

REGULAR CITY COUNCIL WORK SESSION
January 4, 2022
After the City Council Meeting that takes place at 7pm
Robbinsdale City Hall
4100 Lakeview Avenue North

A G E N D A

1. CITY COUNCIL WORK SESSION CALLED TO ORDER BY MAYOR PRO TEM
2. ROLL CALL: Kline, Webb, Selman, Backen, Mayor Blonigan
3. Next Steps: XCEL- Partners In Energy – application due January 15 or July 15.
4. Review: 2nd Reading Rental Property License/Disorderly-Nuisance Conduct (attached)
5. Discussion: Evaluation of BLRT Goals – (attached)
6. Update: Problem Properties (to be distributed at meeting)
7. Review: Project Updates (attached)
8. Other Business
9. ADJOURNMENT

Review: 2nd Reading Rental Property License/Disorderly-Nuisance Conduct

Second reading was tabled on November 2nd to January 18, 2022 to allow for additional public input and council consideration. The deadline for submission of comments was set for January 7, 2022.

The purpose of the ordinance amendment is to:

- Remove City requirements for language in rental leases
- Focus on holding license holders accountable for their business operation.
- Using service fees for both rental and non-rental properties (no required eviction) related to nuisance services calls from public safety.
- More precisely define what constitutes disorderly and/or nuisance conduct for which service fees apply.
- Adds required process for license holder to follow related to nuisance/disorderly conduct to resolve issues.
- Specifies that service fees are not for calls related to domestic assault, criminal sexual assault, child abuse, or other emergency calls for assistance.

The ordinance moratorium and the new ordinance do not propose to interfere in the owner-tenant contract relationship related to evictions.

A copy of the ordinance is attached for the purpose of City Council identifying any concerns with respect to the proposed list of disorderly/nuisance conduct or any other section of the ordinance. Chief Foley will be in attendance to assist in review of the list.

Comments received from the public will be attached to the memo for 2nd reading and will be distributed in advance as council correspondence.

Member _____ moved and Member _____ seconded a motion that the following Ordinance, which was given its first reading on October 5, 2021 be given its second reading this _____ day of _____, and that it be adopted.

ORDINANCE NO. 21-12

AN ORDINANCE UPDATING ROBBINSDALE CITY CODE
SECTION 425 PROPERTY MAINTENANCE CODE AND
SECTION 927 REPEAT NUISANCE SERVICE CALL FEES

THE CITY OF ROBBINSDALE DOES ORDAIN THAT:

Section 1 – That Robbinsdale City Code Section 425.11 – Property Maintenance Code Definitions is hereby amended removing the ~~stricken~~ and inserting the underlined language as follows:

Subd. 10. Criminal activity means prostitution, criminal street gang activity, threatening, intimidating or assaultive behavior, the unlawful possession and/or discharge of firearms, or any other activity on or near the premises that jeopardizes the health, safety and welfare of the owner, the owner's agent, other resident, neighbor or other third party, or involving imminent or actual serious property damage.

Subd. 11. Crime free/drug free housing lease addendum means the addendum to written leases required by section 425.31, subdivision 5, and shall also include the written tenant acknowledgement required under section 425.31, subdivision 5 in situations where there is no written lease.

Subd. 18. Excessive calls means ~~four~~three substantiated repeat nuisance service calls occurring within any 12 month period.

Subd. 43. Repeat nuisance service calls shall have the meaning given in section 927 of the code to the extent the call involves police services.

Subd. 44. Responsible tenant means, for the purposes of excessive calls and ~~crime free/drug free lease addendum~~ violations, any tenant of a rental dwelling occupied by individuals, whether or not tenants, who are engaged in the conduct described in the notice given pursuant to section ~~425.23, 425.32~~

Section 2 – That Robbinsdale City Code Section 425.31 – Property Maintenance Code Inspection and licensing of rental dwellings is hereby amended removing the ~~stricken~~ and inserting the underlined language as follows:

Subd. 3. ~~Crime free housing t~~Training/certification required. The owner of a rental dwelling may not operate, let, or cause to be let, a rental dwelling without first having scheduled the required ~~crime free housing owner/manager training~~ program offered by the City. A shorter training session will be available to those who have completed a comparable program containing all of the components in subdivision 3(b) of this section in another municipality but not Robbinsdale-specific training. Any owner who has completed a comparable program containing all of the components in subdivision 3(b) of this section in another municipality and who has completed the initial/conversion rental housing owner training (subdivision 2 of this section) may be excused from this training. Failure to start or complete required training is not an excuse for failure to follow policies.

- (a) Training schedule. The police department shall provide quarterly training session opportunities.
- (b) Training curriculum. The training will be a course, not to exceed four hours, which is approved by the Chief of Police. Components of the program shall include, but not be limited to, the following subject matter:
 - (1) ~~Introduction to crime free multi housing;~~
 - (2) ~~Phases I III of CFMH;~~
 - (3) Rental applications and housing discrimination;
 - (4) Screening and background checks;
 - (5) Lease and lease addendums;
 - (6) Unlawful detainer and eviction;
 - (7) Manager/owner policies and roles;
 - (8) Data privacy;
 - (9) Narcotics and gang organized groups engaging in criminal activity;
 - (10) Section 8 housing;
 - (11) Rental licensing; and
 - (12) Repeat nuisance service fees.
- (c) Mandatory training certification. Upon successful completion of training, the police department shall make note of this fact and satisfactory completion of the training shall remain valid until such time a new owner and/or operator becomes responsible for managing the property.

Subd. 4. Failure to complete training. Failure to complete the required initial/conversion rental housing owner training or ~~crime free housing training/certification training~~ within six months shall subject the owner to a service fee (set forth in Appendix B) for each month that

training is not completed for a maximum of three months. If ~~after three months (9 months total)~~ the training has not been completed within this timeframe the rental license(s) may be ~~is~~ subject to suspension or revocation by the City Council.

