

## City of Minneapolis: Charter & Government Structure

Answers to common questions, issues, and concerns

### 1. What is the City Charter? What does it mean for the City government?

The City Charter functions like the city’s “constitution.”<sup>1</sup> It is the primary governing authority under which the City of Minneapolis—legally defined as a public (municipal) corporation—is created and exists.<sup>2</sup> While it does many things, among the most important are these—

- (1) **Authority.** It defines the general authority and powers of the City.
- (2) **Structure.** It prescribes the City’s basic operating structure.
- (3) **Process.** It specifies core processes by which the City takes action.

State law affords to cities wide discretion in drafting charters.<sup>3</sup> One of the principal virtues of a home-rule charter is that it grants voters the greatest localized control to tailor government in response to the unique priorities, needs, and desires of a particular community.

### 2. What is an “Executive Mayor – Legislative Council” form of government?

It is essentially a variation of the traditional mayor-council form of government.<sup>4</sup> A basic primer on mayoral functions in city government structures is provided by the [National League of Cities](#). The strong mayor is typically designated as being the city’s chief executive officer and given primary responsibility for the city’s executive and administrative authority; this is provided under Minneapolis Charter § 7.1(a).

The “Executive Mayor-Legislative Council” government structure was adopted by voters in the November 2021 Municipal General Election and became legally effective on December 3, 2021.<sup>5</sup> Upon adoption, the government structure proposal was designated Charter Amendment No. 184.

The City’s new government structure features an executive mayor elected by Minneapolis voters to serve as its chief executive officer in whom the City’s general executive and administrative authority resides. It also features a separately elected body, the City Council, which is the City’s legislative and primary policy-making body. In this structure, the “Executive Mayor” has the three powers that usually are considered fundamental to a strong mayor system; those include: (1) the power to approve or veto legislation by the Council [Charter §

<sup>1</sup> For details about the proposed government structure, see the [final report](#) by the Minneapolis Charter Commission. For a detailed analysis of home-rule charter cities in Minnesota, see the [League of Minnesota Cities Handbook for Minnesota Cities](#), Chapter 4: The Home Rule Charter City. Also, see first presentation on government structure provided to the Committee of the Whole’s Government Structure Subcommittee on February 8, 2022: [part 1](#); the second presentation to the subcommittee at its meeting on March 22, 2022: [part 1](#) and [part 2](#); and the third presentation to the subcommittee at its meeting April 26: [part 1](#) and [part 2](#).

<sup>2</sup> Charter §§ 1.2, 1.3. In 1896, Minnesota became the fourth state in the Union to permit home-rule authority for local units of government [see Minnesota Constitution art. XII § 4]. State statutes enacted under this constitutional authority authorize cities to adopt home rule charters [Minn. Stat. Ch. 410]. According to the League of Minnesota Cities, of the state’s 854 cities, 107 currently operate under a home rule charter. The Minneapolis City Charter was first adopted in 1920 and has been amended many times since then, including a complete plain-language revision adopted by voters in 2013.

<sup>3</sup> *State v. Peterson*, 180 Minn. 366, 230 NW 830 (1930); *Grant v. Berrisford*, 94 Minn. 45, 101 NW 940 (1940) [Home rule charters may, in the absence of prohibitions, include any desired provisions with respect to municipal government, subject to the general rule that the charter may not contravene the state constitution, public policy, or statutes]; *Northern Pac. Ry. Co v. Duluth*, 153 Minn. 122, 189 NW 937 (1922); *A.C.E. Equipment Company v. Erickson*, 277 Minn. 457, 152 NW 2d 739 (1967); *Blaine v. Independent School District No. 12, Anoka County*, 272 Minn. 343, 138 NW 2d 32 (1965); *State v. Harris*, 102 Minn. 340, 113 NE 887 (1907).

<sup>4</sup> The strong mayor-council government structure is one of the two most common forms of local government in the United States, and is the structure predominately used in larger-sized cities and especially those in or anchoring metropolitan areas. The other popular structure is the council-manager structure in which the mayor and council together constitute the city’s governing body and an appointed manager holds the executive and administrative responsibilities for the city government. The commonality is that both of these structures remove executive, administrative, and operational authority from the City Council, which is limited to a legislative and policymaking role.

