



Charter Review Commission 2011

Final Report
to the
Cedar Rapids City Council

August 9, 2011

Table of Contents

Commission Members	Page 3
Background	Page 4
Recommendation	Page 6
Appendices	
Transmittal Letter	A-1
Meeting Minutes	A-2
Public Forum Input	A-3

Charter Review Commission Members

Co-Chairs:

Kay Halloran
(Cedar Rapids Mayor 2006-2010)

Paul Pate
(Cedar Rapids Mayor 2002-2006)

Members:

Nancy Bruner	Mary Nelson
LaNisha Cassell	Scott Overland
Monica Challenger	Robin Tucker
Jim Craig	Nancy Welsh
Tricia Miller	Carl Whiting

Background

During a special citywide election on June 14, 2005, the citizens of Cedar Rapids voted to adopt a Home Rule Charter. This form of government took effect on January 1, 2006.

The Home Rule Charter requires the City Council appoint a Charter Review Commission in 2011 and every 10 years thereafter. The Commission shall review the existing charter and may recommend any charter amendments that it deems appropriate to the Council.

The Cedar Rapids City Council approved the creation of the Charter Review Commission by Resolution No. 0391-04-11 on April 12, 2011, and appointed 13 members. One member resigned. The Charter Review Commission was directed to submit its final report to the Mayor and City Council no later than August 15, 2011.

The Charter Review Commission held its first meeting on May 5, 2011. Subsequent meetings were held on May 19, June 9, June 16, June 30, and July 28, 2011. All of the Commission's meetings were held in public. Minutes of these meetings are included with this report as Appendix A-2.

Commission members were divided into three groups. Each group was assigned the responsibility for leading a discussion of specific articles of the Home Rule Charter. The group collected input on those sections at a public forum. The group assignments and subject areas were made as follows:

Group 1 Members: Nancy Bruner, LaNisha Cassell, Robin Tucker, Carl Whiting

Preamble

Article I – Power of the City

Article II – City Council

Article VII – Charter Review and Amendments

Group 2 Members: Monica Challenger, Jim Craig, Scott Overland

Article IV – City Manager

Article V – Departments, Offices, and Agencies

Group 3 Members: Mary Nelson, Tricia Miller, Nancy Welsh

Article III – Nomination and Elections

Article VI – Conflicts of Interest: Board of Ethics

Article VII – Transition

On June 2, 2011, a public forum was held to gather input from interested citizens. The forum was publicized through media releases, the City's Web site, electronic newsletter, and social media and text messaging communication channels.

Charter Review Commission 2011: Final Report

About 15 persons attended the public forum and had the opportunity to speak directly with each group. Group 1 separated into two tables to allow for smaller groupings. Input received at the public forum was scribed by city staff members assigned to each table, and is included with this report as Appendix A-2.

Citizens unable to attend the public forum were invited to submit written comments to the Commission. Individual letters were sent to a number of community representatives and organizations requesting input, including current and former city council members, the city manager, city attorney, city clerk, city department directors, neighborhood association presidents, business group leaders, governmental group representatives, and private entity representatives. Commission members also reviewed the City of Cedar Rapids 2009 Community Survey and departmental customer satisfaction survey data.

Commission members reviewed each Article of the Home Rule Charter, discussed input received regarding the various Sections, and determined a recommendation to pose to the Cedar Rapids City Council for its consideration.

Recommendation

The 2011 Charter Review Commission makes the following recommendation to the City Council:

Preamble

The Commission recommends no changes be made to the Preamble.

Article I – Power of the City

The Commission recommends no changes be made to Article I.

Article II – City Council

The Commission recommends the following changes to Article II:

Section 2.04. (b) Terms. The Commission recommends the City Council consider action to change the current staggering of terms which provide for six City Council seats on the ballot in one election, and three City Council seats on the ballot the next election, to a staggering of terms whereby five City Council seats are on the ballot in one election, and four City Council seats are on the ballot the next election. The Commission recommends the City Council review the at large council member terms so that the mayor and one at large seat are up for election in one cycle and two at large seats are up for election in the next cycle.

Section 2.06. Mayor. (c) Mayor Pro Tem. The Commission recommends this section be edited to clarify the mayor pro tem's responsibility to fill the temporary absence and temporary disability of the mayor, and for the charter to conform to state law prescribing the filling of a vacancy in the office of mayor, as follows:

“The council shall elect from among its members a mayor pro tem who shall act as mayor during the temporary absence or temporary disability of the mayor. ~~and, if a vacancy occurs, shall become mayor for the remainder of the unexpired term.~~”

Section 2.06. Mayor. (d) Long Term Planning Commission. The Commission recommends this section be modified to provide for the appointment of members of the Long Term Planning Commission every five years rather than every three years as currently provided.

Section 2.07. Appointments. The Commission recommends subparagraph (d) be redesignated as a stand-alone paragraph to correct a typographical error.

Section 2.11. Prohibitions. The Commission recommends the following revision of subparagraph (a) in order to clarify that only city employment is prohibited.

Charter Review Commission 2011: Final Report

“No council member shall hold any other city office or city employment during the term for which the member was elected.”

The Commission makes no other recommendations with regard to Article II.

Article III – Nomination and Elections

The Commission recommends the following changes to Article III:

Section 3.01. Nominations. The Commission recommends the deletion of those sentences referencing the first election following the original adoption of the Charter:

(a) ~~“At the first election following adoption of this charter, the minimum requirement shall be one hundred and twenty five person.”~~

(b) ~~“At the first election following adoption of this charter, the minimum requirement shall be six hundred person.”~~

The Commission makes no other recommendations with regard to Article III.

Article IV – City Manager

The Commission recommends no language changes but does recommend that the City Council consider methods of increasing the transparency of and public access to financial documents, including the annual budget and monthly financial reports.

The Commission makes no other recommendations with regard to Article IV.

Article V – Departments, Offices, and Agencies

The Commission recommends no changes be made to Article V.

Article VI – Conflicts of Interest; Board of Ethics

The Commission recommends no changes be made to Article VI.

Article VII – Charter Review and Amendments

The Commission recommends no changes be made to Article VII.

Article VIII – Transition

The Commission recommends this article be deleted as it relates to the transition period following the original adoption of the Charter.

Charter Review Commission 2011: Final Report

Appendix 1



August 9, 2011

Honorable Mayor Ron Corbett
Members of the Cedar Rapids City Council
City of Cedar Rapids
3851 River Ridge Drive NE
Cedar Rapids, IA 52402

Dear Mayor Corbett and City Council members:

On behalf of the Charter Review Commission appointed by the Cedar Rapids City Council on April 12, 2011, we are pleased to present our Final Report.

Members of the Commission worked diligently to successfully execute our charge, to review the existing Home Rule Charter and recommend amendments deemed appropriate to the City Council. From May 5 through July 28, 2011, the Commission worked to review each article of the Charter, and to gain public input regarding the Charter.

The Final Report outlines a number of areas where changes to the Home Rule Charter are recommended. The Commission feels the recommendations are of a nature that would allow the City Council to adopt the changes by Ordinance.