~~Subd. 5. Lease addendum required. All rental housing leases, except for state licensed residential facilities and subject to all preemptory state and federal laws, shall contain crime free/drug free language for all new lease agreements beginning January 1, 2011 or upon lease renewal as set forth in paragraph (a) of this subdivision below. In situations where there is no written lease, the owner shall have the tenant execute a written agreement containing all of the regulations contained in paragraph (a) of this subdivision and acknowledging that violation of those regulations will result in termination of the tenancy.~~

- ~~(a) — Crime free/drug free housing lease addendum language. The following text meets the requirement for the lease addendum. Similar or equivalent language may be substituted, subject to review and prior approval by the City Manager.~~

~~———— Crime free/drug free addendum:~~

- ~~(1) — Tenant, any members of the tenant's household or a guest or other person affiliated with tenant shall not engage in criminal activity, including drug-related criminal activity, on or near the premises;~~
- ~~(2) — Tenant, any members of the tenant's household or a guest or other person affiliated with tenant shall not engage in any act intended to facilitate criminal activity, including drug related criminal activity, on or near the premises;~~
- ~~(3) — Tenant or members of the household will not permit the dwelling unit to be used for, or to facilitate criminal activity, including drug related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest;~~
- ~~(4) — Tenant, any members of the tenant's household or a guest, or other person affiliated with the tenant shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any locations, whether on or near the premises or otherwise. (Added, Ord. No. 10-13)~~

~~Violation of crime free/drug free addendum. Violation of the above provision shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.~~

- ~~(b) — Review of lease addendums. The owner and/or operator of a rental dwelling shall make available to the police department upon request copies of rental housing lease addendums. The police department shall make the request via U.S. Mail to the owner and/or operator. Said person is deemed to have received the request three days after the request is mailed. Upon receiving the written request from the police department, the~~

~~owner and/or operator shall provide the requested lease addendums within ten business days of the written request. Failure to provide the required documents within the allotted time shall subject the owner and/or operator to an administrative service fee (set forth in Appendix B). If after one month, the lease addendums are not received, or do not exist, the rental license is subject to suspension or revocation by the City Council.~~

Subd. 7. Owner or agent to apply. License application or renewal must be made by the owner of rental units. A new owner must register a building within ten days after acquiring it. Licenses are not transferable. The enforcement officer must be notified of any address change or other contact information changes including primary phone number(s), within ten days. Application forms may be acquired from and subsequently filed with the enforcement officer. The applicant must supply:

- (a) Name, address, and telephone number of dwelling owner, owning partners if a partnership, corporate officers if a corporation;
- (b) Name, address, and telephone number of designated resident agent, if any;
- (c) Name, address, and telephone number of vendor, if the dwelling is being sold through a contract for deed;
- (d) Legal address of the dwelling;
- (e) Number of dwelling units within the dwelling;
- (f) At least one emergency telephone number; and
- (g) Copy of ~~Mandatory Crime Free Training Certification (425.32, subd 3);~~ and .
- (h) ~~Copy of crime free/drug free lease addendum.~~

Subd. 9. Conformance to laws. An operating license will not be issued or renewed unless the rental dwelling and its premises conform to City ordinances and state law. This requirement includes responsible operation of the property rental business as evidenced by addressing disorderly and nuisance conduct at the property.

Subd. 14. License suspension or revocation. An operating license is subject to suspension or revocation, for the entire rental dwelling or for individual rental dwelling units, by the City Council if the licensed owner or duly authorized resident agent fails to permit any rental inspection required under this code, or fails to operate or maintain the licensed rental dwellings and units therein consistent with the provisions of the City code and the laws of the state of Minnesota.

- (a) Suspension or revocation with continued occupancy by current tenants. In the event that an operating license is suspended or revoked by the City Council, other than as further specified in subdivision 14(b) or 14(c) it is unlawful for the owner or owner's duly authorized agent, with respect to the rental dwellings subject to such revocation or suspension, to thereafter permit any new occupancies of vacant or thereafter vacated rental units until such time as a valid operating license may be restored by the City Council. An accurate, current list of such vacant dwelling units

shall be provided to the City and maintained onsite by the owner of the property, suitable for the purposes of identification and inspection under section 425.33 by the enforcement officer until such time as a valid operating license may be restored by the City Council. Whenever any multiple-dwelling or dwelling unit has been denied a license, has had its operating license suspended or revoked, it shall be posted with a placard by the City Manager to prevent further occupancy. No person, other than the City Manager, shall remove or tamper with any placard used for posting. The City Manager will post on the placard the date that the vacancy shall become effective. On or after the placard vacancy date, no person shall reside in, occupy, or cause to be occupied any dwelling or dwelling unit which has been posted to prevent occupancy. Any person violating this provision is guilty of a misdemeanor, and upon conviction is subject to a fine and imprisonment as prescribed by state law. Each day of each violation constitutes a separate offense.

- (b) Suspension or revocation due to property being unfit for human habitation. In the event that an operating license is suspended or revoked by the City Council due to being unfit for human habitation, it is unlawful for the owner or owner's duly authorized agent, with respect to the rental dwellings subject to such revocation or suspension, to thereafter permit any new or continued occupancies of said rental units until such time as a valid operating license may be restored by the City Council. Whenever any multiple-dwelling or dwelling unit is unfit for human habitation, it shall be posted with a placard by the City Manager to prevent further occupancy. No person, other than the City Manager, shall remove or tamper with any placard used for posting. The City Manager will post on the placard the date that the vacancy shall become effective. On or after the placard vacancy date, no person shall reside in, occupy, or cause to be occupied any dwelling or dwelling unit which has been posted to prevent occupancy. Any person violating this provision is guilty of a misdemeanor, and upon conviction is subject to a fine and imprisonment as prescribed by state law. Each day of each violation constitutes a separate offense.