<sup>5</sup> The charter amendment was presented as City Question No. 1 on the ballot. The question was approved with 74,037 votes in favor and 67,228 votes opposed [YES: 52.41 – NO: 47.59%], based on those casting votes on that question. The City had a total registered voter population of 254,380 in 2021 (2021 estimated population was 425,33 according to the U.S. Census Bureau), with a total of 145,337 ballots cast in the 2021 election, representing approx. 57% voter turnout, which is very high for an off-year, municipal-only election. Still, of the total ballots cast, 4,072 voters who participated in the municipal election did not vote on City Question No. 1 (roughly 3% of voters in the election opted not to vote on the amendment). [See more results at Elections & Voter Services](#)

4.4(c)); (2) the power to formulate and manage the City's budget and finances [Charter § 9.3(a)(3)]; and (3) the power to appoint and direct administrative officers and the heads of the City's departments [Charter § 8.4(b)].

The City Council is vested with the City's general legislative, policymaking, and oversight functions, removed from the day-to-day operations of the City's administration.<sup>6</sup> In fact under the Charter, the Council, its members and committees, are prohibited from any action that would "usurp, invade, or interfere with the Mayor's direction or supervision of the administration."<sup>7</sup> The separately elected Board of Estimate & Taxation [Charter art. V] and Park & Recreation Board of Commissioners [Charter art. VI] are also vested with policymaking authority. Both bodies have delegated authority for narrowly defined areas and functions of the city government.<sup>8</sup>

Beyond establishing the basic components of a traditional strong mayor structure, Charter Amendment No. 184 left to the City's election policymakers (Mayor and Council) the detailed work of determining how the City's departments and divisions might be organized into an effective and efficient Administration.

### 3. What was or is the plan for the "Executive Mayor – Legislative Council" form of government?

Charter Amendment No. 184 ["Executive Mayor-Legislative Council"] is based on a traditional mayor-council system of local government (*see above*), a system that delineates shared government power between a directly elected executive (mayor) and a legislative body (council), similar to federal and state systems in the United States. The amendment did establish where authority lies within the government, but it did not prescribe changes in the executive structure. Those decisions must be made by the City's elected officials.

On Nov. 29, 2021, Mayor Frey convened his Government Structure Transition Work Group which was charged with studying and providing recommendations on how to most effectively organize an executive structure under the new government structure. That work group recommended the creation of a City Operations Officer (COO) with relevant professional education, expertise, and experience to ensure proficient day-to-day operations and performance of city departments as directed by the Mayor.<sup>9</sup> The work group recognized that, in addition to the COO, the Mayor might want to have other senior-level executives as direct reports to provide leadership for key areas that represented priorities for the City and community.

On Mar. 22, 2022, Mayor Frey presented his [proposal](#) to organize the City's Administration to the Council's Committee of the Whole-Government Structure Subcommittee. The proposal was informed by the Government Structure Transition Work Group's recommendations and would limit the Mayor's span of authority to four direct reports; these would include—

- (1) **A Chief of Staff**, to provide policy development and oversight on behalf of the Mayor's Office.
- (2) **A City Attorney**, to function as the City's chief legal officer, attorney, and counselor-at-law (including all its officers, departments and divisions, boards and commissions, and employees), who would continue to supervise the Office of City Attorney which would include civil and criminal divisions and be responsible for enhancing community safety, serving justice, and vigorously representing the interests of the City and its residents.
- (3) **A City Operations Officer**, to have primary responsibility for planning, organizing, coordinating, and ensuring the effective operation of the City enterprise under the Mayor's leadership and direction, as recommended by the Government Structure Transition Work Group. The City Operations Officer would be the head of the proposed **Office of Public Service**<sup>10</sup> which would consolidate all departments and divisions not engaged in community safety functions (*see below*) into a unified operating structure. The Office of Public Service would essentially encompass six departments:
  - (a) **Department of Internal Services**, to encompass those departments whose functions primarily serve the enterprise operations, including: City Assessor; Finance & Property Services; Human Resources; Information Technology; and Intergovernmental Relations.