Briefly, the Commission recommends the following changes:

- Adjust the stagger of re-elections to have five City Council seats on the ballot in one election, and four City Council seats on the ballot the next election. Providing for two at-large seats on the ballot in one election, and the mayor and one at-large seat on the ballot the next election will accomplish this. One method of achieving this stagger is to have the lowest at-large vote recipient in the 2013 election serve a 2-year term.
- Edit the mayor pro tem section to clarify the position's responsibility to fill the temporary absence or temporary disability of the mayor, and for the charter to conform to state law prescribing the filling of a vacancy in the office of mayor.
- Modify the Long Term Planning Commission to provide for the appointment of members every five years rather than three.
- Edit language throughout the document referring to the transition period following the original adoption of the Charter and to make minor clarifications.

The Commission took the opportunity to review each article of the Charter and enjoyed debate among members regarding a few areas of members' personal interest and also areas upon which public input

Charter Review Commission 2011: Final Report

was received. Minutes of the meetings are included as Appendix 2 in the Final Report and provide a more thorough indication of all of the areas discussed by members. In addition, the Commission shares these areas to indicate to the City Council that additional review may be desired in the future:

- The use of instant runoff elections rather than the method currently defined in Section 3.03 Runoff Elections. Instant runoff elections provide for voters to rank candidates following their initial vote, eliminating the need for a second election.
- Changes to the characteristics of council district members, including the possibility of two year terms as well as district eligibility with at large voting.

It has been our pleasure to serve the City Council as Co-chairs of the 2011 Charter Review Commission. We respectfully transmit this Final Report and ask that you promptly adopt the Commission's recommended changes by City Ordinance.

Sincerely,

Paul Pate

Charter Review Commission Co-Chairs

Kay Halloran

Appendix 2

Meeting Minutes

- May 5, 2011
- May 19, 2011
- June 9, 2011
- June 16, 2011
- June 30, 2011
- July 28, 2011

Charter Review Commission 2011: Final Report

**City of Cedar Rapids
CHARTER REVIEW COMMISSION MINUTES
City Hall, 3851 River Ridge Drive NE
May 5, 2011
5:30 pm**

Meeting was brought to order by Co-Chairs Paul Pate and Kay Halloran at 5:30 p.m.

Present, Paul Pate, Kay Halloran, Nancy Bruner, LaNisha Cassell, Monica Challenger, James Craig, Tricia Miller (by phone), Mary Nelson, Fatima Smejkal, Scott Overland, Robin Tucker, and Carleton Whiting.

Absent, Nancy Welsh.

Mayor Ron Corbett welcomed the Charter Review Commission members to the first meeting of the group and outlined the Commission's charge to review the existing Home Rule Charter. He asked that the group conclude their efforts in 90 days, by August 15, 2011.

The co-chairs introduced Jim Flitz, Cedar Rapids City Attorney, who referenced several areas for the Commission, including:

- Section 7.02 of the Home Rule Charter specifies the Charter Review Commission's charge and provides that the Commission may make a recommendation to the City Council as determined by the Commission
- The Commission's method of working may be self-defined
- A packet for new City Board and Commission members was distributed to provide additional information about these topics:
 - The Commission is required to follow the Iowa Open Meetings Law, which restricts a quorum of the members from deliberating or taking action outside of a publicly posted meeting. Additionally, using 'reply all' to Commission emails should be used with caution to eliminate the risk of creating an electronic meeting. Telephonic meetings are permitted by state law and can be arranged.
 - The Iowa Open Records Law is also applicable. Documents related to the work of the Commission generated on personal computers may be subject to this law. City staff will work with Commission members to respond to any of these requests.
 - The Iowa Gift Law applies to members of the Commission, as do the City's Ethics Rules and Procedures.
 - Commission members are encouraged to seek advice from City staff regarding legal requirements

Mr. Flitz was asked about the process of placing a Charter issue on a ballot. Mr. Flitz will bring back to the Commission information regarding what elections are eligible for Charter issues. He clarified that the City Council can amend the Charter by two methods, either by calling for an election or by adopting an ordinance, which is subject to reverse referendum.

Charter Review Commission 2011: Final Report

Mr. Flitz was asked whether there was a relationship between redistricting as a result of new U.S. Census data and the Charter. The redistricting process is a separate process managed on the part of the City, by the City Council.

Co-Chairs Pate and Halloran discussed the method of communicating within the Commission. In order to try to keep each meeting to a one-hour length, Commission members are asked to share or request information via email, copying Sandi Fowler, City staff liaison to the Commission, at s.fowler@cedar-rapids.org, in order to ensure proper handling of the correspondence.

The co-chairs suggested the next meeting of the Commission be held on Thursday, May 19, 2011, at 5:30 pm, in the North Conference Room, City Hall, 3851 River Ridge Drive NE. No set schedule was made, but generally Thursday evenings will be used on a bi-weekly basis or as needed and set by the Commission. A one-hour timeframe is anticipated, unless the Commission agrees to lengthier presentations or discussions.

The co-chairs asked for suggestions from the group regarding how the Commission will conduct its work. These items were mentioned:

- International City and County Manager's Association documents should be made available if applicable to the Commission's work
- Interviews of staff members and City Council members regarding the effectiveness of the current Charter
- Review of the current Charter for those items each member would like to discuss
- Review of a summary of the actions taken by the Charter Commission that developed the current Charter to determine whether goals are being met
- Seek input from a cross-section of people with various viewpoints about the Charter

Members discussed procedures related to the work of the Commission. Carleton Whiting moved, seconded by Nancy Bruner, that a majority of the Commission (7 members) is required to pass any actions forwarded to the City Council.

The co-chairs asked that Commission members submit items to Sandi Fowler that they would like to see on future agendas of the Commission, and their suggestions for the process the Commission should use to conduct its review.

Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Sandi Fowler, Assistant to the City Manager
City Manager's Office, City of Cedar Rapids

Charter Review Commission 2011: Final Report



**City of Cedar Rapids
CHARTER REVIEW COMMISSION MINUTES
City Hall, 3851 River Ridge Drive NE
May 19, 2011
5:30 pm**

Meeting was brought to order by Co-Chair Paul Pate at 5:30 p.m.

Present, Paul Pate, Nancy Bruner, LaNisha Cassell, Monica Challenger, James Craig, Tricia Miller, Mary Nelson, Scott Overland, Robin Tucker, Nancy Welsh, and Carleton Whiting.

Absent, Kay Halloran.

Co-chair Paul Pate welcomed the Commission to the meeting and asked for a motion to approve the minutes of the meeting held on May 5, 2011. Jim Craig moved and Robin Tucker seconded approval of the minutes.

Co-chair Pate reported the resignation of Fatima Smejkal from the Commission and noted that Mayor Corbett has not indicated that the position will be filled.

Co-chair Pate shared that input from the group provided the outline of activities and processes being suggested for the Commission's work. The group will be reviewing each article of the Charter in groupings assigned to Commission teams, conducting a forum to gain public input, inviting stakeholders to interviews, and conducting a public survey on the City's Website.