Subd. 15. (c) License suspension or revocation for excessive calls. An operating license for individual rental dwelling units is subject to suspension or revocation by the City Council; ~~(i) if there have been four excessive substantiated repeat nuisance service calls (as outlined in City code section 927) involving the same tenancy within a continuous 12 month period, and (ii) the owner does not terminate the tenancies of the responsible tenants as provided in subdivision 2(c) of section 425.32.~~

Section 3 – That Robbinsdale City Code Section 425.32 – Property Maintenance Code Excessive call violation notice and procedures is hereby amended removing the ~~stricken~~ and inserting the underlined language as follows:

425.32. ~~Crime-free housing/Excessive call violation notice and procedures.~~ Subdivision 1. Notice. Upon determination by the ~~police department city manager~~ that a licensed rental dwelling was used in violation of the ~~crime-free/drug-free lease addendum provisions and/or~~ excessive call provisions listed in sections 425.31, subdivision ~~14(c) 15,~~ the ~~police department city manager~~ shall cause written notice to be made to the owner of the violation(s). The written notice must be given as specified in Section 927.07 including right to appeal as specified in Section 927.09.:

- (a) ~~Identify the lease addendum violation(s) or the excessive calls that occurred at the property, and the dates of any previous violation(s);~~
- (b) ~~Inform the owner that owner shall notify the responsible tenant(s) within ten days of the lease addendum violation(s) and/or the repeat nuisance service calls;~~
- (c) ~~Direct the owner to proceed with the termination of the tenancy of all responsible tenants occupying the units; and~~
- (d) ~~Be served personally in the manner required by the Minnesota Rules of Civil Procedure or be served by U.S. Mail upon the owner and/or operator at the last known address.~~
- (e) ~~Notify the owner of the right to appeal the lease addendum violation and/or the excessive calls as further specified in subdivision 3 below.~~

Subd. 2. ~~Crime free housing violation and/or Repeat nuisance service call license suspension/revocation termination of tenancy.~~

Subd. 2 – In addition to procedural requirements specified in Section 927.07, property owners must take action to resolve disorderly and nuisance conduct at their rental properties as follows:

- (a) After the first disorderly or nuisance conduct within any twelve-month period, the city shall notify the owner and tenant of the nuisance service call by first class mail and by sending an email to property manager contact. Such notice shall direct the owner to take steps to prevent further disorderly or nuisance conduct.
- (b) After the second disorderly or nuisance conduct at the same unit or involving the same tenant, the city shall notify the owner and the tenant of the violation by first class mail and by sending an email to property manager contact. Within 10 days of the date of the notice, the owner must supply a written report of all actions taken by the owner since the first nuisance service call and actions the owner intends to take to prevent further disorderly or nuisance behavior.
- (c) After the third disorderly or nuisance conduct in twelve months, if the property owner fails to diligently pursue correction of the situation, the City Council may fine, suspend, revoke, or not renew the rental registration for the rental unit. The hearing before the City Council after the third disorderly or nuisance conduct in 12 months is a civil hearing, and the Council will make its determination based on a “fair preponderance of the evidence.” It is not necessary that criminal charges be filed in order for the city to fine, suspend, revoke, or not renew a

rental license and a dismissal or acquittal of criminal charges does not prohibit the city from taking action against a license.

- (a) ~~Upon a violation of the crime free/drug free lease addendum, and/or excessive calls, owners shall terminate tenancy of all responsible tenants occupying the unit in a reasonable amount of time to account for applicable court proceedings and for other considerations not to exceed 60 days. The owner shall not offer any unit within the City for rent to any tenant removed under this paragraph for at least one year after the date of removal.~~
- (b) ~~Owners shall notify the police in writing of tenant termination proceedings and provide copies of any applicable documents within ten days of receiving initial notice of the violation(s) from the police department.~~
- (c) ~~Any owner who fails to proceed with an action to terminate the tenancy after police department notification in accordance with a crime free/drug free violation and/or excessive calls shall be assessed an administrative fee (set forth in Appendix B) for each calendar month that the owner fails to proceed. If after three months the responsible tenant has not been evicted, the rental license(s) may be subject to suspension or revocation by City Council. Owner's action to take appropriate measures, including a failed eviction process, may be presented as a defense during the hearing. If the evidence establishes that the owner initiated and pursued the eviction process in good faith, but failed neither the fee nor a rental license sanction shall apply. If the City Manager is satisfied that the owner proceeded in good faith to secure termination of the tenancy, but was unsuccessful for reasons beyond the owners reasonable control, then the owner will not be subject to the penalties contained in this paragraph as to such violation and/or excessive calls.~~

Additional nuisance service fees as outlined in section 927 (repeat nuisance service calls) ~~may also shall~~ be assessed to the property, if applicable, as well any other legal remedies as noted in Section 927.11 Any outstanding fees must be paid prior to the City renewing a rental license for the licensed property. Special assessment of the prior year's fees as a result of non-payment does not qualify as a fee payment.

Subd. 3. Crime free housing/Excessive call violation right to appeal lease addendum violation(s) and/or right to appeal imposed service fees.

- (a) ~~The owner who received notice of the violation or imposed service fee must request a hearing within ten business days of the mailing of the police department notice, excluding the day the notice is mailed. The request for a hearing must be in writing and delivered to the City Clerk. The hearing will occur within 14 days of the date of request. If the owner fails to request a hearing within the time and in the manner required under this section, the right to a hearing is waived.~~

- (b) ~~The hearing will be conducted by the City Manager in an informal manner. The Minnesota Rules of Civil Procedure and Rules of Evidence will not be strictly applied. After considering all evidence submitted, the City Manager will make written Findings of Fact and Conclusions regarding the excessive calls, lease addendum violation(s) and/or imposed service fees. The City Manager party will serve the Findings of Fact and Conclusions upon the owner and/or operator by U.S. Mail within five business days of the hearing. Upon a finding that a crime free housing violation and/or excessive calls have occurred, the City Manager shall refer the matter to the City Council for consideration of suspension or revocation of the license.~~
- (c) ~~If the appeal involves a request by the owner that it be excused from its obligation to proceed with termination of the tenancy, and if the City Manager determines: (i) that it is unlikely that an action to terminate the tenancy would be successful; and (ii) that the expense of such action is not justified given the probable outcome, the owner will be relieved from any further obligation under subdivision 2 as to the violation notice.~~
- (d) ~~If the appeal involves a request by the owner that it be allowed to seek termination of the tenancies of less than all of the responsible tenants, and the City Manager determines: (i) that the responsible tenant(s) sought to be released from termination were not directly involved in the conduct, (ii) that any non-tenant occupants of the same rental dwelling involved in the conduct are no longer occupying the unit; and (iii) that the objective sought to be served by termination would be achieved by granting owner's request, the owner will be relieved from any obligation to terminate the tenancy of the responsible tenants so released.~~
- (e) ~~If the owner fails to appear at the scheduled hearing the right to a hearing is waived.~~

Subd. 4. Crime free housing ~~Recovery of fees~~. Any unpaid fees resulting from violations of this section, ~~crime free housing requirements in sections 425.31, subdivision 4; 425.31, subdivision 5(b); or 425.32, subdivision 2(c)~~, may be collected by appropriate legal means.