<sup>6</sup> The term "administration" refers to the City's operating departments and divisions under the executive and administrative authority of the Mayor, as provided in Charter § 7.1(c)(2).

<sup>7</sup> Charter § 7.1(h)(1).

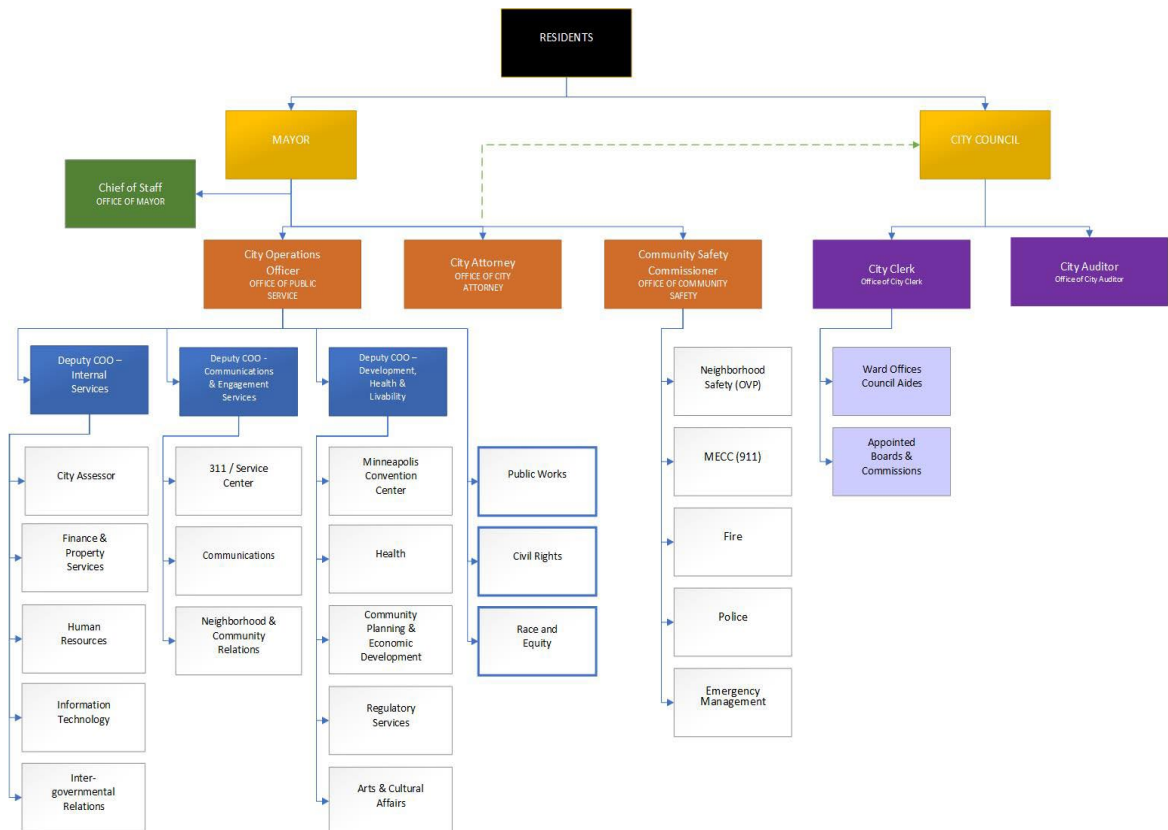
<sup>8</sup> Note that the Mayor is *ex officio* a full (voting) member of the Board of Estimate & Taxation [Charter § 5.3(a)(1)] and that all official acts of the Park & Recreation Board of Commissioners are subject to the Mayor's approval or veto [Charter § 6.2(j)], just as all official acts of the City Council are subject to mayoral consideration.

<sup>9</sup> See [Government Structure Transition Work Group Report](#), Section C. Recommendations to the Mayor, pp. 11-12.

<sup>10</sup> The proposed consolidation of these operating departments and divisions through a single Office of Public Service is intended to enhance accountability, break down siloes, and encourage collaborative approaches to addressing the community's complex challenges and opportunities.

