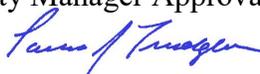


ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: May 3, 2021
Item No.: 7.b

Department Approval


City Manager Approval


Item Description: Consider Approval of Youth Commissioner Application Changes

BACKGROUND

At the September 14, 2020 meeting, Council discussed the recommendation brought forward by the Human Rights, Inclusion and Engagement Commission (HRIEC) to allow youth commissioners to vote. At that meeting, the City Attorney indicated that his recommendation would be to not commit youth commissioners to voting on issues that could have significant legal ramifications, particularly on the Planning Commission. He indicated the other commissions are advisory in nature and do not have the same level of legal liability for a youth commissioner under the age of 18.

At the January 25, 2021 council meeting, staff presented an updated student application for consideration. As part of that discussion, Council sought further feedback from the HRIEC on the application. The HRIEC discussed the application at their March 17 meeting. The feedback from the Commission is incorporated into the draft application. Some highlights include:

- Directing applicants to review duties and functions of various commissions prior to filling out the application
- Updating question(s) to indicated that their application will not be judged on personal opinions. Identifying the purpose of asking the question(s)
- Voting section added. Allows youth to choose if they want to be a voting member.
 - Adds section where the applicant must acknowledge responsibilities that come with voting.
- Includes Parental Permission section. If no parental permission given, applicant is considered a non-voting member.

FINANCIAL IMPACT

There are no financial impacts as it relates to updating the application or allowing youth commissioners to vote.

STAFF RECOMMENDATION

By motion, approve the youth commissioner voting application.

REQUESTED COUNCIL ACTION

Provide feedback and direction to staff on voting for youth commissioners

Prepared by: Rebecca Olson, Assistant City Manager
Attachments: A: Excerpt of Minutes from 9-14-20 and 01-25-21 Council meetings
B: Draft Application
C: Excerpt of HRIEC minutes from 3-17-21



Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, September 14, 2020

a. Discuss Voting Status of Youth Commissioners

Assistant City Manager Rebecca Olson briefly highlighted this item as detailed in the Request For Council Action and related attachments dated September 14, 2020.

Councilmember Willmus asked if the City went forward with allowing Youth Commissioners to vote, is there something that the City can do to create a city contact method for that individual, city email, etc. so the public would be able to engage with them.

Ms. Olson indicated the City does have the ability to create a city email account that the Youth Commissioner would be able to access and would be subject to all of the pertinent data practices.

Councilmember Etten indicated in the last discussion, there was mention of talking with the parents and students regarding this. He wondered if that had happened and if so, what came from that discussion.

Ms. Olson explained staff did reach out to different current Youth Commissioners and she did not believe any of them wanted staff to talk to their parents. The feedback received was that some were okay with it while others did not really care and it was not a huge issue with them. After her discussion with the Youth Commissioner on the HRIEC, she would be okay with adding any additional liability but also understood that future Youth Commissioners may not be. She suggested the Council give Youth Commissioners a choice whether to be a voting member or not, based on that liability. She indicated there was not a definitive yes or no from any of the current Youth Commissioners.

Councilmember Groff asked how other cities addressed the liability issue and were there any discussions with neighboring cities about that issue. He found it extremely interesting that the City of Shoreview would have a yes on the Parks Commission and a no on the HRIEC and wondered what the logic to that was.

Ms. Olson explained the conversation about Youth Commissioners voting did not come up during her time with Shoreview and during that time, she did not believe there was a Youth Commissioner on their Parks Commission. Ms. Olson noted that often times, votes were not taken and so when Shoreview says they do not have a voting member, there are not many votes that are actually done as the Park Commission's decisions are more consensus based.

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Councilmember Laliberte indicated at the last meeting where the Youth Commissioners were voted in for another term, she had explained it was nice that all of the Youth Commissioners wanted to sign up again. However, that did not give much opportunity to others wanting to be on a Commission but a way for the City to offer this to more youth, would be to add more Youth Commissioners. She thought the numbers of votes would then become a consideration for recommendations being made to the Council based on action. She noted that Youth Commissioners are not the taxpayer and asked at what point do the numbers not work if the City is open to adding more Youth Commissioners.

Mayor Roe stated this was something he had thought about and one approach that could be taken is to have Youth Commissioner votes be advisory votes and not official votes in the count of the tally, noting there are pluses and minuses to that approach but it is one way to deal with it. Another thing is that certainly in the case of the Planning Commission or actions before the Parks and Recreation Commission, such as recommending park dedication and those type of things that have some fairly significant ramifications, the City could outline in the Ordinance that those are the types of votes that Youth Commissioners cannot vote on. But the Youth Commissioners could vote on other items with a broad consensus already on the Commission. The other approach would be all advisory or no voting at all. He thought some type of hybrid would make sense, but he was not sure how to get there.

