

CITY COUNCIL WORK SESSION
MARCH 14, 2023
IMMEDIATELY FOLLOWING THE REGULAR MEETING OF REDA
Robbinsdale City Hall
4100 Lakeview Avenue North

A G E N D A

1. CITY COUNCIL SPECIAL WORK SESSION CALLED TO ORDER BY MAYOR PRO TEM
2. ROLL CALL: Webb, Mayor Pro Tem Wagner, Blonigan, Murphy, Parisian
3. Discussion: Franchise Fee Ordinance(s) (pg. 2 – 7)
4. Discussion: Unmanned Aerial Vehicle (UAV or drone) program (pg. 8 – 13)
5. Discussion: Light Rail Transit – Blue Line Extension - DRAFT (pg. 14 – 17)
*Staff has provided a draft/template letter for Council to give feedback on. This letter will be provided to the Blue Line Light Rail Transit (BLRT) Corridor Management Committee (CMC) in April as a part of the Robbinsdale-specific presentation.
6. Staff Updates
 - a. LELS MOU Update
 - b. Desire for assessment discussion
 - c. Council Goal-Setting Prep
 - d. Organics Collection Update
 - e. Opioid Settlement (pg. 18 – 19)
 - f. Other
7. Council Updates
 - a. Resolution Proposals (Wagner) (pg. 20 – 26)
 - b. Other
8. ADJOURNMENT

Member _____ moved and Member _____ seconded a motion that the following ordinance, which was given its first reading on _____, 2023, be given its second reading on _____, 2023, and that it be adopted.

ORDINANCE NO. 23-__

AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON
NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS
SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC ENERGY SERVICE WITHIN
THE CITY OF ROBBINSDALE

THE CITY COUNCIL OF THE CITY OF ROBBINSDALE DOES ORDAIN:

SECTION 1. The City of Robbinsdale Municipal Code is hereby amended to include reference to the following Special Ordinance.

Subdivision 1. Purpose. The Robbinsdale City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas and electric services within the City of Robbinsdale.

(a) Pursuant to City Ordinance 07-05, a Franchise Agreement between the City of Robbinsdale and Northern States Power Company, a Minnesota corporation, its successors and assigns (“[CompanyNSPM](#)”), the City has the right to impose a franchise fee on [CompanyNSPM](#) in an amount and fee design as set forth in Section 11.-3 of the [NSPM Franchise Agreement](#) and in the fee schedule attached hereto as Schedule A.

Subdivision 2. Franchise Fee Statement. A franchise fee is hereby imposed on [CompanyNSPM](#) under its Electric Ffranchise in accordance with the schedule attached hereto and made a part of this ordinance, commencing with [CompanyNSPM](#) July~~ne~~ 1, 2023 billing month.

Subdivision 3. Payment. The said franchise fee shall be payable to the City in accordance with the terms set forth in Section 11.-3 of the Franchise [Agreement](#).

Subdivision 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow [CompanyNSPM](#) to add a surcharge to customer rates to reimburse [CompanyNSPM](#) for the cost of the fee.

Subdivision 5. Record Support for Payment. [CompanyNSPM](#) shall make each payment when due and, if required by the City, shall furnish a statement of electric usage by each customer class at the time of each payment for the period the payment was made. [CompanyNSPM](#) shall permit the City’s designated representative reasonable access to the [Ceompany](#)’s records for the purpose of verifying such statements.

Subdivision 6. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

Subdivision 7. Effective Date of Franchise Fee. Notwithstanding the effective date of this ordinance and notwithstanding any contrary provision in the Franchise [Agreement](#), the effective date of the fee collected under Subdivision 2 of this ordinance is the latter of ten (10) days after the publication or after the sending of written notice enclosing a copy of this adopted ordinance to [CompanyNSPM](#) by certified mail. Collection of the fee shall commence as provided above.

Subdivision 8. Expiration. This ordinance will run concurrently with the Franchise Agreement between the City of Robbinsdale and [CompanyNSPM](#) and will expire upon the termination of said Franchise Agreement. The Robbinsdale City Council retains the right to discuss and amend this ordinance according to the terms of the Franchise Agreement, applicable City Code, and Minnesota Statutes during the pendency of the Franchise Agreement.