- (b) **Department of Communications and Engagement**, to combine departments responsible for engaging community and ensuring clarity and efficiency of information, including: 311/Service Center; Communications; and Neighborhood & Community Relations.
  - (c) **Department of Development, Health & Livability**, which would encompass Arts & Cultural Affairs; Community Planning & Economic Development; Health; Minneapolis Convention Center; and Regulatory Services.
  - (d) **Public Works Department**, which leads work on building, operating, and maintaining the City’s core infrastructure.
  - (e) **Civil Rights Department**, which works to protect and advance the civil and human rights for all people who live in, work in, or visit the City of Minneapolis.
  - (f) **Race & Equity Department**, which works to advance racial equity in the City’s organization and operation and the delivery of its services and programs to the community.
- (4) **A Commissioner of Community Safety**, to provide unified command, clear accountability, and coordinated service delivery among the City’s departments and divisions focused on community safety functions under the Mayor’s leadership and direction. The Commissioner would be the head of the proposed **Office Community Safety** which would encompass the following departments and divisions: Emergency Communications (911); Emergency Management; Fire; Police; and a Neighborhood Safety Department that would include the existing Office of Violence Prevention.

Based on the input and recommendations of various stakeholders—including Council Members—adjustments were made to the Mayor’s proposed executive organization, with updates circulated to the Council and posted on the City’s [government structure website](#). The final proposed structure is reflected in the following table of organization, presented to City Council at the COW Government Structure Subcommittee meeting on June 28, 2022—



Implementing this proposed structure will require collaboration between the Mayor and Council to enact ordinances to update the existing operating structure, based in both the City Charter and the City’s Code of Ordinances. That work is underway now.

#### 4. What is the role of the Council under this government structure? What is a “Legislative Council”?

Pursuant to Charter § 4.1, the City Council is the legislative body of the City in which its general legislative, policymaking authority, and oversight resides. Like other legislative bodies, the Council under the new government structure is primarily responsible for three functions<sup>11</sup>—

- (1) **Policymaking**, which involves enacting local laws to govern the community and public policies to regulate the City enterprise.
- (2) **Oversight**, which focuses on maintaining a system of checks and balances in the enterprise by monitoring, scrutinizing, and holding the Administration to account and evaluating its performance.
- (3) **Representation**, through which both the Council, as a body, and its individual Members provide a visible link to the community to ensure the voices of residents are heard and incorporated in decision-making.

In Minnesota the powers of local government are vested in the council unless delegated to the Mayor, a separate elected or appointed officer, a board or commission, or to a department.<sup>12,13</sup> Local laws enacted by the City Council define the rights, responsibilities, and obligations of the city’s inhabitants; regulate conduct with the binding force of law equal to the State’s authority and force; and, when establishing a crime, can prohibit certain conduct and prescribe penalty provisions for violations.<sup>14,15</sup> Local laws and public policies determine what services the City will provide, to and for whom, for what purpose(s), at what level or cost, and the standard, degree, or quality that is expected. These legislative and policymaking functions represent the cornerstone of the City Council’s most fundamental and visible responsibilities.

In addition to its primary responsibilities as the City’s legislative body, the City Council serves in a number of other legal capacities under various state and local laws and regulations; these include—

- (1) **Board of Health**, exercising powers established in Minn. Stat., Ch 145A, as well as in City Charter.
- (2) **Board of Equalization**, with responsibility for equalizing the City’s assessment rolls, though this function may be delegated to an appointed special board [Charter § 4.1(c)(2)].
- (3) **Municipal Canvassing Board**, with responsibility for canvassing and certifying official returns of municipal elections [Minn. Stat. § 205.185, subd. 3].
- (4) **Minneapolis Community Development Agency – Board of Commissioners**, exercising powers provided under Minnesota Laws 1980, Chapter 595.
- (5) **Minneapolis Port Authority**, exercising powers prescribed under Minn. Stat. §§ 469.048 to 469.068 (Minnesota’s Port Authority Law), and as further provided under Minneapolis Code of Ordinances, Chapter 417.