Councilmember Groff indicated having served on a Commission, it is really helpful to have continuity on the Commission with Youth Commissioners. If the Youth Commissioner is changed every year, their experience is not as valuable to a Commission. He did not think it was as valuable to an individual either and preferred having a longer renewal for the Youth Commissioners. He did not think any of the Commissions had multiple Youth Commissioners at this time.

Ms. Olson noted currently the Parks Commission has two Youth Commissioners, the Public Works Commission has one, and the HRIEC has one.

Councilmember Groff did not think the Commissions would have the majority of Commissioners youths.

Mayor Roe noted the current Ordinance states up to two Youth Commissioners on a Commission.

Councilmember Willmus agreed with Councilmember Groff. He thought most of the items at the Commission level, removing the Planning Commission, are largely consensus items that are before the Advisory Commissions. He would be curious how a hybrid voting system would work. He would also be interested in legal counsel input on whether or not this is a good idea.

City Attorney Gaughan indicated his input is in the staff report but he would strongly recommend not committing youth votes on the Planning Commission or when it comes to park dedication on the Parks Commission. Those are matters often times with significant legal ramifications and legal competency issue and also as a policy matter, not wanting to place youth in certain situations. He indicated the other Commissions are advisory commissions and it is not necessarily a legal liability issue, it is more again if the City wants to place youth, as a matter of policy, in a position to have to take into account those sorts of considerations, even if it is up to the City's Ethics Code.

Mayor Roe agreed with City Attorney Gaughan. He thought that Youth Commissioners who do not wish to vote, should be given the option to abstain from a vote, rather than not allowing that Youth Commissioner to vote.

Councilmember Groff thought if Youth Commissioners were going to be included in voting, the Youth Commissioners should attend the Ethics training or at least understand that part of it. He thought that would be a good thing for them to do because it would be a good civics lesson for them. He thought the plus outweighs the negative.

Councilmember Laliberte agreed. She wondered if even though Ms. Olson approached the Youth Commissioners about talking to their parents, going forward when the Council is appointing a Youth Commissioner who will have the ability to vote, shouldn't there be some process or acknowledgement by the parent that the Youth is in this position.

Mayor Roe thought that made sense.

Ms. Olson indicated she was actually going to defer to the City Attorney to see if there was something that should be added to the Youth Commissioner application so the parent sign to allow the youth to enter into this process.

Mayor Roe wondered if it might be more in the form of a disclaimer than permission.

Councilmember Laliberte thought a disclaimer would be something the student would be signing and acknowledging and again, is not engaging the parent. The only reason she is bringing this up is because there could be a decision made that divides the community, a Youth Commissioner may not consider or think about the ramifications, and then there could be fallout that the family would have to deal with. She knew this would be rare but thought it was something the family should be aware of as a possibility.

Councilmember Etten thinks a disclaimer would need a signoff for a parent or guardian. Certainly, there have been controversial things before, for example with

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the HRIEC and strong input from the community, which is an important thing to acknowledge if this moves forward. He thought a disclaimer should talk about voting but also about the person being involved in this information.

Mayor Roe indicated he was surprised that the City did not have parental signoff on the student becoming a Youth Commissioner and the City should look at improving its process in that regard, whether that has to be a policy update or part of the Ordinance. He suggested staff look into this and determine what makes sense.

Councilmember Etten asked if the Council should see proposed language for this before approval.

The direction of the Council was to have staff propose language for Council review before voting on this item.



Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, January 25, 2021

a. Discuss Youth Commissioner Voting

Assistant City Manager Rebecca Olson briefly highlighted this item as detailed in the Request For Council Action and related attachments dated January 25, 2021.

Mayor Roe indicated at the last discussion there was direction to get past and current Youth Commissioner and parent feedback regarding this and he wondered if staff had done this yet.

Ms. Olson explained back in September, staff reached out to all of the current Youth Commissioners and asked them to talk with their parents about this concept. The feedback staff received was that either they were okay with the voting or whatever the Council's pleasure was. She noted staff did not directly get parent feedback at that time.

Councilmember Strahan appreciated the thought that went into the attachment of the sample application. She stated it would be nice to have the applicant sign it in addition to the signature of the parent. She thought it was really important and being an educator, as a student is rarely allowed to speak solely for themselves without the permission of their parent. She noted legally, she did not know if the City would want to get into a situation where the Youth Commissioner could be involved in something without the permission of their parents. She thought the concept and how specific to the young person was really applicable.