SECTION 2. That the following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication.

The effect of the ordinance will be that a franchise fee will be continued on electric utility bills and remain at 5%.

First Reading: YEAS:
NAYS:

Second Reading: YEAS:
NAYS:

Passed by the City Council this ____ day of _____, 2023.

William Blonigan, Mayor

Sherry O'Donnell, City Clerk

Schedule A

Franchise fees are to be submitted to the City on a quarterly basis as follows:
(approximate dates)

January-March collections due by April 30

April – June collections due by July 31

July – September collections due by October 31

October – December collections due by January 31

Franchise Fee Rates: Electric Utility 5% of Gross Revenue

Member _____ moved and Member _____ seconded a motion that the following ordinance, which was given its first reading on _____, 2023, be given its second reading on _____, 2023 and that it be adopted.

ORDINANCE NO. 23-__

AN ORDINANCE IMPLEMENTING A GAS ENERGY FRANCHISE FEE ON CENTERPOINT ENERGY RESOURCES CORP., d.b.a. *CENTERPOINT ENERGY* MINNESOTA GAS (“CENTERPOINT ENERGY”), f.k.a. CENTERPOINT ENERGY MINNEGASCO, A DIVISION OF CENTERPOINT ENERGY RESOURCES CORP., f.k.a. RELIANT ENERGY MINNEGASCO, A DIVISION OF RELIANT ENERGY RESOURCES CORP., A DELAWARE CORPORATION, FOR PROVIDING GAS ENERGY SERVICE WITHIN THE CITY OF ROBBINSDALE

THE CITY COUNCIL OF THE CITY OF ROBBINSDALE DOES ORDAIN:

SECTION 1. The City of Robbinsdale Municipal Code is hereby amended to include reference to the following Special Ordinance.

Subdivision 1. Purpose. The Robbinsdale City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas and electric services within the City of Robbinsdale.

- (a) Pursuant to City Ordinance 02-06, a Franchise Agreement between the City of Robbinsdale and Reliant Energy Minnegasco, a division of Reliant Energy Resources Corp., a Delaware Corporation, the City has the right to impose a franchise fee on CenterPoint Energy in an amount and fee design as set forth in Section 6.1 of the Reliant Energy Franchise and in the fee schedule attached hereto as Schedule A.

Subdivision 2. Franchise Fee Statement. A franchise fee is hereby imposed on CenterPoint Energy under its Gas Energy franchise in accordance with the schedule attached hereto and made a part of this ordinance, commencing with the CenterPoint Energy June 1, 2023 billing month.

Subdivision 3. Payment. The said franchise fee shall be payable to the City in accordance with the terms set forth in Section 6.1 of the Franchise Agreement.

Subdivision 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow the utility company to add a surcharge to customer rates to reimburse such utility company for the cost of the fee and that CenterPoint Energy will surcharge its customers in the City the amount of the fee, subject to Minnesota Public Utility Commission franchise fee filing requirements in Docket No. E,G999/CI-09-970.

Subdivision 5. Record Support for Payment. CenterPoint Energy shall make

each payment when due and, if required by the City, shall furnish a statement of gas energy usage by each customer class at the time of each payment for the period the payment was made. CenterPoint Energy shall permit the City's designated representative reasonable access to the company's records for the purpose of verifying such statements.

Subdivision 6. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.7 of the Franchise Agreement.

Subdivision 7. Effective Date of Franchise Fee. Notwithstanding the effective date of this ordinance and notwithstanding any contrary provision in the Franchise, the effective date of the fee collected under Subdivision 2 of this ordinance is the later of ten (10) days after the publication or after the sending of written notice enclosing a copy of this adopted ordinance to CenterPoint Energy by certified mail. It has been agreed to in advance by CenterPoint Energy representatives that CenterPoint Energy will abide by the provision of this Subdivision 7.