A public forum had been slated on the agenda to occur on June 9. Due to scheduling difficulties, the date has been revised to June 2, from 5:30-7:30 p.m., at the El Kahir Shrine Center, 1400 Blairs Ferry Road NE. The forum will be advertised using various external communication methods provided by the City – the electronic newsletter, texting/email notification service, Twitter, media releases, Web site, the PowerPoint on cable television, and the City employee newsletter. Co-chair Pate suggested the format for the public forum provide the opportunity for individuals to speak directly with Commission members about specific articles of the Charter.

Co-chair Pate noted that a core group of the members may hold interviews with representatives of various groups, including current and former City Council members, City department directors, and neighborhood and business group leaders. Members recommended that the city manager, city attorney, and city clerk be interviewed, as well as Linn County Board of Supervisor members, and representatives of groups like the Board of Realtors and neighborhood groups. It was recommended that members identify those groups or persons they are interested in

Charter Review Commission 2011: Final Report

interviewing and send them to Commission staff liaison, Sandi Fowler (s.fowler@cedar-rapids.org) for compilation. Correspondence would then be sent by the chairs to gauge their interest in participating. Members were also asked to indicate their interest in conducting interviews.

Commission members indicated their preferences for the groupings of Articles both for the Review at upcoming Commission meetings, and for interaction with the public at the Public Forum on June 2:

Group 1 - For discussion on June 9

Members: Nancy Bruner, LaNisha Cassell, Robin Tucker, Carl Whiting

Preamble (added by the group)

Article 1 – Power of the City

Article 2 – City Council

Article 7 – Charter Review and Amendments

Group 2 – For discussion on June 16

Members: Monica Challenger, Jim Craig, Scott Overland

Article 4 – City Manager

Article 5 – Departments, Offices, and agencies

Group 3 – For discussion on June 30

Members: Mary Nelson, Tricia Miller, Nancy Welsh

Article 3 – Nomination and Elections

Article 6 – Conflicts of Interest: Board of Ethics

Article 8 – Transition (added by the group)

The Commission discuss conducting a survey to receive input from the general public. The survey would be located on the City's Website, and the public would be encouraged to participate by the various communication methods. The group discussed developing survey questions and decided to wait and evaluate the June 2 Public Forum results first. City staff was requested to add a tool allowing the public to provide input to the Charter Review Commission on the current Webpage.

Sandi Fowler provided two documents to the Commission in response to interest raised by members in discussion of available surveys. The 2009 Community Survey was conducted in the summer of 2009, and the Customer Satisfaction Survey results represent a cross-section of ongoing surveys received over the last year.

Meeting adjourned at 6:45 p.m.

Respectfully submitted,

Sandi Fowler, Assistant to the City Manager
City Manager's Office, City of Cedar Rapids

Charter Review Commission 2011: Final Report



**City of Cedar Rapids
CHARTER REVIEW COMMISSION MINUTES
City Hall, 3851 River Ridge Drive NE
June 9, 2011
5:30 pm**

Meeting was brought to order by Co-Chair Kay Halloran at 5:30 p.m.

Present, Kay Halloran, Nancy Bruner, Tricia Miller, Mary Nelson, Scott Overland, Robin Tucker, Nancy Welsh, and Carl Whiting.

Absent, Paul Pate, Monica Challenger, Jim Craig, and LaNisha Cassell.

Co-chair Kay Halloran welcomed the Commission to the meeting and asked for a motion to approve the minutes of the meeting held on May 19, 2011. Robin Tucker asked that the Commission's tentative calendar be included as part of the minutes. Nancy Bruner moved and Robin Tucker seconded approval of the minutes as amended. Motion passed unanimously.

Robin Tucker noted a citizen request for the Commission to hold a second public forum for persons unable to attend the forum held on June 2, 2011, but who would like to provide input to the Commission. Members discussed the request, mentioning the opportunity for the public to provide comments to the Commission by sending input to the Email address CharterReview@cedar-rapids.org. Robin Tucker moved and Carl Whiting seconded approval of placing a public comment opportunity on all future Commission agendas to provide an additional method of public input. Motion passed unanimously.

Commission members discussed the public forum held June 2 and reviewed the notes generated from the input received. General consensus was that while large numbers of citizens did not turn out, a cross section of people provided good input and represented varied perspectives. The format of informal discussions at individual tables worked well and it was held at a good location. City staff assistance at each table was helpful.

Commission members discussed the idea of conducting a public survey. General consensus was that a survey would not provide more insight than has been received from the public forum and what will be provided from direct input to the Commission via mail and Email.

Commission Group 1 led the discussion of their assigned Charter sections – Preamble, Article 1 Power of the City, Article 2 City Council, and Article 7 Charter Review and Amendments.

Charter Review Commission 2011: Final Report

Nancy Bruner moved and Carl Whiting seconded that the Preamble remain unchanged. Motion passed unanimously.

Carl Whiting noted that the powers granted in Article 1 are granted from the State to the City and therefore there is no need to re-work the language. Whiting moved and Scott Overland seconded that Article 1 remain unchanged. Motion passed unanimously.

Nancy Bruner noted that some comments were received about Article 7 being changed to reflect a review period of five years rather than 10, which was chosen to be consistent with the U.S. Census cycles. Robin Tucker noted that some felt that a period reflective of flood recovery would be appropriate. Nancy Welsh mentioned that the Review Commission can be forward-looking enough to accommodate the 10 year review. Robin Tucker commented that the Charter does provide methods to call for a review earlier than 10 years if warranted. Carl Whiting moved and Nancy Bruner seconded that Article 7 remain unchanged. Motion passed unanimously.

Robin Tucker requested that Article 2 be reviewed by section rather than as a whole.

Carl Whiting moved and Nancy Welsh seconded that Section 2.01 General Powers and Duties remain unchanged. Motion passed unanimously.

Discussion by Commission members of Section 2.02 Composition noted that the new form of government was just getting started at the time of the flood of 2008, that it would not be right to deviate to a major change, that while a variety of models have been presented from the public the current makeup of districts versus at large council members provides representation broader than the quadrants of the city, and that no compelling reasons have been provided to recommend a change. Carl Whiting moved and Tricia Miller seconded that Section 2.02 Composition remain unchanged. Motion passed unanimously.

Carl Whiting moved and Nancy Welsh seconded that Section 2.03 Division into Council Districts remain unchanged. Motion passed unanimously.

Discussion by Commission members of Section 2.04 Eligibility and Terms noted no discussion of paragraph (a) Eligibility. Robin Tucker noted in discussion of paragraph (b) Terms that making district council member terms two years rather than four would allow for better staggering of elections and allow for greater citizen participation and voter turnout as each Council District would elect at least two candidates every two years. He noted that not all candidates are interested in a four year commitment. Nancy Bruner noted that a public comment was provided that citizens would like to vote for all council candidates rather than by district. Robin Tucker noted that some district council members have the ability to run for an at large or mayor seat while maintaining their council seat in an alternate election cycle, while those whose seat expires at the same time do not have that option.

Carl Whiting moved and Robin Tucker seconded that continued discussion of Section 2.04 be tabled to the June 16, 2011, meeting. Commission members requested that written proposals be developed demonstrating variations of terms and election cycles for presentation at the next meeting. Motion passed unanimously.

Charter Review Commission 2011: Final Report

Nancy Bruner moved and Carl Whiting seconded that Section 2.05 Compensation remain unchanged.
Motion passed unanimously.

