight over state functions. The traditional legal concept of a county’s responsibilities is that the county only has the authority to do what is expressly required in the statute or provided for by statute or those duties and responsibilities that are necessarily implied from some express authority. Mr. Lookingbill stated that under a home rule charter, a county is entitled to take action, exercise authority over any matter that is not prohibited by state government. Instead of looking for express authority, one would look first to see if there is something that prohibits a particular action in the form of a statute that states something to the effect of: “Notwithstanding any other law or charter provision to the contrary, this is the law.” The concept is that one can exercise any authority that any municipality could exercise if it has been delegated by the state or has been delegated by the state absent some sort of prohibition. The concept then becomes one of local control.

Chapter 1 of the Charter states the general powers of the county, such as the county has the authorities and abilities that are expressly provided and all the implied powers that the county can exercise. Chapter 2 sets out the duties and responsibilities of the Board of Commissioners. Unique to Ramsey County is set forth under “K” in Chapter 2 regarding sale and disposal of park property that provides for the no net loss of park space. This was one of the first amendments to the Charter in November 1994. The other feature that is different from other counties is “M” which is also an amendment to the original Charter to allow the county to use negotiated contracts for building structures and construction contracts. The typical requirement is that a

county would have to use a public bid process but this amendment allows the county board to use whatever process is in the best interests of the county including design/build.

Chapter 3 states the duties and responsibilities of the county manager. The general concept is to create a professional county manager as opposed to a political office. The county manager is responsible for all the administrative functions of the county and responsible for appointing department heads.

The Administrative Departments section sets out the general structure of the county departments.

Ordinance and resolution procedures set out the requirements for passing ordinances. The first paragraph states what must be done by ordinance.

Chapter 6, Coordination of Operational Services and Planning, is an area that in the past the Charter Commission has been very interested and involved in the strategic planning process. Many of the early Charter Commission members also were involved in the last round of planning. The County is required to create a strategic plan every 10 years. The county is also required to submit its budget to the Charter Commission to review to determine whether or not it is consistent with the county plan.

OLD BUSINESS:

Report of subcommittee pertaining to the possible charter amendment re elected vs. appointed status of the county attorney and sheriff

The subcommittee met at the Hamline Law Library and proceeded in deciding the membership and composition of a “blue ribbon commission” to participate in an appointment process. There was some discussion about making the list more citizen-heavy as opposed to heavy on the professional side. Some suggested members were the chief judge of Ramsey County, the president of the Bar Association, the chief public defender of Ramsey County, Ramsey County manager, president of the Ramsey County Deputy Association, Chair of the Ramsey County Board of Commissioners, a senior assistant Ramsey County attorney, senior deputy sheriff, city attorney, a Ramsey County municipality, police chief serving a Ramsey County municipality and a diverse group of Ramsey County citizens, from suburban and urban areas, racial minorities, victims of crime.

The professional participants would look at, for instance, how long a candidate has practiced law or been involved in law enforcement and the quality of their connections to the community. The system the subcommittee considered would be for the commission to recommend one or two individuals for a position and that would be the pool of candidates to choose from.

The subcommittee will report again at the August meeting.

NEW BUSINESS:

None.

COUNTY MANAGER REPORT:

David Twa's comments are summarized as follows:

Two weeks ago, the county board and departments participated in an all-day workshop as part of our two-year budget cycle. Currently, three counties in the state have two-year budget cycles: Blue Earth, St. Louis and Ramsey. The reasoning behind a two-year budget cycle is so much of the budget is already set by state statute or mandate and is repetitive year after year and not focusing on strategic and long-range planning. The two-year budget process eliminates budget discussions so that in the second year of the budget process (2007) the focus is on critical issues. Thus, the all-day workshop was to allow departments to present critical issues.

