



Legislation Text

File #: Ord 15-11, Version: 1

Amending Chapter 11 of the Saint Paul Administrative Code pertaining to the reappointment of the HREEO Director.

An Ordinance amending Administrative Code Chapter 11 regarding performance of the department and the director. Amending to ensure compliance with Chapter 13.43, Minnesota Data Practices Act.

The City Council of the City of Saint Paul Does Ordain:

Section 1.

Section 11.01 of the Administrative Code is hereby amended to read as follows:

Chapter 11. - Department of Human Rights and Equal Economic Opportunity

Sec. 11.01. - Creation; head of department; authority generally; power to prescribe rules and regulations; responsibilities.

- (a) *Creation of the department.* There is hereby established an executive department of the city to be known as the department of human rights and equal economic opportunity.
- (b) *Director.* The head of the department of human rights and equal economic opportunity shall be a director. On a day to day basis the director shall be accountable to the mayor and, subject to the mayor's supervision, shall administer the affairs of the department. The director shall also report to the human rights and equal economic opportunity commission as required by chapter 183 <> of the Saint Paul Legislative Code.
- (c) *Director authority.* The director shall have general authority and control over all the department staff and shall oversee the proper fulfillment of all tasks and duties assigned to the department.
- (d) *Power to prescribe rules and regulations.* The director shall have the power to prescribe such rules and regulations as deemed necessary or expedient for the proper operation of the department and to that end shall keep informed of the latest administrative practices.
- (e) *Authority to designate deputies and other assistants.* The director may appoint up to three deputy director positions. The director may designate, with the approval of the mayor, an employee of the department to perform the functions and duties assigned to the director by law during the absence or disability of the director. This employee may be a deputy director or a manager of one of the functions of the department. The director shall appoint one deputy director to administer the requirements of chapter 183 <>
- (f) *Powers and duties with respect to department personnel.* The director shall have the power and duty to take all personnel actions, including hiring, assigning and reassigning employees, including supervisory personnel, within the department and shall supervise their performance.
- (g) *Appointment and term of office.* The director shall be appointed by the mayor with the approval of the council, and shall be in the unclassified service of the city. The director shall continue in office for terms of three (3) years from the expiration of the director's prior terms, each subsequent term subject to reappointment.
- (h) *Commission assessment and recommendation.* In conjunction with the director's three year term, the human rights and equal economic opportunity commission shall conduct an extensive assessment of the performance of the department under the and director's performance. Prior to 120 days from the expiration of the director's term, the commission shall recommend to the mayor whether

the director should be reappointed. Within 60 days prior to the expiration of the director's term, the mayor must accept or reject the commission's recommendations in writing. If the mayor rejects the commission's recommendation the substantive bases for the rejection of the commission's recommendation must also be provided in writing.

(i) The mayor may, not more than ninety (90) days nor less than sixty (60) days before the end of a specific term, determine to terminate an incumbency on the expiration date of that specific term.

~~(j)~~ (j) Reappointment and vacancy. The mayor initiates the reappointment process by submitting to the council in writing the mayor's reappointment decision. If the mayor elects to reappoint then the mayor shall submit the written request recommending the reappointment to the council for approval or rejection. Failure of the council to act within 30 days from the date the mayor's written reappointment was delivered to the council shall result in an automatic reappointment of the director for an additional term. If the mayor decides not to reappoint or the council rejects the reappointment then the director position shall be vacant either at the end of the term or, immediately, if the term has expired.

~~(j)~~ (k) In any case when a vacancy occurs, the mayor shall appoint an interim director. The mayor and council shall pass an ordinance to create a community advisory committee to advise the mayor on the selection of the new director. The committee shall immediately arrange for an examination to determine eligible persons to fill any vacancy and make its recommendation to the mayor.

~~(k)~~ (l) Removal of the director. The director may be removed prior to the completion of the three year term in the following ways:

1. *Mayor's removal.* The mayor may remove the director with the approval of the council. Upon receiving a written official notification that the mayor desires to remove the director, ~~which states the bases for the removal request~~, the council by resolution must either approve or reject the mayor's removal within 30 days from receiving the notification. ~~The resolution must state the bases for either the approval or the rejection of the mayor's written official removal notification~~

2. *Commission's removal.* The Human Rights and Equal Economic Opportunity Commission may remove the director with the approval of the mayor. Upon receiving a resolution approved by the commission requesting the removal of the director, ~~which states the bases for the removal request~~, the mayor must either approve or reject the commission's removal resolution request within 30 days from receiving the resolution. ~~The mayor's approval or rejection must state in writing the bases for either the approval or the rejection of the commission's resolution.~~

Section 2.

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.