Carl Whiting moved and Mary Nelson seconded that discussion of the remaining sections of Article 2 be tabled to the June 16, 2011, meeting.

Meeting adjourned at 6:50 p.m.

Respectfully submitted,

Sandi Fowler, Assistant to the City Manager
City Manager's Office, City of Cedar Rapids

Charter Review Commission 2011: Final Report



**City of Cedar Rapids
CHARTER REVIEW COMMISSION MINUTES
City Hall, 3851 River Ridge Drive NE
June 16, 2011
5:30 pm**

Meeting was brought to order by Co-chairs Paul Pate and Kay Halloran at 5:30 p.m.

Present, Kay Halloran, Paul Pate, Nancy Bruner, Tricia Miller, Mary Nelson, Scott Overland, Robin Tucker, LaNisha Cassell, Jim Craig, and Carl Whiting.

Absent, Monica Challenger and Nancy Welsh.

Co-chair Paul Pate welcomed the Commission to the meeting and asked for any corrections to the minutes of the meeting held on June 9, 2011. The minutes were approved as distributed.

The Co-chairs invited public comment from those present. Clark Rieke provided input to the group. He would like a special charter be established until flood protection is built that reflects the investment of time required. He asked that future council members be provided a budget of \$45,000 to \$75,000 annually to be used themselves or to hire a staff person so that council members may make a full-time commitment to be fully informed of issues. He would like instant runoff voting, where ballots are provided at each election for voters to rank their preferences and then used if a runoff is required, thus avoiding a second runoff election. Finally, he would like a Charter Review Commission required again in five years, rather than ten.

Commission members reviewed the list of Stakeholders who received a letter signed by the Co-chairs inviting their input. Robin Tucker requested NAACP also receive the letter and all agreed.

In preparation to continue review of the Articles of the Charter, Co-chair Paul Pate noted to the group that the expectation is not for the Commission to spend time writing ordinance language or technical specifications related to changes to the Charter, but rather to gain a sense of items within the Charter that the Commission may want to recommend the City Council address. Current discussion should be focused so that all of the Articles may be reviewed in the time allotted. At the conclusion of the review, the Commission will bring together all of the items where a recommendation is anticipated for further discussion and prepare a final report.

Carl Whiting noted that there are pieces of Article 2 City Council that should be set aside and brought back at a later time for further discussion and some that can be handled now. Carl Whiting then

Charter Review Commission 2011: Final Report

moved and Robin Tucker seconded that Section 2.04 (a) Eligibility remain unchanged. Motion passed unanimously.

Section 2.06 Mayor (d) Long Term Planning Commission was discussed. Carl Whiting noted that input was received noting that five years is preferred for the appointment of a Long Term Planning Commission rather than the existing three. Carl Whiting moved and Robin Tucker seconded that Section 2.06 (d) is recommended to be changed to reflect the appointment once every five years of a Long Term Planning Commission. Motion passed unanimously.

Carl Whiting asked for clarification of Section 2.07 Appointments where the appointment of city officers is noted but not a method for their removal. City Attorney Jim Flitz noted that inherit in the ability to appoint is the power to remove as provided by state law. Carl Whiting also noted that he feels that subparagraph (d) be a stand alone paragraph of that section, rather than a lettered paragraph. Carl Whiting then moved and Nancy Bruner seconded that Section 2.07 Appointments remain unchanged with the exception of correction of the paragraph designation. Motion passed unanimously.

Carl Whiting moved and Jim Craig seconded that Section 2.08 Rules and Records and Section 2.09 Vacancies both remain unchanged. Motion passed unanimously.

Carl Whiting moved and Nancy Bruner seconded that Section 2.10 Council Action remain unchanged. Motion passed unanimously.

Carl Whiting moved and Kay Halloran seconded that Section 2.11 Prohibitions remain unchanged except to clarify through the addition of the word "city" in the second sentence of Section 2.11 (a) Holding Other Offices so that it reads, "No council member shall hold any other city office or city employment during the term for which the member was elected." Motion passed unanimously.

Carl Whiting moved and Kay Halloran seconded that Section 2.12 Removal From Office remain unchanged. Motion passed unanimously.

Jim Craig began the discussion for Group 2 related to Article 4 City Manager and Article 5 Departments, Offices, and Agencies. He noted that at the Commission's public forum they specifically asked each participant about these articles for input but that they did not receive much comment or criticism. They did hear two items of note. One was a question of whether the City Manager's Office has built enough bench strength with staff and City Directors to ensure that they know that it is their role to get the job done. They also heard a request to have separate financial oversight from the City Manager, indicating that the participant did not feel the City Council was performing that role adequately.

In reviewing Article 4 City Manager, it was noted that Section 4.04 Powers and Duties of the City Manager (a) (xii) mentions that a monthly financial report be provided to the City Council. To encourage transparency, it was noted that this document should be available on the City's Web site. The same comment was made about (x) regarding the annual budget and it was noted that budget documents are currently available on the City's Web site. Jim Craig noted that (xiv) notes that the City Manager shall see that accurate records are made available to the public.

Charter Review Commission 2011: Final Report

Carl Whiting moved and Jim Craig seconded that Article 4 City Manager remain unchanged except to note a desire for transparency of the documents discussed. Motion passed unanimously.

Robin Tucker questioned whether an Assistant City Manager position should be noted within the Charter. City Manager Jeff Pomeranz responded that he did not feel it was necessary, that the City Council had approved a position through the budget process. It was noted that including the position within the Charter may take away desired flexibility.

Jim Craig moved and Kay Halloran seconded that Article 5 Departments, Offices, and Agencies remain unchanged. Motion passed unanimously.

The Commission returned to discussion led by Group 1 of Article 2 City Council. Co-chair Paul Pate asked that City Attorney Jim Flitz clarify Section 2.06 (c) Mayor Pro Tem. Jim Flitz noted that the concept of a temporary absence or disability is different from a vacancy, which state law designates the methods of filling. Jim Flitz briefly noted that two methods are provided, that the city council may either call a special election to fill the vacancy, or appoint a person to fill the vacancy, subject to a reverse referendum election process. Carl Whiting moved that language be added to Section 2.06 (c) designating that the city council shall fill a vacancy as provided by Iowa law. Motion died for lack of a second.

Carl Whiting moved and Jim Craig seconded that Section 2.06 (c) Mayor Pro Tem be edited to include the word "temporary" before both absence and disability, and that verbiage be stricken, so that it reads, "The council shall elect from among its members a mayor pro tem who shall act as mayor during the temporary absence or temporary disability of the mayor ~~and, if a vacancy occurs, shall become mayor for the remainder of the unexpired term.~~ Motion passed 9 to 1, with Robin Tucker voting no.

Carl Whiting noted that Section 2.06 (a) Powers and Duties includes verbiage regarding boards and commissions and that he did not see a need to change the current language nor include any specific boards or commissions. Carl Whiting moved and Jim Craig seconded that Section 2.06 (a) remain unchanged. Robin Tucker stated his disagreement, noting that he prefers a method of board and commission appointment that includes the entire city council rather than appointments made by the mayor and that he would like the Commission to consider a separate Article in the Charter for boards and commissions. Scott Overland noted that he has served on the City Planning Commission for six years and that the appointments made during that time have been diverse for gender and professional expertise and that he does not feel a problem exists. Motion passed 9 to 1, with Robin Tucker voting no.