Subdivision 8. Expiration. This ordinance will run concurrently with the Franchise Agreement between the City of Robbinsdale and Reliant Energy Minnegasco and will expire upon the termination of said Franchise Agreement. The Robbinsdale City Council retains the rights to discuss and amend this ordinance according to the terms of the Franchise Agreement, applicable City Code, and Minnesota Statutes during the pendency of the Franchise Agreement.

SECTION 2. That the following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication.

The effect of the ordinance will be that a franchise fee will be continued on gas utility bills and remain at 5%.

First Reading: YEAS:
NAYS:

Second Reading: YEAS:
NAYS:

Passed by the City Council this ____ day of _____, 2023.

William Blonigan, Mayor

Sherry O'Donnell, City Clerk

Schedule A

Franchise fees are to be submitted to the City on a quarterly basis as follows:

January-March collections due by April 30

April – June collections due by July 31

July – September collections due by October 31

October – December collections due by January 31

Franchise Fee Rates: Gas Utility 5% of Gross Revenue



City of Robbinsdale

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: March 14, 2023

RE: Unmanned Aerial Vehicle (UAV or drone) program

BACKGROUND

The Robbinsdale Police Department anticipates implementing an Unmanned Aerial Vehicle (UAV or drone) program. Technological advancements within the past several years related to UAVs have greatly increased. Public safety agencies across the country are beginning to see the benefits of the remote viewing capabilities of commercially available systems. Already, over 93 agencies throughout the State are utilizing active UAV programs.

The Robbinsdale Police Department has continually identified more reasons in which a UAV program can not only be beneficial for police services but aiding the Fire, Public Works, and Engineering Departments. Implementing a UAV program may also aid the police department with recruitment and retention efforts.

The State Statute addresses authorized uses of a UAS, limitations on use, documentation requirements, data classification and retention, public comment, written policies and procedures required, notice of disclosure of a UAV with a warrant, and the mandatory reporting requirements to the BCA.

One of the requirements for implementation of a UAV program by the Minnesota Legislation is public comment. Law enforcement agencies must provide an opportunity for public comment before purchase or use of a UAV. At a minimum, the agency must accept public comments submitted electronically or by mail. The governing body with jurisdiction over the budget of a local law enforcement agency must provide an opportunity for public comment at a regularly scheduled meeting. RPD seeks to engage the community through multiple communication paths.

POLICY OBJECTIVE

This objective meets all of the requirements set forth in state statute.

BUDGET IMPLICATIONS

No expected financial impacts in hosting the public meeting and soliciting input from the community.

STAFF RECOMMENDATION

Hold the public hearing to solicit input from the public on the proposed implementation of an Unmanned Aerial Vehicle (UAV or drones) program.

REQUESTED COUNCIL ACTION

Hold the public hearing to solicit input from the public on the proposed implementation of an Unmanned Aerial Vehicle (UAV or drones) program.

Tim Sandvik, City Manager

CONCURRENCE:

Patrick Foley, Chief of Police

Robbinsdale Police Department

Policy Manual

Unmanned Aerial Vehicle (UAV) Operations

606.1 PURPOSE AND SCOPE

The purpose of the unmanned aerial vehicle (UAV) is to enhance the City's ability to provide enhanced services to the community in a cost and time efficient manner. This policy establishes guidelines for the use of an UAV and for the storage, retrieval, and dissemination of images and data captured by the UAV (Minn. Stat. § 626.19).

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial Vehicle (UAV) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled without the possibility of direct human intervention from within or on the aircraft (also referred to as an unmanned aerial system (UAS, or Drone), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means (Minn. Stat. § 626.19).

Pilot - A member of the Robbinsdale Police Department who is trained, certified and authorized to exercise control over a UAV during flight

Observer - A member of the Robbinsdale Police Department or any other law enforcement agency who will act as an observer of the UAV while in flight.

606.2 POLICY

A UAV may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAV will be in strict accordance with Minn. Stat. § 626.19, constitutional privacy rights, search and seizure regulations, and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

The use of the UAV potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.