Section 4 – That Robbinsdale City Code Section 927 – Repeat Nuisance Service Call Fee is hereby amended removing the ~~stricken~~ and inserting the underlined language as follows:

927.01. Repeat nuisance call service fee. Subdivision 1. Purpose. The purpose of this section is to protect life held concerns, to include, but not limited to, confirmed domestic assaults, criminal sexual assaults, the public safety, health and welfare, and to prevent and abate repeat service response calls by the city to the same property or location for nuisance service calls, as defined herein, which prevent police or public safety services to other residents of the city. It is the intent of the city by the adoption of this section to impose and collect service call fees from the owner or occupant, or both, of property to which city officials must repeatedly respond for any repeat nuisance event or activity that generates extraordinary costs to the city. The repeat nuisance service call fee is intended to cover that cost over and above the cost of providing normal law or code enforcement services and police protection city-wide. The city shall not impose a repeat nuisance service call fee against an owner or occupant for a police response relating to a bona fide call for emergency assistance, including, but not limited to, domestic, spousal or child abuse.

Subd. 2. Scope and application. This section applies to all owners and occupants of private property which is the subject or location of the repeat nuisance service call by the city. This section applies to any repeat nuisance service call made by a city of Robbinsdale peace officer; part-time peace officer; community service; animal control and/or code enforcement officers.

927.03. Definition of disorderly and nuisance conduct. ~~For purposes of this section, the term "nuisance conduct" means any activity, conduct, or condition occurring upon private property within the city that unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any member of the public; or will, or tend to, alarm, anger or disturb others or provoke breach of the peace, to which the city is required to respond, including, but not limited to the following:~~

For the purpose of this chapter "disorderly and/or nuisance conduct" means a violation of any of the following statutes or ordinances occurring upon private property within the city, to which the city is required to respond:

A. Laws relating to, which prohibit gambling; Minn. Stat. 609.75 through Minn. Stat. 609.76

B. Laws relating to prostitution or acts relating to prostitution as defined in Minn. Stat. sections 609.321, sub. 9 and Minn. Stat. 609.324, housing individuals engaged in prostitution.

C. Robbinsdale city code, section 2000 (drug abuse and control) or laws relating to the possession of and/or sales controlled substances, as defined in Minn. Stat. sections 152.01 through Minn. Stat. 152.025, and Minn. Stat. 152.027 Subd. 1, Subd. 2, Subd. 5, Subd. 6, and Subd. 7.

D. Robbinsdale city code, Chapter XII (sale, consumption and display of liquor and beer) or laws relating to the sale of intoxicating liquor as defined in Minn. Stat. sections, 340A.401, 340A.503, 340A.701, 340A.702, or 340A.703.

E. Robbinsdale city code, sections 925 (gun control and use of firearms) or laws relating to unlawful use, possession, transportation, sale or use of a firearm as defined in Minn. Stat. 97B.021, Minn. Stat. 97B.045, Minn. Stat. 609.66 through Minn. Stat. 609.67 and Minn. Stat. 624.712 through Minn. Stat. 624.716.

F. Laws relating to murder and manslaughter as defined in Minn. Stat. 609.185, Minn. Stat. 609.19, Minn. Stat. 609.195, Minn. Stat. 609.20, and Minn. Stat. 609.205.

G. Laws relating to assault (1st, 2nd, 3rd, 4th-assault on a police officer and 5th degree assault) as defined in Minn. Stat. sections 609.221, Minn. Stat. 609.222, Minn. Stat. 609.223, Minn. Stat. 609.2231 and 609.224, excluding domestic assaults.

H. Laws relating to criminal sexual conduct as defined in Minn. Stat. 609.342, Minn. Stat. 609.343, Minn. Stat. 609.344, Minn. Stat. 609.345, and Minn. Stat. 609.3451.

I. Laws which prohibit indecent exposure as defined in Minn. State. 617.23

J. Laws which prohibit to theft as defined in Minn. Stat. 609.52.

K. Laws which prohibit arson as defined in Minn. Stat. 609.561, Minn. Stat. 609.562, Minn. Stat. 609.563, Minn. Stat. 609.5631, and Minn. Stat. 609.5632.

L. Laws which prohibit burglary as defined in Minn. Stat. 609.582.

M. Laws which prohibit criminal damage to property as defined in Minn. Stat. 609.595

N. Laws which prohibit interference with a police officer as defined in Minn. Stat. 609.50

O. Laws which prohibit terroristic threats as defined in Minn. Stat. 609.713.

P. Law relating to contributing to the need for protection or services or delinquency of a minor as defined in Minn. Stat. sections 260C, et. seq.

Q. Laws relating to owning, leasing, operating, managing, maintaining or conducting a disorderly house or inviting or attempting to invite others to visit or remain in a disorderly house, all as defined in Minn. Stat., sections 609.33

R. Robbinsdale city code, section 2000.07 (public nuisances).

S. Robbinsdale city code, section 605 (garbage and refuse).

T. Robbinsdale city code, section 915 (dog control, animals) and Minn. Stat. sections 609.226 and Chapter 347.56 relating to dangerous dogs.

U. Robbinsdale city code, section 1150 (fireworks) and laws relating to Minn. Stat sections 624.20.

V. Robbinsdale city code, section 2005.15 (noise control).

~~(a) — Any activity, conduct, or condition deemed as a public nuisance under any provision of the city code;~~

~~(b) — Any activity, conduct, or condition in violation of any provision of chapter IX of the city code;~~

~~(c) — Any conduct, activity or condition constituting a violation of any Minnesota state law prohibiting or regulating prostitution, gambling, controlled substances, use of firearms; and~~

~~(d) — Any conduct, activity, or condition constituting disorderly conduct under chapter 609 of Minnesota Statutes.~~

927.05. Repeat nuisance service call fee. Subdivision 1. The city may impose a repeat nuisance service call fee upon the owner or the occupant, or both, of private property if the city has rendered services or responded to the property on three or more occasions within a period of 365 days in response to or for the abatement of disorderly or nuisance conduct. The city may impose an administrative penalty pursuant to city code section 117 upon the owner or the occupant, or both, of private property if the city has rendered services or responded to the property on five or more occasions within a period of 730 days in response to or for the abatement of disorderly or nuisance conduct. The City may take additional adverse action related to rental licenses in accordance with Section 425. Additional actions are required by property owners related to nuisance service calls for rental properties as set forth in Section 425.32, subd. 2.