Carl Whiting moved and Tricia Miller seconded that discussion of Section 2.04 (b) Terms and 2.06 Mayor (b) Election, be tabled to the June 30, 2011, meeting.

Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Sandi Fowler, Assistant to the City Manager
City Manager's Office, City of Cedar Rapids

Charter Review Commission 2011: Final Report



Sent PDF via Email to Stakeholder List

June 9, 2011

Name
Organization
Cedar Rapids, Iowa

Dear Name:

Mayor Ron Corbett and the Cedar Rapids City Council appointed a Charter Review Commission in May 2011 to fulfill the requirements of the Home Rule Charter approved in 2005. We are pleased to serve as co-chairs of the Commission.

The Charter Review Commission has been charged with reviewing the existing Home Rule Charter and recommending any charter amendments we deem appropriate to the City Council. We will conclude our work by mid-August 2011.

We are writing to you to invite your input into our review. Your written comments may be addressed to the Commission by emailing them to CharterReview@cedar-rapids.org. We invite you to share any input you may have regarding how the Home Rule Charter serves you or the organization you represent. In order for your input to be considered in our analysis, it is important that we receive your comments prior to June 30, 2011.

If you have questions or comments regarding providing this input, please feel free to contact the Commission's City staff liaison, Sandi Fowler, at (319) 286-5077.

Sincerely,

Paul Pate and Kay Halloran
Charter Review Commission Co-Chairs

6/16 meeting

Stakeholder's List for Charter Review Commission Input

Current City Council members

Mayor Ron Corbett

Council members Kris Gulick, Monica Vernon, Pat Shey, Chuck Wieneke, Justin Shields, Don Karr, Tom Podzimek, Chuck Swore

Former City Council members

Brian Fagan

Sarah Henderson

Jerry McGrane

City Department Directors, employees

City Manager, Jeff Pomeranz

City Attorney, Jim Flitz

City Clerk, Amy Stevenson

11 City Directors : Pat Ball, Christine Butterfield, Casey Drew, Dave Elgin, Sandi Fowler, Mark English, Greg Graham, Conni Huber, Nic Roberts, Julie Sina, Matt Widner

Neighborhood association presidents

Amy Buelow – With request to forward to presidents of 10 active associations: Cedar Valley, Harbor, Kenwood Park, Lincolnway Village, Mound View, Noelridge, Northwest, Oak Hill Jackson, Taylor, and Wellington Heights

Business group leaders

Board of Realtors – Kevin Platz

Chamber of Commerce – Chuck Peters, Board Chair

Ecumenical Community Center – James Kennedy, President

Downtown District – Doug Neumann

Priority One – Dee Baird, President

Developer's Council – Doug Laird, Chair

Landlords of Linn County - Stephanie Danielsen (Feuss)

Governmental groups

ECICOG – Doug Elliott, Executive Director

Linn County Board of Supervisor members (5)

Private entities

Ryan Companies – Marc Gullickson

Rockwell – Tom Hobson

Hatch Development – Dale Todd

Charter Review Commission 2011: Final Report



**City of Cedar Rapids
CHARTER REVIEW COMMISSION MINUTES
City Hall, 3851 River Ridge Drive NE
June 30, 2011
5:30 pm**

Meeting was brought to order by Co-chairs Paul Pate and Kay Halloran at 5:30 p.m.

Present, Kay Halloran, Paul Pate, LaNisha Cassell, Monica Challenger, Jim Craig, Tricia Miller, Mary Nelson, Scott Overland, Robin Tucker, Nancy Welsh, and Carl Whiting.

Absent, Nancy Bruner.

Co-chair Kay Halloran welcomed the Commission to the meeting and asked for any corrections to the minutes of the meeting held on June 16, 2011. Scott Overland moved and Carl Whiting seconded that the minutes be approved as distributed. Motion passed unanimously.

The Co-chairs invited public comment. None was provided.

Tricia Miller began the discussion for Group 3 related to Article 3 Nomination and Elections. She commented that they received minimal feedback regarding this article. She noted that in Section 3.01 Nomination, both paragraphs end with a sentence related to the first election following the original adoption of the Charter that is no longer relevant. Tricia Miller, on behalf of Group 3, moved that Section 3.01 Nomination remain unchanged except for the removal of the final sentence of both 3.01 (a) and (b). Motion passed unanimously.

Tricia Miller introduced Section 3.02 Regular City Elections for discussion. Robin Tucker noted that he received input indicating interest in citizens voting for all offices, where district council members would be required to live within a district, but would be voted on by all citizens. Discussion of the members noted concern that all council members would then be considered at large, and that district council members may be less responsive to constituents within their districts. Carl Whiting moved and Jim Craig seconded that Section 3.02 remain unchanged. Motion passed unanimously.

Tricia Miller suggested that discussion of Section 3.03 Runoff Elections be deferred to the next meeting to allow Group 3 time to conduct more research regarding alternate election methods. Robin Tucker mentioned he would send the group links to a video explaining how instant runoffs work. Paul Pate suggested the National Association of Secretaries of State is a resource regarding elections. Members requested that discussion continue to establish whether the Commission

Charter Review Commission 2011: Final Report

would like to recommend to the City Council that alternate methods of runoff be considered. Robin Tucker mentioned that staff in the Linn County Auditor's office mentioned that existing software may not be compatible with some forms of elections, and that the City Council may need to consider a cost benefit analysis of using a different method. Scott Overland noted that the current runoff election saves election costs as there is not always a need for a runoff. Paul Pate suggested that the Commission's final report include information about other forms of elections. Tricia Miller moved and Carl Whiting seconded that Section 3.03 Runoff Elections remain unchanged. Motion passed unanimously.

Mary Nelson introduced Article 6 Conflicts of Interest; Board of Ethics. She noted that while they also did not receive a lot of feedback regarding this article, there was some interest in broadening the scope beyond financial conflicts of interest. Kay Halloran mentioned that perceived conflicts with an official's profession was common in the state legislature, and that transparency was crucial. Others noted that the perspectives of those individuals are often the reason they were elected. Jim Craig questioned whether the Article allows the public to do something if a person is using their city office for private gain. Some mentioned that open disclosure and transparency may need to be more explicitly encouraged. Tricia Miller moved and Nancy Welsh seconded that Section 6.01 Conflicts of Interest remain unchanged. Jim Craig mentioned that inappropriate private gain may need to be clarified, rather than gain from employment. Members acknowledged that city employees are excluded from this provision of the charter. Robin Tucker noted that in some cities there are references to application to city employees and residency requirements. Members asked City Manager Jeff Pomeranz to provide documentation to the Commission of the inclusion of conflict of interest and ethics policies for city employees. The question was called, and the motion passed unanimously.

Co-chair Kay Halloran noted that a citizen had arrived and wished to provide public comment. Jeremy Cobert addressed the group. He noted that he was curious about the Commission and how it was appointed by the City Council, who he said is also being reviewed. He suggested the group consider ranked choice voting to save election costs. He also asked the group to consider an alternate method of selecting the mayor pro tem.