606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAV program. The program coordinator will ensure that policies and

procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Non-police deployments of a UAV shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.
- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAV.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAV, including urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAV, including documentation of time spent monitoring a subject.
- Developing an operational protocol governing the deployment and operation of a UAV, including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions in accordance with Minn. Stat. § 626.19
- Developing a UAV inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAV, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAV.
- Developing protocols for reviewing and approving requests for use of the department UAV by government entities (Minn. Stat. § 626.19).
- Preparing and submitting the required annual report to the Commissioner of Public Safety (Minn. Stat. § 626.19).
- Posting the department policies and procedures regarding the use of UAV on the department website, as applicable (Minn. Stat. § 626.19).
- Reviewing the program for compliance with Minn. Stat. § 626.19.

606.5 USE OF UAV

Only authorized pilots who have completed the required training and obtained the proper certification shall be permitted to operate the UAV. A UAV may be used to assist with other government or civilian entities including, but not limited to Robbinsdale Public Works, Robbinsdale Fire Department or the Engineering Department with prior approval by the Chief of Police.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

Unmanned Aerial System (UAV) Operations

A UAV may be used to assist with life preservation missions including barricaded subjects, hostage situations, active shooters, to assist in locating potentially armed and dangerous fleeing suspects, high-risk search warrants, and rescue events.

UAV operations may be conducted during daytime or nighttime hours as permitted through the department's Certificate of Waiver or Authorization (COA, form 77 11-1, authorization from the FAA). A UAV should not be flown over populated areas without FAA approval, unless exigent circumstances exist.

The pilot shall complete a pre-flight inspection and test UAV equipment prior to each pilot's shift to verify the proper functioning of all equipment and the airworthiness of the device.

The pilot will complete an incident or supplement report for each law enforcement deployment of the UAV. The report will include information including reason for the flight, date, time, location, summary of the activities covered, actions taken, outcome of the deployment, and any data collected by the UAV (e.g. video/audio recording collected).

A master flight log will be maintained for all department UAV activity. Each pilot is required to record information regarding each individual flight on the flight log, including training operations. This flight log must be kept in accordance with FAA rules and regulations and department policy.

Members shall not use a UAV without a search warrant, except (Minn. Stat. § 626.19):

- a) During or in the aftermath of an emergency situation or disaster that involves the risk of death or bodily harm to a person.
- b) Over a public event where there is a heightened risk to the safety of participants or bystanders.
- c) To counter the risk of a terrorist attack by a specific individual or organization if the agency determines that credible intelligence indicates a risk.
- d) To prevent the loss of life or property in natural or man-made disasters and to facilitate operation planning, rescue, and recovery operations.
- e) To conduct a threat assessment in anticipation of a specific event.
- f) To collect information from a public area if there is reasonable suspicion of criminal activity.
- g) To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road.
- h) Over a public area for officer training or public relations purposes.
- i) For purposes unrelated to law enforcement at the request of a government entity, provided the request is in writing and specifies the reason for the request and a proposed period of use.

Any use of the Robbinsdale UAV at the request of another law enforcement agency shall only occur in accordance with Robbinsdale policy and applicable laws, and the operation of the UAV must be done by Robbinsdale employees.

606.5.1 DOCUMENTATION REQUIRED

Each use of a UAV should be properly documented by providing the following (Minn. Stat. § 626.19):

- a) A unique case number

- b) A factual basis for the use of a UAV
- c) The applicable exception, unless a warrant was obtained

606.6 PROHIBITED USE

The UAV video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.
- The UAV shall not be weaponized (Minn. Stat. § 626.19).

606.6.1 ADDITIONAL PROHIBITIONS

Unless authorized by a warrant, a UAV shall not be deployed with facial recognition or biometric-matching technology (Minn. Stat. § 626.19).

Unless authorized by a warrant or for purposes of a permitted use outlined in this policy, a UAV shall not be used to collect data on public protests or demonstrations (Minn. Stat. § 626.19).

606.7 CLASSIFICATION OF AND RETENTION OF UAV DATA

In accordance with Minnesota Statutes, Section 626.19, subd. 6, data collected by a UAV are private data on individuals or nonpublic data, subject to the following:

- If the individual requests a copy of the recording, data on other individuals who do not consent to its release must be redacted from the copy;
- UAV data may be disclosed as necessary in an emergency situation under Minn. Stat. § 626.19, subd. 3(1);
- UAV data may be disclosed to the government entity making a request for UAV use under Minn. Stat. § 626.19, subd. 3(9);
- UAV data that are criminal investigative data are governed by Minn. Stat. § 13.82, subd. 7; and
- UAV data that are not public data under other provisions of chapter 13 retain that classification.