**Legislative Staff.** Under the provisions of the new government structure, the City Council is supported in the performance of its official legislative, policymaking, and oversight functions by the City Clerk [Charter § 4.2(f)] and the City Auditor [Charter § 4.2(g)], both of whom are under the general oversight of the Council within a new, consolidated “legislative department” of the City. In addition, the Council has support from a centralized nonpartisan, administrative staff under the City Clerk [Charter § 4.2(e)(1)] as well as political aides that may be appointed by each of the thirteen Council Members [Charter § 4.2(e)(2)].

- (1) **City Clerk.** The City Clerk is appointed by the Council and serves at its pleasure in the unclassified service without regard to section 8.4(b). The Clerk serves concurrently in two fundamental capacities—
  - *Secretary of the Municipal Corporation:* In this capacity, the Clerk: (a) is the chief elections official of the City; (b) is the custodian and responsible authority for enterprise information assets; (c) is the

---

<sup>11</sup> See handout adapted from “The Good Legislature” by Alan Rosenthal, published by the National Conference of State Legislatures (NCLS) in its State Legislatures magazine (July/August 1999), accessible via the NCLS website at [www.ncsl.org](http://www.ncsl.org).

<sup>12</sup> For an analysis of city councils in Minnesota, see the *League of Minnesota Cities Handbook for Minnesota Cities, Chapter 6: Elected Officials and Council Structure and Role*.

<sup>13</sup> Charter § 4.1(b), (c). McQuillin § 13.03: The general public policy of a municipality is usually a matter for the determination of council as legislative body. But, the council, being a part only of a larger whole, and, moreover, a mere creation, cannot go beyond the range of powers expressly granted or such as are necessarily derived therefrom. The council holds any residual powers not specifically assigned elsewhere within the municipal corporation and may determine how such powers are to be exercised.

<sup>14</sup> *State v. Ritschel*, 220 Minn. 578, 20 N.W.2d 673 (1945); *Mount Pleasant v. Beckwith*, 100 US 514 (1880); *Crayton v. Larabee*, 220 NY 493, 116 NE 355 (1917); *Herman v. Baltimore*, 189 Md 191, 55 A2d 491 (1947); *North American Cold Storage Co v. Chicago*, 211 US 806 (1908); and *State v. Robitshek*, 60 Minn. 123, 61 N.W. 1023 (1895).

<sup>15</sup> Minn. Stat. §§ 609.034, 609.0332.

corporation’s notary as custodian of the City Seal; and (d) delivers a variety of delegated services under various laws and policies.

- *Secretary of the Governing Body*: In this capacity, the Clerk manages core decision-making processes through which official actions and decisions are taken by the Mayor and City Council.

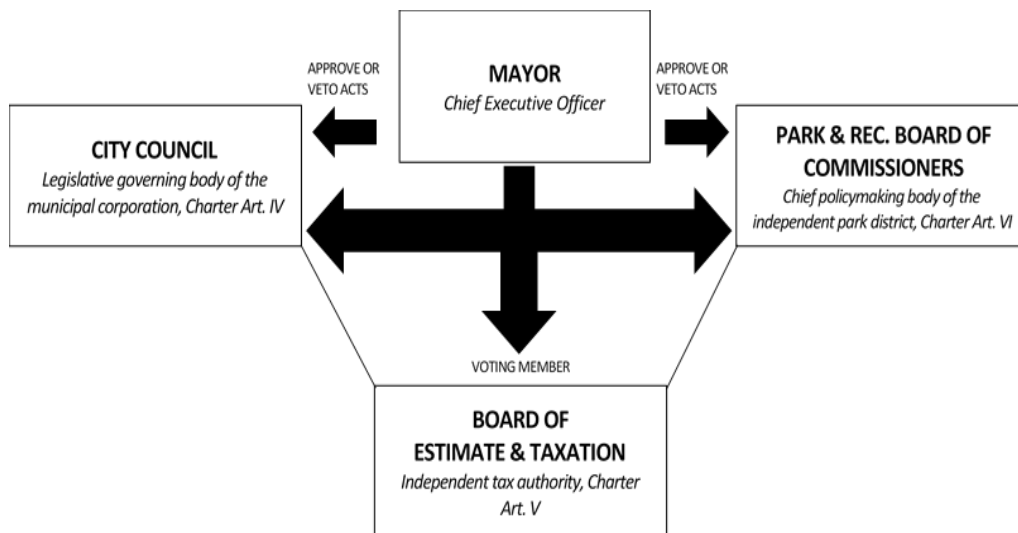
(2) **City Auditor**. Council is required to establish an independent Audit Committee which is responsible for the appointment and direction of the City Auditor, whose appointment is made without regard to section 8.4(b). The City Auditor must be appointed to a four-year term and can be removed only for cause per section 8.2(g)(3). The City Auditor is to function as an independent, nonpartisan evaluator of City performance and professional advisor on policy and operational matters to support Council’s legislative, policymaking, and oversight functions.