Subd. 2. The repeat nuisance service call fee will be as set forth in the city's fee schedule (appendix B of the city code, as amended). An additional amount may be imposed to reflect the salaries of police officers while responding to or remaining at the disorderly or nuisance event, the pro rata cost of equipment, the cost of repairing city equipment and property damaged as a result of the disorderly or nuisance call, and the cost of any medical treatment of injured officers.

Subd. 3. A repeat nuisance service call fee imposed under this section will be deemed delinquent if it is not paid within ten calendar days after the city mails the billing statement for the fee. If said fee, or any portion thereof, is unpaid, then a late payment fee will also be charged per the schedule of fees as set forth on Appendix B.

927.07. Notice. Subdivision 1. No repeat nuisance service call fee may be imposed against an owner or occupant of property without first providing the owner or occupant with written notice of the two previous nuisance service calls which are the basis for the fee. The written notice must:

Subd. 2. Identify the nuisance conduct that previously occurred on the property, and the dates of the previous nuisance conduct; and

Subd. 3. State that the owner or occupant may be subject to a nuisance call service fee if a third nuisance service call is rendered to the property for the same nuisance conduct; and

Subd. 4. State that the city has the right to seek other legal remedies or actions for abatement of the disorderly or nuisance conduct or compliance with the law; and

Subd. 5. Be served personally in the manner required by the Minnesota Rules of Civil Procedure or be served by U.S. Mail upon the owner or occupant at the last known address.

927.09. Right to appeal. Subdivision 1. When the city mails the billing statement for the repeat nuisance service call fee, the city will inform the owner or occupant of their right to request a hearing.

Subd. 2. The owner or occupant upon whom the fee is imposed must request a hearing within ten business days of the mailing of the billing statement, excluding the day the statement is mailed. The request for a hearing must be in writing and delivered to the city clerk. The hearing will occur within 14 calendar days of the date of the request. If the owner or occupant fails to request a hearing within the time and in the manner required under this section, the right to a hearing is waived.

Subd. 3. The hearing will be conducted by a third party designee ~~the city manager~~ in an informal manner. The Minnesota Rules of Civil Procedure and Rules of Evidence will not be strictly applied. After considering all evidence submitted, the third party designee ~~city manager~~ will make written Findings of Fact and Conclusions regarding the nuisance conduct and the imposition of the repeat nuisance service fee. The third party designee ~~city manager~~ will serve the Findings of Fact and Conclusions upon the owner or occupant and the City Clerk by U.S. Mail within five calendar days of the hearing.

Subd. 4. The right to a hearing is waived if the appellants fail to appear at the scheduled hearing date, unless prior contact is made to the City Clerk requesting reschedule at least 24 hours

~~prior to the hearing, if the owner or occupants appellants fail to appear at the scheduled hearing date, the right to a hearing is waived.~~

Subd. 5. Upon waiver of the right to hearing under subdivision 2 or 4 or upon service of the hearing officer's Findings of Fact and Conclusions that the repeat nuisance call service fee is warranted, the owner or occupant must pay the fee imposed within ten calendar days of service in the manner required by Minnesota Rules of Civil Procedure or ~~be served~~ service by U.S. Mail upon the owner or occupant at the last known address.

927.11. Legal remedies nonexclusive. Nothing in this section will be construed to limit the city's other available legal remedies, including criminal, civil, injunctive or others, for any violation of the law which may constitute nuisance conduct.

927.13. Applicability of repeat nuisance service call fee. The city may not impose a repeat nuisance service call fee against an owner or occupant for a police response relating to emergency assistance, including, but not limited to, domestic, spousal and child abuse.

927.15. Recovery of fee. Subdivision 1. If a repeat nuisance service fee is not paid within 30 calendar days after the billing statement is sent by the city, it will constitute:

- (a) a lien on the real property where the violation occurred; or
- (b) a personal obligation of the owner or occupant in all other situations.

Subd. 2. A lien may be assessed against the property and collected in the same manner as taxes.

Subd. 3. A personal obligation may be collected by appropriate legal means.

Section 5 That the following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication: "The purpose of this ordinance is to eliminate lease addendum requirements and reinforce property owner responsibilities to manage rental properties to mitigate disorderly and nuisance service calls."

First Reading: YEAS:

NAYS:

Second Reading: YEAS:

NAYS:

Passed by the City Council this ____ day of _____

William A. Blonigan, Mayor

ATTEST:

Dustin Leslie, City Clerk

Evaluation of BLRT Goals – Identification of other concerns

Attached is the short form of the draft Route Modification Report Summary. The full report can easily be located on the city website www.robbednsdalemn.com/blueline in the document box.

Of note –

- Major themes heard from the community and what anti-displacement means.
- Project Goals and assessment of the route on CR81 to those goals
- Is the route supported by the Robbinsdale community and decision makers?