Mary Nelson commented that in discussion of Section 6.02 Board of Ethics, some input was received regarding conflicts with people appointed to the board. Some also suggested that the city should have the state board of ethics serve in this role, but in their research, the role of the state board is different. Mary Nelson moved and Carl Whiting seconded that Section 6.02 Board of Ethics remain unchanged. Motion passed unanimously.

Nancy Welsh moved and Jim Craig seconded that Article 8 Transition be removed. Motion passed unanimously.

Group 1 continued discussion of Section 2.04 (b) Terms. Robin Tucker noted that having district council members serve two year terms would encourage citizen participation by having more seats on the ballot each election. Paul Pate noted that he does not hear a groundswell of support for changing from four year terms to two year terms, that his analysis of current candidates is that there are sharp people running for office, and that it can be a detriment to attracting good candidates to have to run every two years. Scott Overland agreed, suggesting that goal setting for the city could suffer with two year terms due to the learning curve encountered upon being elected, and terms beginning in the middle of the budget cycle. He also noted that 7 of the 9

Charter Review Commission 2011: Final Report

seats would be up for election each year. Carl Whiting noted that this discussion is similar to the Commission's discussion of the long term planning commission, and the support to extend the appointment of that group to every five years rather than three.

Robin Tucker noted that the staggering of offices for reelection should be changed to have five seats elected during one election and four seats the next, rather than the current 6 and 3 stagger.

Robin Tucker moved that Section 2.04 (b) Terms be edited to accomplish a 5 and 4 stagger, by recommending that the 2013 election have the at large candidate receiving the lowest number of votes serve a two year term rather than a four year term.

Jim Craig asked for clarification, noting that in 2011 there is one at large seat and districts standing for election. In 2013 there is the mayor and two at large seats, then in 2015 there would be two at large seats if one at large in 2013 held only a two year term. Nancy Welsh noted that the Commission does not need to recommend a method to change the stagger to 5 and 4, just to recommend a change be made.

Tricia Miller seconded the motion that the Commission recommend that the City Council rewrite Section 2.04 (b) Terms to reflect a transition to a 5 and 4 stagger, requesting the City Council review the at large council member terms so that the mayor and one at large seat be up for election in one cycle and two at large seats be up for election in the next cycle. Motion passed 9 to 2, with Robin Tucker and Kay Halloran voting no.

Paul Pate questioned whether the group wanted the City Council to conduct its own research on how to transition to a 5 and 4 stagger. Jim Craig moved and Paul Pate seconded that the Commission recommend that the City Council edit Section 2.04 (b) to transition from a 6 and 3 stagger to a 5 and 4 stagger. Motion passed unanimously.

Carl Whiting moved and Paul Pate seconded that Section 2.06 Mayor (b) Election remain unchanged. Motion passed unanimously.

The Commission then discussed attendance at the meeting schedule for July 14, 2011. A number of members noted that they will be absent. Consensus of the members was to hold the next Charter Review Commission meeting on July 28, 2011, at 5:30 p.m., for one and one-half hours, until 7:00 p.m. Prior to that meeting, as soon as possible but at least by July 21, members are encouraged to send any written documentation for inclusion in the Commission's final report to Sandi Fowler and s.fowler@cedar-rapids.org. The agenda for the July 28, 2011, meeting will be to review a draft of the report.

Meeting adjourned at 6:35 p.m.

Respectfully submitted,

Sandi Fowler, Assistant to the City Manager
City Manager's Office, City of Cedar Rapids

Charter Review Commission 2011: Final Report



**City of Cedar Rapids
CHARTER REVIEW COMMISSION MINUTES
City Hall, 3851 River Ridge Drive NE
July 28, 2011
5:30 pm**

Meeting was brought to order by Co-chairs Paul Pate and Kay Halloran at 5:30 p.m.

Present, Kay Halloran, Paul Pate, Nancy Bruner, LaNisha Cassell, Monica Challenger, Jim Craig, Tricia Miller, Mary Nelson, Scott Overland, Robin Tucker, Nancy Welsh, and Carl Whiting.

Co-chair Paul Pate welcomed the Commission to the meeting and asked for any corrections to the minutes of the meeting held on June 30, 2011. Carl Whiting moved and Jim Craig seconded that the minutes be approved as distributed. Motion passed unanimously.

The Co-chairs invited public comment. Clark Rieke provided written comment, attached.

Co-chairs Pate and Halloran thanked the members for their service on the Commission, for their diligence reviewing the Charter, and for the valuable time they invested.

The Commission began review of the Commission's draft final report.

Jim Craig asked for clarification regarding Article II – City Council, Section 2.04 (b) Terms, and inclusion of the recommended method of staggering council member terms. Robin Tucker moved and Nancy Bruner seconded that an additional sentence be added to this section of the final report, "The Commission recommends the City Council review the at large council member terms so that the mayor and one at large seat are up for election in one cycle and two at large seats are up for election in the next cycle." Motion passed unanimously.

Robin Tucker then introduced a minority report recommendation to the Commission that he distributed, attached. Tucker asked the Commission to consider using the council districts for eligibility only and that candidates be elected by all eligible voters within the city. He commented that the mayor pro tem position would then be elected by all voters.

Paul Pate noted that he felt this suggestion was a major change, and that citizens strongly supported council districts when the Charter was developed. Kay Halloran stated that district representatives play a distinct role with specialized issues for individualized districts and that this move would dilute that role. Nancy Bruner commented that a number of people mentioned at the public forum that they would like all citizens to vote for each council seat. Carl Whiting

Charter Review Commission 2011: Final Report

said that the change would effectively make all council seats at large seats, where district voters could easily be the minority of voters for a district council seat.

Robin Tucker noted that he was not in favor of the recommended change to Section 2.06 to change the mayor pro tem's responsibility to fill only the temporary absence and temporary disability of the mayor. Carl Whiting noted that the change was intended to comply with state law regarding the filling of a vacancy. Tucker suggested that Home Rule would allow the current language to be followed.

Carl Whiting moved and Jim Craig seconded that Section 2.06 Mayor (c) Mayor Pro Tem remain unchanged. In discussion, Pate questioned whether the motion was necessary. Tricia Miller noted that she felt three comments at the public forum was not a ground swell from the public for a change in how the council district members are elected, that it may be worthwhile to include a section in the report that suggests the issues City Council may want to review once additional time has passed.

Paul Pate encouraged Commission members to provide individual comments to the City Council and the City Manager regarding items that need improved, and to also share good things with them. He stated that instead of a minority report, individual members with insight into issues should share those issues with council members and the media, and participate in the upcoming election process.

Carl Whiting supported the idea of including issues for future consideration in the report where the Commission had significant conversation, such as the instant runoff election process, and at large versus district council members. Monica Challenger agreed to including these issues, and suggested members offer attachments to include as well that provide thoughts and ideas about those issues. Pate noted that an appendix of the report will include the minutes of each Charter Review Commission meeting that will capture those issues.

Carl Whiting suggested including these items in a transmittal letter with the report. Pate asked that Commission members Email items by Monday, August 1, 2011, for inclusion in a transmittal letter. Carl Whiting and Jim Craig agreed to withdraw the motion regarding the Mayor Pro Tem.