**5. What is the role of the Mayor under this government structure? What is an “Executive Mayor”?**

Pursuant to Charter § 7.1, the Mayor is the chief executive officer of the City in whom its general executive and administrative authority resides. Like other elected chief executives in various government systems, the Mayor functions primarily in three capacities<sup>16</sup>—

- 1) **Executive Leader**, ensuring that all laws, ordinances, and policies are effectively implemented, efficiently administered, and enforced within the city and assuming accountability for the performance of the City’s Administration in delivering municipal services and programs.
- 2) **Policy Leader**, providing visible community leadership in creating an agenda that articulates, prioritizes, and drives the enactment of local laws and public policies that align with and address community needs.
- 3) **Ceremonial Leader and Spokesperson**, elected on a city-wide vote, the mayor serves as the primary representative and spokesperson of the City.

The public affairs and ceremonial functions are derived from the Mayor’s role as the City’s “chief elected official” in addition to being the City’s chief executive. This unofficial designation reflects the fact that the Mayor is the only municipal officer to be elected from a single district that encompasses the entire geographic territory and population of the city and, thereby, being directly accountable to all voters. The Mayor’s official roles and responsibilities position that executive officer to intersect with and touch each of the other policymaking bodies created under the City Charter, giving the Mayor the ability to influence and shape their work, both directly and indirectly. This is reflected in the following chart showing the internal relationships the Mayor has with these policymaking bodies.



<sup>16</sup> Rhyne, Charles S. *Mayor: Chief Municipal Executive Law*. The Kingsport Press. (1985): § 10.1. The mayor’s duties are primarily executive and administrative. In *Kearns v. Nute*, 94 NH 217, 50 A2d 426 (1946), the court held the duties of the mayor as chief executive officer in relation to the city are similar to those of the governor in relation to the state.

As a consequence, the Mayor is positioned as the key focal point for the identification and articulation of community values, needs, and priorities. The Mayor may leverage this advantage to assume a lead role in creating a shared City policy agenda with the City Council and other officials.<sup>17</sup>

**6. Is a reorganization required because of the charter amendment?**

**(a) Are the Mayor and Council required to reorganize the City government because of the change in the government structure?**

No; the City could opt to maintain the existing organizational structure, but it would lack clarity and would not support an effective nor efficient operating design. Having the Mayor directly supervise ten charter department heads, and the Mayor's Office, would not align with industry standards for an effective span of management control and would prevent the Mayor from addressing the high-priority, community-facing leadership functions that only the Mayor can provide.

**(b) What happens if no reorganization is pursued?**

Then the existing organizational structure would remain in place. The Mayor would have some ability to organize existing departments into more workable system, but this would not override the structure that is established in the City Charter or the Code of Ordinances. It would likely result in ineffective and unclear or confused reporting relationships, chain-of-command issues; inefficient operations; and lack of clarity in terms of delegated authority and accountability. These were the core recommendations underpinning the proposed charter amendment; thus, it would seem to run counter to the expressed will of the voters in adopting Charter Amendment No. 184.

**(c) What are the potential benefits of the proposed reorganization?**

An effective operating structure providing a clear chain-of-command in which the centralized executive authority of the Mayor would flow down into every department and division; a streamlined and efficient operation across the enterprise; a reduction in organizational siloes and barriers, leading to enhanced collaboration; and clarity around roles and responsibilities, strategic goals, and expected outcomes.