Councilmember Willmus agreed and thought that was a logical approach. One of the things he would go one step further with is that these Youth Commissioners would be voting members so they should be accessible to the public. He would like to see if the City goes in that direction that they have at least an email contact for them. That would be a City email so if there are any issues, such as a data request, it is not being sent from someone's personal email account. He thought that would provide an additional layer of privacy for the individual.

Councilmember Etten agreed as well with several of the comments. He definitely would want the youth to sign their application. He agreed with Councilmember Willmus that there should be a city email with the expectation that the Youth Commissioner use that email. At the same time, his concern for all of this is if the person is a voting member, then at some level there has to be the expectation that this person is available to the public and is responding to the public. He thought the

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City needed to be very thoughtful of that. The HRIEC has certainly delved into several subjects that are very difficult and brought up very strong positive and negative responses from the public. The City has to be thoughtful about whether they want that person to be required to respond. He did not think it was legitimate to say that person can vote and not be responsive to the public at the same time. He also arrived at a vote that is noted as is currently the practice of Ms. Olson on the HRIEC without it being counted as a full vote as maybe has been requested by one Youth Commissioner. He was hesitant to do this but if it is allowed, there needs to be more guard rails to protect the youth.

Councilmember Groff thought the draft application created was a very good start. Having served on the HRIEC and also the Planning Commission, he did not recall a Youth Commission on the Planning Commission, but he could be wrong. His experience with the Youth Commissioners is that those individuals are very interested in the subjects and wanting responsibility. He thought that diminishing their role has to be considered here. He thought with correct parental advice on this, the City could move forward and not be risking a lot of blow back. To his knowledge, nothing on the HRIEC was so controversial that there were protests going on or anything like that. He thought that going ahead with this would not be a big risk.

Councilmember Willmus thought the most contentious issue he had seen with the Commission since his starting on the Council would be the conversations that went on regarding the marriage amendment and there were hard conversations that occurred then at the HRIEC and also as that recommendation came to the City Council. There may be parents who have reservations about their teens being involved in some of those conversations. There may be some reservations on the part of having their child subjected to some of the emails that the Council was subjected to and also the seated members of the HRIEC.

Councilmember Groff indicated he was on the HRIEC at that time and they did not receive extensive emails that were considered hate emails. The HRIEC had the hearing and that is where most of the information came out. His experience is that the Youth Commissioners are just as compassionate or more passionate about those issues as the Commission Members but if the parents have a different opinion, then that would have to be worked out between the parents and the youth. He thought safeguards could be put in place to address those types of situations.

Mayor Roe indicated he was going to suggest that the disclaimer page as well as the signoff page have more of that type of information included in it. He thought there could also be a general opt in or opt out as a part of the application process where a member could choose whether to be a voting member or not.

Councilmember Etten asked if the Youth Commissioners already get the emails.

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Ms. Olson thought that was correct and they are part of the group email when someone emails the Commissioners.

Councilmember Etten thought there would be an expectation of potential responding to the public and that for him is the issue because it is a different level of exposure.

Councilmember Strahan explained there is also that level of civics of what is an appropriate response when someone has that option. She thought that might be something that needs to be taught when onboarding the Youth Commissioner.

Ms. Olson stated that is an excellent point because that is also one of the items the HRIEC is looking at, as well as what kind of things are needed for onboarding Commissioners. This is an item on the HRIEC workplan for this year.

Mayor Roe thought the Council was supportive going forward with Youth Commissioner voting and looking at what could be done with applications and disclaimers as well as training and other information that provides some of those guard rails discussed. He also thought the HRIEC should continue to look at both the proposed draft application as well as anything else related to this process.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.



Name : _____ Date of Application: _____

Address (no P.O. boxes please): _____

Email Address: _____

Phone Number: _____

School Grade during 2020-2021 School Year

Date of Birth ____/____/____ MM / DD / YYYY

The City of Roseville has seven citizen advisory commissions and one board that review specific areas of interest and provide advice to the city council. Before filling out the application, please review the various commissions' functions and duties. Each commission has their own webpage where you can learn more. Visit [this page](#) for more information.

Which Commission are you applying to? _____

Tell us what unique qualities, talents, and experiences you have that would benefit the Commission to which you are applying: _____

Please list school and community activities or service organizations in which you are involved:

The Youth Commissioner's purpose is to discuss and advise the City Council on the needs and concerns of youth. Please explain what you believe is the biggest issue affecting Roseville and how you would address it. (You may attach a separate sheet with your answer.) Your application will not be judged on the content of this answer. This is an opportunity to share your thoughts and opinions from a youth perspective. _____

A major part of being a Youth Commissioner is bringing ideas and recommendations to the City Council. The purpose of this question is to show that you can look at different sides of an issue, consider a wide variety of viewpoints, and provide direction. Please answer the following question. Your application will not be judged on your personal opinion, but rather the ability to present an idea and recommendation.