Pursuant to Minn. Stat. § 626.19, subd. 6(b), the Tennessee Warning requirement under Minn. Stat. § 13.04, subd. 2 does not apply to data collected by a UAV.

The Records Section supervisor shall ensure that data collected by the UAV is disclosed or deleted as required by Minn. Stat. § 626.19, including the deletion of collected data as soon as possible, and in no event later than seven days after collection, unless the data is part of an active criminal investigation (Minn. Stat. § 626.19).



City of Robbinsdale

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Phone (763)531-1258 • Fax (763)531-1291
Website www.robbinsdalemn.com

March 21, 2023

Christine Beckwith
Project Director
METRO Blue Line Extension
6465 Wayzata Blvd #500
St Louis Park, MN 55426

Re: City of Robbinsdale – Design Comments on the METRO Blue Line Extension

Ms. Beckwith

The City of Robbinsdale would like to take the opportunity to express feedback regarding preliminary design concepts for the proposed METRO Blue Line Extension light rail project. The City appreciates the work of, and continued partnership with the project office. The City is eager to continue conversations with the Robbinsdale City Council, residents, businesses, visitors, community stakeholders, and City staff to advocate for the interests of the City.

Executed by resolution?

The City Council has established that top priorities need to be addressed. They include:

1. **Public Safety** – The City Council shares the concerns of residents related to Public Safety. This includes addressing concerns related to station area planning, any potential parking structure, pedestrian access (to-from transit, but also those in and around the system), enforcement issues (to including staffing and operational costs), and...? A part of this concern is that the City has overserved significant behavioral issues at the existing bus-hub in Robbinsdale, and wants assurances these are addressed along with future mitigation efforts.
2. **Updated Data/Data Justification** – The City Council recognizes concerns from the community in regards to data and projections that the project office have used. This includes critical information like projected ridership and estimated trips-generated used for the FTA application. Council would appreciate formal notice of any upcoming adjustments to ridership projections, and an explanation/justification for the use of any “pre-Covid” data/projections being used. A major concern causing the desire for updated information, is that the project office has stated the downtown Robbinsdale stop will potentially host more boardings than other stops along the line.

3. **Anti-Displacement Programs and Policies** – The City Council supports community concerns related to potential displacement of residents and businesses along the Blue Line LRT corridor. To start, the City Council requests continued efforts to communicate anti-displacement efforts to those along the corridor as some may not be aware of the project. Further, the City requests that jurisdictional authorities covering the entire corridor (to include Hennepin County, the Metropolitan Council, and State of Minnesota) support Anti-Displacement policies and procedures, with programming and resources, both during and after rail construction.
4. **Technical Concerns** – Staff is looking for Council feedback here, as have been highlighted by statements on the attached EIS concerns.
5. **Requesting Full Disclosure of Intended Takings** – The City Council, along with the community, has seen a variety of images that reflect different amount(s) of takings along the corridor. This may include private property, and Council is requesting a formal description in its entirety.

Upcoming Design Considerations – The Robbinsdale City Council wishes to express what they consider positive and negative about proposed Light Rails Stations and Parking Structures.

Light Rail Stations

Generally –

- **What Council wants to support**
- **What Council wants to avoid**
- **Staff Feedback**

Option 1 –

- **Council Positives**
- **Council Negatives**
- **Staff Feedback**

Option 2 -

- **Council Positives**
- **Council Negatives**
- **Staff Feedback**

Parking Structures

Generally (eg, priority to serve downtown area vs serve higher density residential)–

- **What Council wants to support**
- **What Council wants to avoid**
- **Staff Feedback**