FTA New Starts project justification:

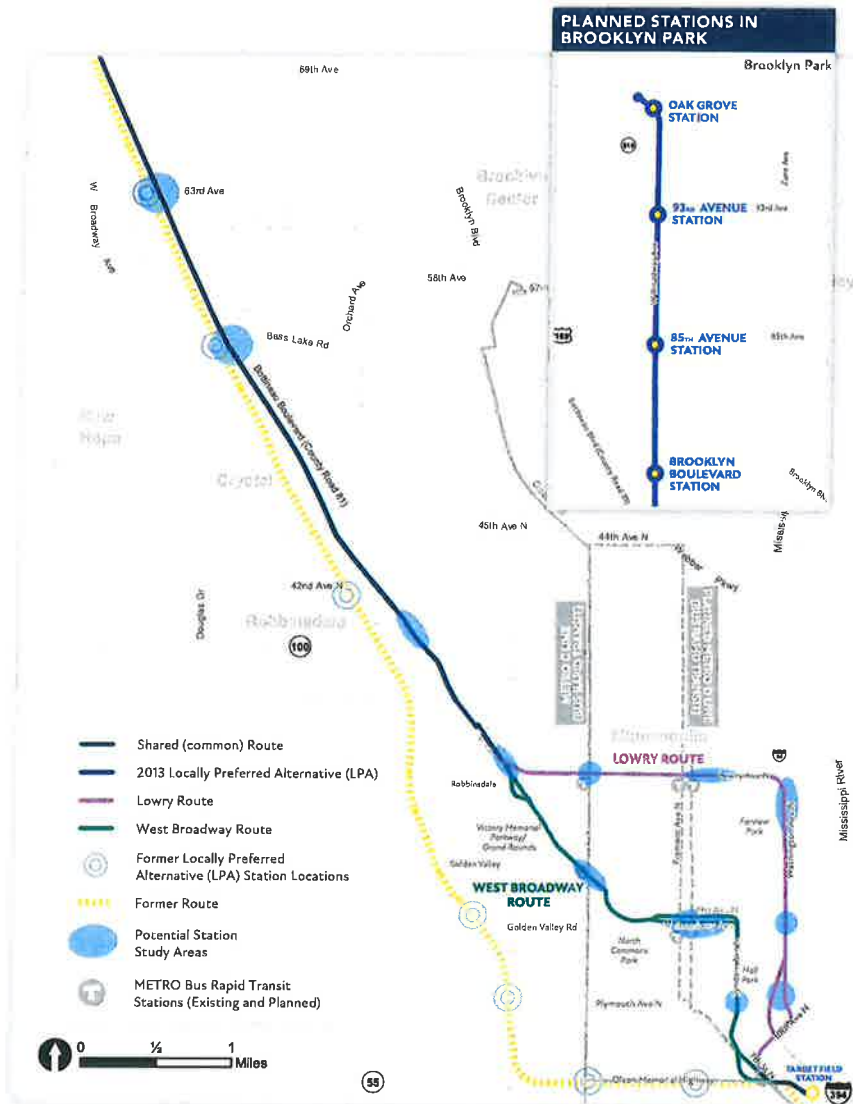
- Mobility
- Environmental benefits
- Congestion relief
- Economic development
- Land use
- Cost effectiveness (cost per trip)

Response to the draft document is due January 25, 2022.



METRO BLUE LINE EXTENSION

Draft Route Modification Report Summary • December 2021



Background

Since August 2020, the Metropolitan Council and Hennepin County have partnered to evaluate revised route options that do not use freight rail property as previously planned for the METRO Blue Line Extension.

Brooklyn Park:

The former route and stations along West Broadway in Brooklyn Park remain the same.

Crystal and Robbinsdale:

The proposed route along Bottineau Boulevard (County Road 81) closely parallels the original route for most of this area.

Minneapolis:

Two route options are being evaluated—one along Lowry and Washington Avenues (shown in purple) and one along West Broadway Avenue (shown in green).

Purpose of the Report

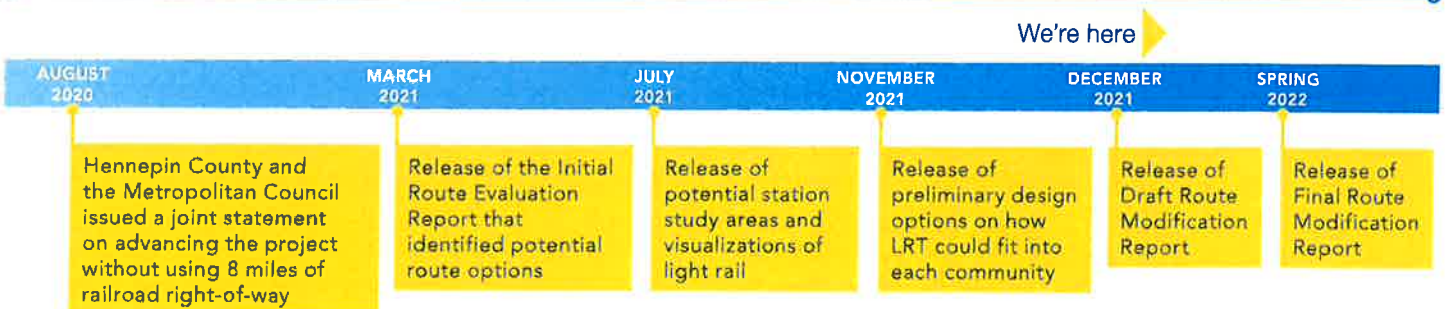
The Initial Route Evaluation Report released in March 2021 laid out a process and general timeline to identify a community-supported route for the project. Now, this Draft Route Modification Report describes the overall process, public input, and technical evaluation that will inform the recommendation of a modified route. The Final Route Modification Report will recommend a community supported route for further evaluation in spring 2022 that responds to the Project Principles and project goals.

Help us select a route!

Now is the time to give comments as your feedback will shape the final recommendation. To submit your comments on the Draft Route Modification Report and for a list of upcoming community meetings, visit BlueLineExt.org.

Schedule

ONGOING PUBLIC ENGAGEMENT





METRO BLUE LINE EXTENSION

Draft Route Modification Report Summary • December 2021

Community Engagement

The METRO Blue Line Extension Project relies on community voices to inform project decision-making. Since August 2020, the project has engaged with communities through a variety of activities, including in-person and virtual community meetings, door knocking, attending community events, online and paper surveys, and interactive maps. See below for the timing and project updates shared since August 2020.

