

RESOLUTION to the Charter Review Committee of the Saint Paul Charter Commission
Commissioner John Paul (Jack) Kirr
February 27, 2017

WHEREAS File # CCI 17-3 Version 1 ("Agenda #3") on the February 27, 2017 Charter Review Committee meeting agenda ("February Meeting"), is described as *Charter amendments raised at the December 27, 2016 Charter Commission meeting* ("December Meeting") and includes an attached file labeled "12-27-16 Charter Commission Meeting Minutes" ("December Meeting Minutes").

WHEREAS the December Meeting Minutes ARE NOT APPROVED by the Charter Commission.

WHEREAS a letter from five (5) City Council members to the Charter Commission dated December 21, 2016 ("Council Letter") is NOT ON THE RECORD in the hyperlink within the December Meeting Minutes on the February Meeting agenda.

WHEREAS a letter from Commissioner Repke dated December 27, 2016 in response to the Council Letter ("Repke Response") is NOT ON THE RECORD in the hyperlink within the December Meeting Minutes on the February Meeting agenda.

WHEREAS both the Council Letter and the Repke Response were NOT ENTERED INTO THE PUBLIC RECORD at the December Meeting during the "Citizen Comment" period.

WHEREAS the only proposed charter amendments raised IN THE PUBLIC RECORD during the "Citizen Comment" period at the December Meeting were three (3) proposed amendment changes from a Mr. Peter Butler of Saint Paul.

WHEREAS the Charter Commission did not *Commit to Committee* any proposed charter amendments raised at the December Meeting, including the proposed amendment changes from Mr. Butler.

WHEREAS the procedural questions relating to matters within this resolution, asked by Commissioner Kirr on February 24, 2017 and February 25, 2017 (attached to this resolution in their entirety), HAVE NOT ALL BEEN ANSWERED SATISFACTORILY by the Saint Paul City Attorney prior to the February Meeting.

WHEREAS any consideration of Agenda #3 at the February Meeting puts the City of Saint Paul at risk of acting arbitrarily and capriciously.

RESOLVED that Agenda #3 should be removed from the February Meeting agenda.

from: jpkirr@gmail.com
to: "Tierney, Rachel (CI-StPaul)" <rachel.tierney@ci.stpaul.mn.us>

cc: "Chuckrepke@aol.com" <Chuckrepke@aol.com>,
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"Joseph.Mansky@CO.RAMSEY.MN.US" <Joseph.Mansky@co.ramsey.mn.us>

date: Fri, Feb 24, 2017 at 6:21 PM
subject: Re: Charter Commission Review Committee meeting

Thank you Rachel,

(0) I would like answers to the questions below before the Monday meeting.

(1) What is the relationship between the Charter Review Committee (the body convening on Monday) and the Charter Commission itself? Where is this relationship documented?

(2) What does the agenda item CCI 17-3 "Charter amendments raised at the December 27, 2016 Charter Commission meeting" ask of the Charter Review Committee? Is this a discussion? A vote? Something else?

(3) What specifically are these "raised" amendments? The only ones I see on the city website - and the only ones I heard proposed at the December 27th Charter Commission meeting - are the three entered during the "Citizen Comment" period by a Mr Butler of Saint Paul.

(4) By what means were Mr Butler's three raised amendments added to the Charter Review Committee agenda when the raised amendments themselves were entered into the record at a Charter Commission meeting?

(5) What if anything happens to any of Mr Butler's three raised amendments after an action (?) by the Charter Review Committee? Are they brought to the Charter Commission? The city council?

(6) How is the Charter Review Committee able to take any action on these three raised amendments if the Charter Review Committee itself is only "reviewing" (emphasis added) its own role in CCI 17-2 "Review of the Committee Role"?

Kind regards,

John Paul (Jack) Kirr

from: jpkirr@gmail.com
to: "Tierney, Rachel (CI-StPaul)" <rachel.tierney@ci.stpaul.mn.us>

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date: Sat, Feb 25, 2017 at 9:38 PM
subject: Re: Charter Commission Review Committee meeting

Hi Rachel,

I have several additional questions I would like answers to, below, before the Monday 2/27 meeting of the Charter Review Committee.

At the end of the "Citizen Comments" section of the December 27 Charter Commission meeting minutes, there is a note stating "Two letters, classified under citizen comments (attached)."

- (1) Where are these attachments on the city website? I cannot find them on the city website.
- (2) Please verify these two letters are (a) A 12/21 letter to the Charter Commission from five (5) St Paul City Council members and (b) Commissioner Repke's 12/27 response to that letter.
- (3) If (2) is true then by what means, exactly, are these two letters able to be included as "Citizen Comments"?

These letters were not entered into the public record by a committee motion. To my recollection neither letter was formally introduced to the committee but were only left on our desks.

To my recollection the Charter Commission made no direct reference to these letters during the 12/27 meeting, and I am unable to find any reference to them in the 12/27 Charter Commission meeting minutes - other than in (2) above if verified.

Importantly none of the "citizens" or public attending the Charter Commission meeting saw or heard the information contained in either letter.

- (4) Notwithstanding the foregoing, by what means, exactly, can a Charter Commissioner respond to a letter to the Charter Commission contemporaneously with the receipt of that letter (whether or not entered into the public record) to the Charter Commission?