**7. What is the function of the City Operations Officer?**

This senior-level executive position would bring the benefits of professional education, expertise, and experience to lead the day-to-day operations of the City's Administration under the general direction of the Mayor. Ideally, this would enable the Mayor to focus most of his time on the public-facing, community-building functions that only the Mayor can perform. Moreover, it would give the City enterprise the advantages of a professionally trained administrator to provide daily leadership based on industry standards, best practices, etc., somewhat comparable to a city manager or city administrator in other jurisdictions.

**(a) How does the City Operations Officer differ from a City Manager?**

A city manager is a professional government administrator who is qualified by education, training, and experience to run the daily operations of a city government. The position of city manager is permitted under the Plan B optional structure that is provided under the Minnesota statutory city code [Minn. Stat. Ch. 412]. Under that government structure, the Mayor and Council together function as the city's governing body and appoint the city manager to have the executive and administrative functions and to be responsible to the governing body for the proper administration of all city affairs.<sup>18</sup>

The most significant differences between the statutory city manager plan (Option B) and the proposed City Operations Officer (COO) are as follows—

- (1) **Appointment.** The appointment of the COO is vested in the Mayor, with the consent of the City Council (a majority vote of the membership). A city manager is appointed by the governing body (Mayor and Council) and serves during its pleasure.
- (2) **Term and Supervision.** Once appointed, the COO would serve a term that runs concurrent with the elective term of the Mayor [Charter § 8.2(c)]. The COO would serve under the Mayor's direct control and supervision and could be suspended, disciplined, or removed by the Mayor, with or without

<sup>17</sup> See the Minneapolis Charter Commission report *Government Structure* adopted May 3, 2021, (pp. 2-3) [LIMS File No. [CH2020-00025](#)].

<sup>18</sup> Minn. Stat. § 412.541, subd. 2. Only statutory cities with a population over 1,000 are eligible to operate under the Optional Plan B council-manager form of government of those cities operating under a home-rule charter where the position is established in the charter.



cause. A city manager serves either a definite or indefinite term, based on the decision of the governing body (usually determined in the employment contract), and can only be removed for cause and subject to certain conditions by formal action of the entire governing body.

- (3) **Authority.** The COO would have only that authority specifically delegated, either under the City Charter or by local ordinances or policies, or as delegated by the Mayor as an extension of the Mayor's centralized executive and administrative authority under the City Charter. A city manager is vested with certain authority under Optional Plan B provided in state statute [Minn. Stat. § 412.651].

**(b) What are some of the benefits of a City Operations Officer?**

In many strong mayor systems, a chief administrative (operations) officer assumes responsibility for the day-to-day management functions of the city. The benefits of this position are that it complements the Mayor's political leadership with the requisite management experience and training to assure effective and efficient government operations and the coordination of municipal affairs. City managers and administrators generally have advanced degrees and many years of directly related experience in municipal operations, and most are members of professional associations, the most significant of which is the International City/County Managers Association ([ICMA](#)). It is their responsibility to implement the policies adopted by the Mayor and Council and to bring planning and coordination to the provision of municipal services. These professional government managers are committed to municipal administration as a career. In that regard, the community's success is their success and, consequently, they have a very strong interest in doing the best job possible for their jurisdictions.

Pursuant to the statutory city code, Standard Plan and Plan A cities may, by ordinance or resolution, establish a position of chief administrative officer, often titled the city administrator.<sup>19</sup> The City Operations Officer is envisioned to function in a similar manner to this permissible administrator position. The usual duties of a city administrator include:<sup>20</sup>

- (1) **Administration direction.** Direct the administration of the city consistent with all applicable laws, policies, and regulations and coordinate and administer the city's affairs and programs.
- (2) **Policy recommendations and implementation.** Recommend policies that will further goals of the city and generally improve the quality of city administration and, after adoption, assume responsibility for implementing and enforcing them.
- (3) **Budgets and financial management.** Prepare a recommended budget for consideration by the governing body and manage the financial operations of the city within the applicable laws, policies, and regulations, including the preparation, submission, and publication of annual statements and other reports detailing the city's financial condition.
- (4) **Supervision.** Provide recommendations regarding the hiring, promotion, evaluation, and dismissal of city employees, negotiate or coordinate the negotiation of terms and conditions of labor contracts, and exercise general day-to-day oversight of all city departments in cooperation with other city administrative officers and staff.
- (5) **Other duties.** Perform all other duties required by the ordinances, resolutions, or orders adopted by the governing body.