- **Round 1 (August 2020 through January 2021):**
Input on project goals, concerns, opportunities, and thoughts on potential new routes
- **Round 2 (March 2021):**
Input on new route options released as part of the Initial Route Modification Report
- **Round 3 (July to August 2021):**
Input on the connections that light rail would make within communities and station locations within those areas
- **Round 4 (Late September to December 2021):**
Input on updated design concepts and potential opportunities and impacts of light rail options

Since March 2021, project staff have contracted directly with 12 community and cultural organizations to support a robust engagement process. These organizations are seeking feedback on the project by hosting activities prioritizing low-income communities, communities of color, and specific areas of the corridor. The community and cultural organizations include:

- Asian Media Access Inc
- CAPI USA
- Encouraging Leaders
- Harrison Neighborhood Association
- Juxtaposition Arts
- Lao Assistance Center of MN
- Liberian Business Association
- Northside Economic Opportunity Network
- Northside Residents Redevelopment Council
- West Broadway Business Coalition
- Jordan Area Community Council
- Hawthorne Neighborhood Council

Major themes heard from the community:

- Avoid impacts/disruption to communities and the environment
- Safety on transit and in communities served
- Easy pedestrian access to/from stations
- Anti-displacement efforts are a priority
- Support for businesses during construction
- Access to regional destinations
- Support economic development
- Improve the transit experience
- Improve access/serve transit dependent populations



October 9th Bike, Walk, Bus tour of Minneapolis route options and station study areas.

Anti-Displacement Initiative

The Metropolitan Council and Hennepin County are committed to delivering a light rail transit (LRT) investment that benefits current corridor residents and businesses. In response to feedback received during engagement activities, project partners are advancing efforts to address community concerns about housing affordability, business support, and displacement.

The project team is convening a diverse Anti-Displacement Workgroup with seats for agency and community partners to research and recommend programs and policies that will support this initiative. The Center for Urban and Regional Affairs (CURA) will lead and facilitate the Anti-Displacement Workgroup and provide recommendations in the next 18 months.

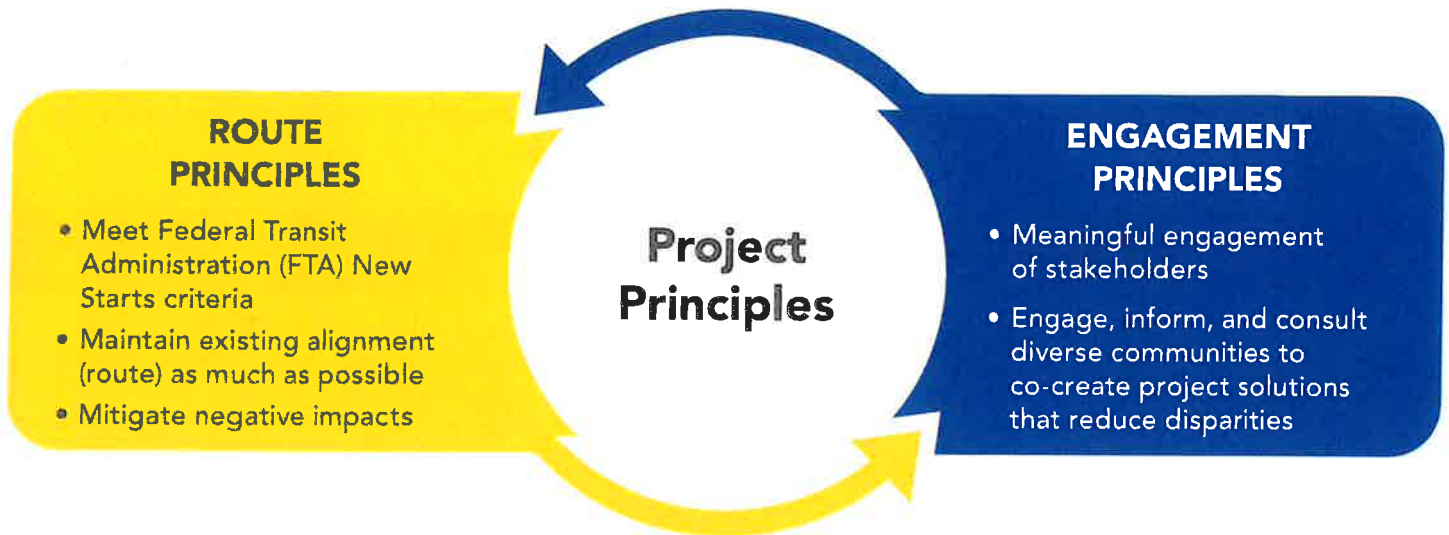


METRO BLUE LINE EXTENSION

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Evaluation Process

To determine a community-supported route, the project team is considering Project Principles and goals, community and business feedback, and engineering requirements. Each route is evaluated against the project goals to see how it serves community needs.



Each route has been evaluated based on its ability to meet project goals. All the routes have received an overall assessment of "good" in their ability to serve the community. In some cases these routes achieve an excellent rating based on unique features and the potential to deliver exemplary positive benefits. None of the routes have been assessed as "poor," which would mean they did not meet the project goals. The Evaluation Findings section of this report provides more detail on how each route was evaluated against the project goals.

ASSESSMENT OF ROUTE OPTIONS TO DEFINED GOALS

PROJECT GOAL	BOTTINEAU BOULEVARD (COUNTY ROAD 81) IN BROOKLYN PARK, CRYSTAL, AND ROBBINSDALE	LOWRY ROUTE	WEST BROADWAY ROUTE
Improve transit access and connections to jobs and regional destinations	EXCELLENT	EXCELLENT	EXCELLENT
Improve frequency and reliability of transit service to communities in the corridor	EXCELLENT	GOOD	GOOD
Provide transit improvements that maximize transit benefits, while being cost competitive and economically viable	GOOD	GOOD	GOOD
Support communities' development goals	EXCELLENT	GOOD	EXCELLENT
Promote healthy communities and sound environmental practices including efforts to address climate change	GOOD	GOOD	GOOD
Advance local and regional equity and work towards reducing regional economic disparities	GOOD	GOOD	EXCELLENT



METRO BLUE LINE EXTENSION

Draft Route Modification Report Summary • December 2021

Next Steps

The Draft Route Modification Report is available for public review, and comments will be accepted through **January 25, 2022**. The Metropolitan Council and Hennepin County will carefully review the community input received along with the findings from the technical analysis completed to date to recommend a community-supported route for further evaluation in spring 2022 as part of the Final Route Modification Report. Following that recommendation, design and technical evaluation of the recommended route will advance and will be documented in federal and state environmental review documents. Further robust community engagement will continue through these and future phases.