Option 1 – Northwest Corner of CR 81 and 40th Ave

- **Council Positives**
- **Council Negatives**
- **Staff Feedback**

Option 2 – Southwest corner of CR 81 and 40th Ave

- **Council Positives**
- **Council Negatives**
- **Staff Feedback**

Option 3 – Southwest corner of CR 81 and 39th Ave

- **Council Positives**
- **Council Negatives**
- **Staff Feedback**

Option 4 – Northwest corner of CR 81 and 41st Ave

- **Council Positives**
- **Council Negatives**
- **Staff Feedback**

Option 5 – Northeast corner of CR 81 and 41st Ave

- **Council Positives**
- **Council Negatives**
- **Staff Feedback**

Explicit Concerns of Staff

Traffic, Engineering, Displacement, and Environmental Considerations:

- Traffic issues associated with removal of one turn lane on County Road 81 (CR81) to westbound County Road 9 (CR9)
- The (potential) elimination of two southbound access points to boat ramp areas
- The (potential) removal of southbound slip lanes
- The (potential) removal of the ramp entry on northbound CR81 from northbound Highway 100
- Impacts on other existing turn lanes at intersections along CR81 through the City
- Impacts of proposed park and ride (unknown size and location)
- Additional trip generation through the City, to include potential impact on local roads and intersections
- Impact of reducing the speed limit on CR81 to 35mph in terms of capacity of the road and intersections; and need for right turn lanes
- Impact of closing frontage roads and slip lanes in terms of loading additional vehicle trips into major intersections and affected local streets with West Broadway of particular concern
- Impact of potential grade changes on the eastern side of intersections along the corridor, particularly at 41st Avenue for impacts on pedestrian accessibility and vehicle traction during winter
- Pedestrian access and safety across the proposed tracks, including impacts to mobility impaired members of the community. More specifically, whether these issues would be ameliorated by the LRT being elevated through sections of the City
- Broad environmental impacts due to the destruction of the existing landscaped median including the additional runoff impacts

- Impact on infrastructure within the corridor, including crossings and significantly sized routes that run parallel to the proposed guideway under the existing eastside curb
- Impact beyond current curbs to existing homes, businesses (including access & parking), wetlands, and parks
- Net loss of commercial space within the City along the corridor
- Tax capacity implications, including –
 - Existing commercial areas
 - Potential commercial with high density residential
 - Existing residential
 - Potential residential (including potential mitigation)
 - Significant parking loss and reduction/constriction of commercial site access.
- Commercial impacts of transit riders
- All displaced commercial uses
- Impacts to the intersection functions, frontage roads and loss of access and parking, the option of grade separation or elevating the light rail and station platform(s) need to be considered for the 40th, 41st and 42nd Ave. N. intersections.
- Impacts of increased congestion caused by introducing the bus/transit hub and a parking ramp to the 40th, 41st and 42nd Ave. N. intersections and frontage roads.

Public Safety Considerations:

- FD and PD staff will need to be trained on how to respond to a handle a derailment. This may require an increase in staffing (and potential change in staffing models) to both Police and Fire Departments
 - Currently, 50% of Paid on Call Firefighters live on the east side of Highway 81 which would be problematic in response time for half the department in a derailment situation any response to a light rail emergency
 - Metropolitan Council, or agencies otherwise, would need to cooperate with Robbinsdale Police and Fire Departments to coordinate surrounding/assisting Police and Fire Departments to ensure proper training has occurred and proper equipment has been acquired
- Robbinsdale Fire Department and Robbinsdale Police Department personnel will need to be trained on how to handle a situation with any electrical issues that may arise
 - Metropolitan Council, or agencies otherwise, would need to cooperate with Robbinsdale Police and Fire Departments to coordinate surrounding/assisting Police Fire Departments to ensure proper training has occurred and proper equipment has been acquired
- On occasion, Robbinsdale Public Safety Personnel have been required to close County Road 81 in the case of emergencies; for similar, agencies will be required to coordinate emergency management, including Light Rail operations
- There has been limited clarification on expectations of Robbinsdale Public Safety regarding emergency management specific to a Light Rail system (for example: high voltage power lines, high voltage controls, and failure of the catenary system)
- Limited response has been provided as to the responsibilities/expectations of Metro Transit Police along the corridor entirely, and specific to Robbinsdale

NEW ROUND OF OPIOID SETTLEMENTS, FUNDS, & ACTION STEPS



Settlements have been reached with opioid manufacturers Teva Pharmaceuticals and Allergan, and retail pharmacy chains Walmart, CVS and Walgreens.