**(c) How does the City Operations Officer relate to the City Council?**

The primary (formal) connections between the City Operations Officer (COO) and the City Council are in these areas—<sup>21</sup>

- (1) Council must consent to the Mayor's nomination of the COO [Charter § 8.4(b)(2)].
- (2) Council must authorize (by ordinance) the organizational structure of the City's Administration as well as any changes thereto [Charter § 7.2(a),(b)].
- (3) Council must finalize and adopt the budget recommended by the Mayor, which would include the funding appropriated for the Office of Public Service and its subordinate departments and divisions [Charter § 9.3(a)(5)].
- (4) Council must enact local laws and public policies to provide for community governance and enterprise operations [broadly, Charter §§ 1.3; 1.4; and 4.1]. This would encompass all actions in connection with the Council's broad legislative, policymaking, and oversight authority; included would be—

---

<sup>19</sup> Minn. Stat. § 412.111.

<sup>20</sup> See the [League of Minnesota Cities Handbook for Minnesota Cities](#), Chapter 8: City Administrative Staff [pp. 14-15].

<sup>21</sup> It is expected that a similar relationship would exist between the Council and the Commissioner of Community Safety.

- Interactions related to the development, recommendation, adoption, implementation, administration, enforcement, and evaluation of local laws (ordinances) to govern the community.
- Interactions related to the development, recommendation, adoption, implementation, administration, enforcement, and evaluation of public policies (ordinances and resolutions) to regulate the City enterprise and direct the delivery of municipal services and programs.
- Interactions and inquiries related to legislative oversight of general enterprise operations to monitor, evaluate, and provide direction on City performance.
- Interactions and inquiries related to the services and functions, operations, and performance of the Office of Public Service, and all its subordinate departments and divisions, which are under the direct supervision and control of the COO.

**8. How does the City Council relate to the other executive-level positions?**

- (a) Community Safety Commissioner.** The connections between the Council and the proposed Community Safety Commissioner would parallel those outlined above for the City Operations Officer, but more focused on community safety functions and those departments and divisions comprising the Office of Community Safety.
- (b) City Attorney.** The City Attorney has a unique and special role within the City enterprise. Most critically, the City Attorney is the chief legal officer of the City of Minneapolis, meaning that the City Attorney, and those deputy and assistant attorneys in the Office of City Attorney, is the attorney and counselor-at-law for both the Mayor and the City Council, all elected and appointed city officials, the city’s departments and divisions, and its boards and commissions.<sup>22</sup> The Mayor, Council (and Council Members), elected and appointed officials, departments and divisions, boards and commissions, etc., are restricted under the City Charter from employing or consulting any other attorney except the Office of City Attorney.<sup>23</sup> As a consequence, the City Attorney and the deputy and assistant attorneys under their supervision in the Office of City Attorney have regular, direct, and ongoing engagement with the City Council, Council Committees, and Council Members with respect to (1) official legislative, policymaking, and oversight functions; (2) the operations and performance of the City Administration; (3) the legal interests, including litigation and other matters, of the City enterprise; and (4) legal advice and opinions on any matter, either in response to a specific request or on the proactive initiative of the Office of City Attorney related to any aspect of the City government. This all reflects the fact that the “client” of the Office of City Attorney is the entire City of Minneapolis (the “enterprise”), and the City Attorney and their deputies and assistants have a legal and professional obligation to serve the interests of the enterprise. The City Attorney would have similar responsibilities for the management and supervision of the Office of City Attorney and its functions and operations as the City Operations Officer would with respect to the Office of Public Service and the Community Safety Commissioner would with respect to the Office of Community Safety.

---

<sup>22</sup> Charter § 7.2(c)(1)(A). The only exception is that granted for the Park & Recreation Board of Commissioners to have its own (separate) attorney pursuant to Charter § 6.2(h)(2)(B).

<sup>23</sup> Charter 7.2(c)(1)(B).