To submit your comments on the draft report and for a list of upcoming community meetings in January, visit BlueLineExt.org.

We're here

1 YEAR

1.5 – 2 YEARS

1.5 – 2 YEARS

3 – 4 YEARS

- Identify community-supported route
- Environmental review
Document benefits and impacts of the project
Municipal Consent
Seek city support of the LRT design
- Engineering
Develop construction ready design plans
● Station area planning
- Construction and Full Funding Grant Agreement
Federal funding
- Goal — Line opens in 2028

LRT projects are complex and unforeseen challenges arise. Schedules and timelines are subject to change.

Blue Line Extension Community-Supported Route:

- Best meets the Project Principles and goals
- Grounded in community feedback through collaboration with stakeholders
- Supported by project corridor communities and decision-makers

Stay Connected!

For project questions or to invite us to an event, contact:

Brooklyn Park/Minneapolis/Robbinsdale/

Overall Project Questions:

Sophia Ginis – Sophia.Ginis@metrotransit.org

Crystal:

David Davies – David.Davies@metrotransit.org



Visit BlueLineExt.org for more information, to sign-up for the project newsletter, and share your comments, questions and concerns on our interactive feedback map.

@BlueLineExt @Blue_Line_Extension
 @METROBlueLineExtension

<u>Strategic Direction – established 2017</u> • Investing for the Future • Innovating for Quality Services and Efficiencies • Promoting & Connecting • Revitalizing the Community	 City of Robbinsdale MISSION STATEMENT Robbinsdale... Our Hometown ❖ Our community of citizens and businesses – dedicated, proud and involved ❖ Our government – accessible, accountable, open and compassionate ❖ Our resources – prudently allocated and equitably provided
“What People? What Good? What Cost?”	

Investing for the Future – AA+ Bond Rating Confirmed

- Environmental Sustainability
 - Xcel Partners in Energy – **Next step application –due January 15 or wait until July**
 - Energy Usage Review Analysis – complete. Identified projects on maintenance schedule.
 - Green Step Cities – Step 2 – staff will continue to pursue opportunities – citizen volunteer offer
 - Advocacy for Monarchs – pollinator areas
 - Promoted work in this area in summer ‘21 City newsletter – link on Council webpage Top Topics
- Creative finance – identified cost savings shift for fleet leasing and software packages
- Live up to ‘what people-what good-what cost’
- Park Facilities – Meeting spaces
 - Sanborn Park Building/Park Redevelopment
 - Lower Level Public Safety
 - Historic Meeting Room
 - Lee park building retrofit **Grant application submitted Lee Park building**
- Park Facilities – Playgrounds & Fields
 - Triangle Park master plan; Graeser acquisition; North Lee Park expansion
 - Potential for ½ court Basketball/pickleball at Manor – **Included in CIP**
 - Community Garden at “Bunny Store Site” -3606 Lake Drive Possible for 2022 - in budget
- Asset Replacement & Maintenance – Support the CIP
 - Master Plan Schedule for All Parks – 10 year CIP
 - Public Buildings- 10 year CIP **council chambers AV update & wall shift- security update**
 - Street Projects – 10 year CIP
 - Water infrastructure- 10 year CIP
- Partnerships – Funding/Advocacy
 - Hennepin/State -Infrastructure Grants/Funding
 - BlueLine Connect Now! – LRT
 - Metro Cities/LMC/NLC – legislative priorities/policies & advocacy
 - Communicate about Fiscal Disparities
 - BYR Quad Communities – Active military family support
 - Three Rivers Parks – Sochacki JPA, regional trails & trail head at South Twin Lake
 - Youth Sports Associations (fundraising)
 - NWCT-CCX
 - Shingle Creek/Basset Creek WMO – lake/stream quality and projects Ryan-South Twin cattails
 - DNR/Shingle Creek/State-Fed/Mpls – Crystal Lake water table

Innovating for Quality Services and Efficiencies

- Employer of Choice – retention, attraction, tools-software-resources
 - Inclusive hiring practices/focus on hiring diverse staff
 - Explore Affinity Groups
 - Educational contract for recruitment/retention
 - Staff training on implicit bias/equity/inclusion
- Enhanced Services
 - technology enhancements –(meters/ BS&A-on line permits/payments/permit look up)
 - Drinking water softening, water pressure improvement
 - New Water Meters –encourage email provision for quicker leak detection contact.
 - Solid waste – Service issues/Liquidated Damages
 - Special Needs – Shared Mental Health Worker – HC Mental Health Dispatch Specialist
- Staff-Council Relations – Department leads connect with Council at multiple meetings

Promoting & Connecting

- Communication to Inform Residents
 - Social media/Energy use awareness/tip411/pedestrian safety/COVID19
 - New Resident welcome letter
- Engage/Involve Residents
 - Expand Community Involvement
 - public health i.e. tobacco, Special events, movie in park/gym, on-line surveys, open houses
 - **Written Feedback requested on proposed change to Rental License – (item 4 this agenda)**
 - Increase Creative Equity for Parks/Recreation Programs
 - **Reported to BIRD, Robbinsdale City Council not interested.**
- PR Campaigns/Outreach
 - Consider PT Public Relations Position – Assistant to City Manager position 2022 budget
 - Enhanced public communication – share information on success
 - Community Outreach Positions

Revitalizing the Community

- Redevelopment Downtown
 - 2023-24_WB streetscape/sidewalks
 - Elim Lutheran Church Site update**
 - Developer roundtables RE open development sites- Realistically wait on LRT LPA
- Redevelopment Outside of Downtown
 - 4600 Lake Road - under construction
 - Point of Sale – discussed in August 2021 – continue program without change
 - Interest in several potential redevelopment sites
- Support/Promote Local Businesses
 - Expanded outdoor service during COVID; return to zoning/license requirements 2022
- Engage the Chamber of Commerce in promotion efforts
 - *Promotion of City-County- technical and grant assistance- Elevate HC, Comcast RISE; Robbinsdale is open site; Chamber site; Business identification as BIPOC, Latinx, Military, women-owned*
- Promote opportunities to Developers. Define what we want
 - Developer roundtable Realistically wait on LRT LPA
- Update REDA signage - *no properties for sale at this time*