One of the major themes of the discussion was the changing demographics of the County and how that will impact county government in general and Ramsey County specifically. It is a known fact that over the next 10 years a significant number of county employees, approximately 50%, will be retiring or otherwise leaving the organization and there is no way given the current environment that the County will be financially able to replace each and every one of those persons. Therefore, the County will need to use technology to increase productivity. Minor changes and minor costs in technology can make big differences. The Board of Commissioners dedicated an additional \$5 million per year for technology for computerization and equipment and programming. The departments were asked to look at more technologies to increase productivity so as individuals leave, knowing not every person will be able to be replaced, the County can still function.

The budget hearings will focus on performance measurements and goals and objectives to link the County's budget to performance. Another area is IICP, or Inclusiveness In Contracting Program. It is a program that the County Board started about 4 years ago designed to involve more minorities involved in the County's contracting and employment. Ramsey County has almost 4,000 employees and contributes \$550 million each year into the economy in Ramsey County. Part of the directive from the Board and County Manager's Office has been asking how that money could be used to encourage women, minorities and small contractors so the County can provide opportunities for them in the contracting field.

Another big issue is transit and transportation. The Central Corridor is a major point of discussion. To complete the Central Corridor, the cost at present is estimated at \$840 million and will increase to \$1 billion by the time it is done. That will be a reality starting next year in terms of the two-year engineering and projecting it will be open some time in 2011. The riverfront development is another big issue. The Ramsey County jail was sold for development of a 25-story condominium. The smaller units (less than 900 square feet) will be sold for \$250,000. The penthouse condos will cost \$1.5 million. Once this project is completed, other County riverfront property (Ramsey County Government Center-West) may be sold as well. If this does occur, the County will need to relocate 1,000 employees.

The Property Records and Revenue Department is working on new systems for recording documents. The statute states that all documents should be recorded within a very specific time that our department has not been able to meet for 4 or 5 years. Mr. Twa stated that he appointed a blue ribbon panel made up of representatives from the title industry, 3 county recorders from other counties around the state and representatives that were appointed by the Ramsey County Bar Association to address this situation. Mr. Twa expects a report from this panel in a month.

The Ramsey County Nursing Home is continuing to lose money. Assuming over the next 10 years that the average increase in salaries and benefits for employees will be 4%, at the end of 10 years, the Nursing Home will be losing approximately \$2 million dollars per year. This is a very critical issue for the County to address.

The dispatch centers in Ramsey County have been consolidated, with the exception of White Bear Lake, which is staying on their own for the time being. Mr. Twa believes they will join the consolidated dispatch center in the near future. The new dispatch center will be one of the 10 largest centers in the nation based on the number of calls, estimated to be 1.3 million per year. Mr. Scott Williams has been hired to manage the dispatch center.

The State put \$10 million for 2 years into funding a homeless project. The State then asked the counties to put forward proposals for dealing with this issue. The seven metro counties put in one proposal. \$5 million per year will come to the seven metro counties and be divided based upon a proportion of homelessness, so Hennepin and Ramsey Counties will receive about 90% of the money. The money will not go into managing a particular center but rather will follow each homeless person. There will be a joint powers agreement to contract with an organization for case workers to provide services to the homeless regardless of which county they reside.

Targeted case management is a federal issue. The federal government has drastically reduced dollars to the counties over the years but Ramsey County puts about \$8 million per year toward targeted case management which is in jeopardy depending on how budget cuts are handled. Potentially, this equates to 140 positions in the Human Services Department that would be cut. More significantly, if those positions are working out in the communities providing support to people with medical and other issues, this could result in a dramatic reduction in services throughout the state.

Preventive Programs. Between the state budget cuts in 2003 and now with the reauthorization acts at the federal level, many of our preventive programs have been cut. The prevention programs keep people out of the system, whether the criminal system or child neglect down the road, those are the programs that tend to be cut. They also are the programs not mandated by state or federal law so they are the first ones we tend to eliminate.

SET NEXT MEETING DATE:

The next meeting will be Monday, August 7, 2006 at 7:00 P.M. at the Sun Ray Library, 2105 Wilson Avenue, St. Paul, MN.

ADJOURNMENT:

A MOTION was made, SECONDED and CARRIED to adjourn the meeting. There being no further business to come before the Charter Commission, the meeting was adjourned.