2-1

Resolution No. 2016R-317 City of Minneapolis File No. 16-00888

By Glidden

Concurring in the legal findings of the City Attorney that the subject of the petition for police professional liability insurance is not a proper charter amendment and directing the City Clerk not to transmit the question to the County Auditor.

Whereas, a petition to amend the Minneapolis City Charter was submitted by the Committee for Professional Policing to the Minneapolis Charter Commission on June 13, 2016, and was transmitted to the City Council by filing with the Office of City Clerk the next day; and

Whereas, the first review of the petition found it to be insufficient in satisfying minimum signature requirements under Minnesota Statutes, Section 410.12 subd. 2, and an amended petition was submitted on July 5, 2016, which addressed the defects in the original petition and was deemed to have satisfied the minimum signature requirements on July 11, 2016; and

Whereas, the City Council directed the City Attorney to prepare a legal opinion as to whether the subject of this proposal, specifically, whether to require Minneapolis police officers to carry professional liability insurance during their terms of service, was appropriate for placement on the ballot under applicable law, which opinion was published and made available from the City's website on July 28, 2016; and

Whereas, the City Council, having reviewed the record of this matter and having fully considered the legal analysis and opinion provided by the City Attorney, has reached a conclusion with respect to the issue of whether this proposal, submitted by citizen petition, is appropriate to submit to the electorate.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council finds the proposed charter amendment is pre-empted by and/or in conflict with state law related to the defense and indemnification of public employees and peace officers; and

That the City Council finds the proposed charter amendment is pre-empted by and/or in conflict with the Minnesota Public Employee Relations Act, Minnesota Statutes, Chapter 179A.

Be It Further Resolved That, based on these findings, the City Clerk is hereby directed not to submit the proposed charter amendment as a ballot question to the County Auditor for placement on the ballot for the November 8, 2016, General Election.

Committee: COW Public Hearing: N/A Publication: AUG 09 2016

RECORD OF COUNCIL VOTE				
MEMBER	AYE	NAY	ABSTAIN	ABSENT
REICH	X			
GORDON		X		
FREY	X			
B. JOHNSON	X			
YANG	X			
WARSAME	X			
GOODMAN	X			
GLIDDEN	X			
CANO		X		
BENDER	X			
QUINCY	X			
A. JOHNSON		X		
PALMISANO	X			
DATE:	AUG 05 2016			

☒ APPROVED ☐ VETOED

MAYOR HODGES

AUG 05 2016

DATE

Certified an official action of the City Council

ATTEST:

CITY CLERK

Presented to the Mayor:	AUG 05 2016	Received from the Mayor:	AUG 05 2016