

COMMITTEE OF THE WHOLE

08-0589R

RESOLUTION AMENDING RESOLUTION 08-0509 MODIFYING THE  
FORM OF THE BALLOT PROPOSAL TO BE SUBMITTED TO THE  
VOTERS.

BY PRESIDENT REINERT:

RESOLVED, that Resolution 08-0509 is hereby amended by deleting the  
proposition and explanation approved thereunder and by substituting the following  
proposition and explanation therefor:

PROPOSITION

Should Section 30 of the 1912 Home Rule Charter of the city of  
Duluth, as amended, be amended to allow a citizen to request that  
the Council appoint special prosecutor to prosecute violations of  
the Charter's Conflict of Interest provisions when the City Attorney  
has determined that there is no probable cause to do so and to  
require that the Council to decide whether or not to do so within 60  
days of receipt of such request?

YES \_\_\_\_\_ NO \_\_\_\_\_

A "YES" vote is in favor of adding a process requiring the  
City Council to act on citizen complaints pertaining to alleged  
conflicts of interest.

A "NO" vote is a vote against adding a process requiring the City Council to act on citizen complaints pertaining to alleged conflicts of interest.

Approved as to form:

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Attorney

COUNCIL REQUEST/ATTY      REA:blj      9/11/2008

STATEMENT OF PURPOSE: This resolution amends Resolution 08-0509 to allow the proposition to be voted on to be paraphrased on the ballot to reduce the cost to the city of having the issue on the ballot.

The city council sets the form of the proposition to be placed on the ballot and did so in Resolution 08-0509. The county auditor has informed the city that if the proposition as approved by Resolution 08-0509 is to appear on the ballot, along with other questions to be voted on, a second ballot will be required and the city will incur additional cost related to the second ballot.

This resolution changes the form of the proposition to shorten it and to obviate the problem without changing the effect of the referendum.