Sample Question: A common issue around the country is whether citizens at the age of 16 should be able to vote in local elections, rather than at age 18. What is your opinion on this issue? Please provide two reasons for your answer (if you use facts or quotes please cite your sources). Then include a counterpoint from an opposing view. (You may attach a separate sheet with your answer.)

Have you previously served on a board or commission for the City of Roseville? ♦ Yes ♦ No --If yes, which board or commission and years of service? _____

Have you served on a board or commission for another governmental entity? ♦ Yes ♦ No --If yes, what entity, and what was your role? _____

Voting: (This section to be completed by applicant)

Most commissions conduct a lot of their work by consensus as well as through dialogue and collaboration. However, there may be instances where votes are taken on items of interest. Youth Commissioners must choose whether they wish to be considered a voting member or a non-voting member of the commission when they apply.

I wish to be considered a voting member ♦ Yes ♦ No

If you choose to be a voting member there are responsibilities that you must acknowledge and agree to abide by. They include the following:

_____ As a voting member, I agree to attend all trainings offered by the staff liaison and city as it relates to my role as a commissioner.

_____ As a voting member, I understand that I will be issued a City of Roseville email address, which I will only use to conduct commission-related business. This city-issued email address is public and will be available on the city's website and subject to all relevant data practices laws.

_____ As a voting member, I understand that a commission's formal recommendations to the City Council may become part of legal disputes.

_____ As a voting member of a commission I understand I am subject to the complaint process of the city's ethics code.



****Both the parent/guardian and the youth applicant must agree to the following. If a parent has not signed off on this section, the youth commissioner will be considered a non-voting member.***

Parental Permission for Applicants Less Than 18 Years of Age (This section completed by Parent/Guardian)

Youth Applicants less than 18 years of age, are required to receive parental permission for you to serve on a City of Roseville commission.

_____ I am the parent or legal guardian of the applicant listed above.

_____ I have reviewed this application form and understand that the applicant's participation on a City of Roseville commission is voluntary. I give permission for my child to serve on a City of Roseville commission.

_____ I understand that City of Roseville commission meetings are broadcast live on television.

_____ I also understand that certain data on my child as an applicant and as a member of a City of Roseville commission is public under the law.

_____ I give permission for my child's image to be used and disclosed to the public in photographs, videos, websites, social media, and on television in relation to my child's work with a City of Roseville commission.

_____ I understand that if my child's application is selected for consideration by the City Council, all of the data contained in my child's application materials and provided to the City in support of my child's application will be published in the City Council packet and will be made available to the public, with the exception of my child's address, email address, and phone number. I give permission for this disclosure.

Signature of Guardian/Parent

Date

By signing below, I agree that I wish to be considered for appointment to a City Commission.

Signature of Applicant

Date

Human Rights, Inclusion and Engagement Commission
Meeting Minutes
March 17, 2021

a. Youth Commissioner Application

Ms. Olson indicated the City Council has asked that the Commission take a look at some of the changes staff has proposed to the Youth Commissioner application and provide some feedback. She reviewed the request the Commission made to the City Council regarding Youth Commissioners having voting rights as well as the City Council discussion and response. She noted the City Council made the decision that they would like to provide Youth Commissioners with the ability to either opt in or opt out of voting. The Council would like Commissioner feedback on the application as well as some of the questions listed as draft questions. She reviewed the sample application with the Commission and asked for feedback.

Youth Commissioner Xie explained thinking about where she was in freshman year and looking at the application she was given. She suggested for the first question there should be an explanation as to what the Commission is before the question is given because freshman really do not know what Commission exactly means. She did take a look at the sample question and it seemed contradictory how it is worded.

Commissioner Allen asked if the Commission could give feedback and email it to Ms. Olson as well.

Ms. Olson indicated that was fine.

Commissioner James thought the sample question should have more to do with Human Rights, Inclusion and Engagement. He thought if the question is worded properly, it could remain the standard question for at least the HRIEC. He wondered if the sample question needed to be general so any Youth Commission apply for any of the Commissions could respond to.

Ms. Olson indicated that was correct. She did not know if it was feasible to have a separate application for each Commission.

Commissioner James thought the sample question could indicate that the applicant would not be judged on their opinion rather than saying their personal opinion on this topic does not matter.

Ms. Olson asked Youth Commissioner Xie if the sample topic of voting rights a good topic or is there a different topic that would be more appropriate to ask students to provide input on that might be more interesting or relevant to them.

Youth Commissioner Xie thought the topic is fine because she honestly had not heard about this common issue before. She felt like when she was a freshman that she could answer this question fine.

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Chair Djevi suggested the Commission review this application and email Ms. Olson with suggestions or possible changes by Friday, April 2nd.