Carl Whiting moved and Kay Halloran seconded to approve the final report as prepared and submitted, and with the minor change provided by LaNisha Cassell to correct Section 2.11 Prohibitions to reflect that only subparagraph (a) has a recommended change.

Jim Craig asked that the motion be amended to clarify the recommended changes to Article IV – City Manager, by adding the italicized portion, “The Commission recommends *no language change but does recommend* that the City Council consider methods of increasing the transparency of and public access to financial documents, including the annual budget and monthly financial reports.” Carl Whiting and Kay Halloran agreed to the amendment. Motion to amend the motion passed unanimously.

Robin Tucker suggested that a statement regarding public input received regarding instant runoff be included in the report, rather than in a letter. Pate suggested members express their interests to the City Council directly. Carl Whiting recommended the transmittal letter include other items discussed by the Commission. Pate asked Robin Tucker to briefly explain the benefits of instant

Charter Review Commission 2011: Final Report

runoff. Tucker stated that financial benefits and voter and candidate fatigue are two common reasons for considering instant runoff.

The Commission further discussed the motion to approve the final report. Tricia Miller suggested, and others agreed, that the transmittal letter be included as an appendix to the report so that the document stands alone and includes those topics considered but not recommended. Miller questioned whether email to the Commission should also be included, with members suggesting that the email should be available in the Commission's record, but not a part of the document because of concerns of length.

Motion passed unanimously.

Paul Pate reminded members to submit additional comments by August 1, and stated that the intent will be to present the Commission's final report to the City Council at their meeting on Tuesday, August 9, 2011, at 12:00 noon.

Meeting adjourned at 6:22 p.m.

Respectfully submitted,

Sandi Fowler, Assistant to the City Manager
City Manager's Office, City of Cedar Rapids

Appendix 3

Public Forum Input



**City of Cedar Rapids
CHARTER REVIEW COMMISSION**

**Notes from Public Forum
Held June 2, 2011, 5:30-7:30 pm**

Group 1- Preamble; Article I (Powers of the City); Article II (City Council); Article VII (Charter Review and Amendment)

Table A- Nancy Bruner and Robin Tucker from Charter Review Commission; Liz Jacobi from city staff as facilitator/note-taker

NOTES OF DISCUSSION- *organized below by topic, but not according to any other substance of statement or person making statement. Also note some remarks not directly related to Group 1 subject matter.

Council

Role is to set policies, which should not be role of City Manager.

Consider Carver model in which staff runs operations and Council members (like Directors) set policy, fires CM if staff isn't advancing policies

Would be nice to know *how* policies come into being – e.g. policy that council members not respond to people speaking at Council meetings; policy re: charges on J.P. Morgan issued credit cards. If council sets policies instead of City Manager, would better understand the policies.

Re: council members' terms:

possibility of having some 2 year spots, and some 4 year spots

Length of term – 4 years good

Would like to see more evenness in number of spots up for election at one time – 5 and 4 rather than 6 & 3

2 year terms = constant campaigning

Term limits: Is it a good idea to discuss/explore more? Mixed views.

Concerned that 2 year council terms might leave too little time for member to learn and accomplish anything. On other hand, hybrid of terms might allow for additional participation by more people in the community.

District Representation/mapping

Discussion re: how to draw on various demographic parts of City fairly while still seeking to have all people vote on most of council members.

Doesn't understand why we have districts at all, but if must have districts, then should at least have more people elected at large than by district; should review why we have majority of council members representing districts rather than at large.

Section 2.04(b) (terms):

Language is somewhat difficult – questions asked re: terms and clarified which parts were only for initial makeup of council.

Mayor and Mayor Pro Tem:

Sees Mayor as Chairman of Board and political figurehead

Question whether too many additions to Mayor's powers and duties beyond model charter which was starting point for initial

Absolutely doesn't think charter should change to strong mayor form

Discussion re: Mayor (i.e., not pro tem) being chosen from among elected council members – rather than by voters (like Iowa City) – pros and cons discussed

Likes idea of changing charter so that Mayor Pro-tem could rotate, which would even things out especially when we have a particularly strong or weak Mayor ; counterargument– only have mayor pro tem who has in fact already worked closely with Mayor so s/he's prepared to take over

Discussion re: whether Mayor Pro-Tem should/should not be selected from at large members

hard to counter argument that mayor should be someone who's been elected by all citizens, not just those with in certain district

Pro Tem "must" be from among at large memberships; otherwise, someone is serving as mayor who hasn't been elected by the city's electorate

Significant discussion re: fact that Charter is unclear whether Mayor Pro Tem can complete a term for a mayor, on one hand, or only fill in during unavailability. Problem with language in 2.06(c) versus language in 2.09, which recites city's obligation to fill vacancies in accordance with Iowa law. Significance of selection process for Mayor Pro Tem depends a lot on whether Mayor Pro Tem may serve remainder of term for Mayor who resigns, dies, etc. Also – what if Mayor dies/resigns but Mayor Pro Tem but has less time left in her/his term than remainder of Mayor's term?

2.06(c) Mayor Pro Tem should be corrected because not in accord with Iowa law – “if a vacancy occurs, shall become mayor for the remainder of the unexpired term.”

Idea -- might be good to at least articulate in Section 2.09 what Iowa law is at time Charter enacted/amended with citation to year of code at that time, so even if it changes, will be able to know what law provided at the time.

Mayor pro tem should “absolutely” be chosen by Council; don’t change

City Manager:

Envisioned city manager as someone well-versed in being open, efficient, smooth. Felt first CM was closed – e.g. setting policy on council members refusing to speak with those who address council at a meeting.

Evaluation of city personnel (esp. department heads) by CM – public could use more education/understanding of basis and process for evaluation

Bench strength could improve w/o ruining CM’s role. More people like Joe O’Hern so CM could focus on different level

Assistant City Managers as way to assist CM with load

Boards and Commissions:

Need better “variance” for Commission memberships – not all people thinking same.

Also, see Preamble – emphasizes citizen participation. This could be by means of Boards and Commissions with members that have subject matter expertise.

For example – should have used Commission to adopt new Chapter 29 so as to get input from sources with direct interests *other* than enforcement. Not a good idea to have enforcement agency write the ordinance by itself.

Ideas for additional boards or commissions

Financial – for oversight. For example: we’ve had 4-5 different people overseeing new convention center and has seen a lot of duplication. A financial oversight commission might have spotted this. Also, could do better job explaining financial matters to public in a more understandable way.

Discussion whether Boards and Commissions have been too politicized

Long-term Planning Commission should have 5 year term instead of 3

Contrast made between strong Boards/Commissions & Carver model (see prior notes under Council)

Given that so many say it’s been awful serving on a commission, thinks must not be doing well with Boards and Commissions overall (e.g. LOST Committee received poorly articulated expectations re: scope of its work)

Overall, general or miscellaneous remarks

“Love the preamble”

Maybe more autonomous *audit* functions, like other cities do

City has strayed from Charter’s requirements and intent--not giving enough power to people

Haven’t made enough effort to ensure public participation, maybe need more commissions (see below)

Overwhelmingly, city voted for this form “to increase participation” and haven’t had enough time to let it work – don’t tweak too much right now

Want it to be fun to serve so that we get better cross-section of people running – don’t want to frighten people from jumping in, and doesn’t think answer is tweaking charter. If we find over time that we don’t get a good cross-section of candidates, then we might look at whether charter is failing us.

Wants to see that City Council has time to make policy not just put out fires. Thinks only time will solve some of the issues that have arisen from transition and from flood.

Thinks charter has worked but we haven’t seen fruits of conversion, so now is not good time to tweak

Ideas like changing times for Council meetings are good ways to improve the council without changing charter.

Would like better explanation of city structure in Charter itself

process of reviewing Charter is good, but standard should be to change only biggest problems.

Possibly good idea to move to review every 5 years instead of 10

When reviewing Charter, should memorialize considerations so that those reviewing/considering history in years to come have benefit of those considerations without relying on individuals’ memories.

Group 1- Preamble; Article I (Powers of the City); Article II (City Council); Article VII (Charter Review and Amendment)

Table B- LaNisha Cassell and Carl Whiting from Charter Review Commission; Amy Stevenson from city staff as facilitator/note-taker

Preamble

- Likes preamble

Article I – Powers of the City

Article II – City Council

- Likes the districts and at-large seats – good division
- Rather have high quality city manager instead of strong mayor.
- Mayor Pro Tempore should rotate every year – newly elected council members should not serve as Mayor Pro Tempore right away.
- Compensation – laptops, parking – part of compensation package for Council or staff? Reason for change of government was to save money.
- Council doesn't answer phones or emails – lost that person to person contact.
- Prefers the previous form of government – felt there was a qualified person for each area – there is an advantage to that.
- Doesn't like the division of districts – go back to full-time mayor and four council members per quadrant – less of a division.
- Wanted change but now disappointed with current form of government – would go back to commission form.
- People are upset with this form of government – overextending ourselves now.
- Lost accountability to public – can't speak at council meetings and can't get a hold of council members.
- Nine council members too much – it's like herding cats!
- Not as much transparency – not all citizens have computers to look up information when directed there.
- Would prefer a seven member council.
- Why three at-large and five districts? Why not six districts and three at large (including mayor)? Why districts at all?
- Council hasn't been fairly compensated for doing special projects especially during the flood
- Doesn't support strong mayor.
- Mayor Pro Tempore should be chosen by council.
- Long Term Planning Commission should meet every five years – three years isn't long enough.

Article VII – Charter Review and Amendments

- Current charter review cycle is good.

Miscellaneous comments

- Prefers part-time rather than full-time, paid council members.
- This form of government had a slow start then flood happened
- There is a lack of subcommittee and assignment structure.
- Don't want to make change to Charter so only people without jobs or retirees run

Group 2 – Article 4 (City Manager), Article 5 (Departments, officers, and agencies)

Table C – Jim Craig, Scott Overland from Charter Review Commission; Brad Larson from city staff as facilitator/note-taker

- Regarding Mayor Pro-temp at-large - No strong opinion
- Just hitting stride in form of government – confident in form of government
- Full time mayor will attract the wrong people
- Likes the district system
- New system hasn't had time to prove itself due to the flood
- City Manager has enough power
- Balance the elections – change to 5-4 instead of 6-3
- Disappointed in new form
- City Manager should be about his employees and have broad knowledge of departments
- Charter should include financial oversight
- 6-3 staggers is odd
- Pro-temp's powers could be expanded on (in the charter)
 - Should citizens have the ability to elect?
- Against having a full-time mayor
- Commission is bad because department head changes too much
- Not enough time to evaluate
- City Council should be policy
- Not enough time to evaluate
- Council should be compensated for all the additional work related to the flood
- Community is still getting used to form of council
- Reviewing districts to distribute correctly?
- Mayor pro-temp structure in not a concern right now
- Too many council members – seven seems more appropriate; 4 quadrants, 2 at-large, and full time mayor
- Should go back to the commission form of government
- Plenty of time to evaluate

Group 3- Article 3 (Nominations and Elections), Article 6 (Conflicts of Interest: Board of Ethics, Article 7 (Transition)

Table D – Mary Nelson, Tricia Miller, and Nancy Welsh from Charter Review Commission; Alissa Kaiser from city staff as facilitator/note-taker

Article III – Nomination and Elections

- Do we have the right balance with staggering the districts? This deserves discussion.
- Requirement of at least two percent of those who voted to fill the same office at the last regular city election seems reasonable.

Article VI – Conflicts of Interest; Board of Ethics

- Board of Ethics is a good idea – full disclosure by Council members is always important

- Scope of the Board of Ethics is too narrow – only covers primarily financial conflicts of interest.
- Appearance of a conflict of interest is too narrowly defined.
- Other conflict of interest areas not taken into account – needs to be toughened up.
- Mandate needs to be broadened to other conflicts of interest.
- Is Board of Ethics necessary?
- Cedar Rapids is the only city in Iowa that has a Board of Ethics; all other cities utilize the Iowa Ethics and Campaign Disclosure Board – can Cedar Rapids do the same? Not sure there is an advantage to having a local board.
- At the State level there may be more assurance that board members are fully removed from issues that are brought before the Board of Ethics.
- Not comfortable with Board of Ethics – people say Board of Ethics needs an oversight board in case there are conflicts.
- Not comfortable with Council appointing members to the Board of Ethics – could be conflicts.
- Could implement an appeals process for the Board of Ethics – parties could appeal to the State if they are not satisfied with the local Board's ruling.

Article VIII – Transition

- Determined to be obsolete – may not need this section in revised Charter since it is specific to the change in form of government.

Miscellaneous comments

- Council is not getting enough feedback from the public prior to passing controversial ordinances. For example, chapter 29.
- Need to create citizen committees to provide feedback prior to Council approval of ordinances; especially from groups that are affected by decisions.
- Terms should have been staggered more when the Charter was first developed – suggests this could possibly be changed now.
- The way terms were staggered in the Charter doesn't make sense – three seats up for election at one time and six seats up at one time. There should be a better balance – four seats up at one time and five seats up at one time which should include two at-large seats each time.
- Pleased with current form of government – much more accessible.
- Prefers this form of government to the previous form.
- Strongly encourage only minor tweaks to Charter – need to give this form of government a chance.
- Haven't seen this form of government in action yet – when it began in 2006 council members were becoming acclimated to new roles and then the flood happened. Need to give this form of government more time to work like it should and can.
- Having a city manager is important.
- Current form of government doesn't work as good as it could – the first city manager was too controlling
- Likes district concept – broader base of representation.
- City is in need of change management.

- Doing business in Cedar Rapids is more difficult than in surrounding cities for developers.
- Resented re-organization process in 2007 – laid off too many good employees.
- City isn't as good as it could be – out of control.
- Two council meetings per month is not enough.
- Five council members are enough – don't need nine.
- Part time council seems to be full time right now but only because of the flood – time requirements may decrease in the future.
- Boards/commissions/committees need more authority – it's a waste of citizens' time because the Council doesn't let them make decisions.
- Conflict for Council to appoint members to boards and commissions sometimes.