Awards are dependent on participation by both litigating and non-litigating local governments and could exceed \$235 million over 15 years for Minnesota.

To maximize the money coming to Minnesota, all cities with populations over 10,000 are being asked to sign on to these settlements by April 18, 2023. Anticipated breakdown of payouts nationwide:

- Teva will pay up to \$4.25 billion over 13 years.
- Allergan will pay up to \$2.37 billion over 7 years.
- Walmart will pay up to \$3.1 billion over 6 years, with a possibility for states to earn the entire amount in the first year.
- CVS will pay up to \$5 billion over 10 years.
- Walgreens will pay up to \$5.7 billion over 15 years

State/Local Government Memorandum of Agreement

Under the MOA, abatement funds will be directed as follows:

- Seventy-five percent (75%) will be paid directly to counties and certain cities/other municipalities that participate in the settlement process (e.g., cities over 30,000 population and any city that has a public health department).
- Twenty-five percent (25%) of the abatement funds will be paid directly to the State.
- Any city allocated a share may elect to have its full share or a portion of its full share directed to the county or counties in which it is located.
- Each county must consult annually with cities in its jurisdiction regarding future use of settlement funds, including holding an annual public meeting to receive input on proposed uses and to encourage collaboration between local governments.

Action steps for cities by April 18, 2023

A notice of the settlements with Teva, Allergan and the three pharmacy chains along with the invitation to join was sent to cities on March 8, 2023. Participation is similar to the process cities used for joining last year's Johnson & Johnson and distributors settlements. The deadline to participate in this latest round of settlements is April 18, 2023.

Action Step, due by April 18: Cities with 2019 populations of at least 10,000 must sign documents via DocuSign and execute an amendment to last year's MOA. These documents are included in the email from opioidsparticipation@rubris.com.

The League's Role

Since 2022, the League has been working closely with state and local government partners to develop and implement a state-subdivision agreement (or "Minnesota Memorandum of Agreement") designed to maximize the settlement funds coming to the state from litigation against opioids manufacturers and distributors. The money is earmarked to fund needed abatement and remediation programs to fight against the devastating impacts on Minnesota communities borne from the opioid crisis.

The League continues to work closely with state/county partners to facilitate communications about the settlement sign-on process and reporting requirements that will reflect how settlement funds are being used across the state.

League Resources and Contacts

Visit the League's website for links to these resources and latest news: lmc.org/resources/opioid-epidemic/.

Please direct questions to the League of Minnesota Cities General Counsel: (800) 925-1122.

Patricia Beety, General Counsel
pbeety@lmc.org
(651) 281-1270

Edward Cadman, Associate General Counsel
ecadman@lmc.org
(651) 281-1229

CITY CHARTER

CHAPTER 3

PROCEDURE OF COUNCIL

Section 3.01. Council Meetings. At the first regularly scheduled council meeting in January following a regular municipal election, the newly elected members of the council shall assume their duties. Thereafter the council shall meet twice a month. The mayor or any two members of the council may call special meetings of the council upon notice to each member of the council as required by law. All meetings of the council are public meetings, and any person may inspect the minutes and records of the meetings at reasonable times in accordance with law.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 23, Ordinance No. 91-09, adopted unanimously by the City Council September 3, 1991.

Section 3.02. Council Meeting Officers. The council shall choose such officers and employees as may be necessary to serve at its meetings. The council shall appoint a secretary of the council. The secretary shall give notice of its meetings, shall keep the journal of its proceedings and shall perform such other duties as shall be required by this charter or by ordinance. The council may designate any official or employee of the city, except the city manager, the mayor, or a member of the council, as secretary.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Section 3.03. Rules Of Procedure And Quorum. The council shall determine its own rules and order of business. A majority of all members elected shall constitute a quorum to do business, but a smaller number may adjourn from time to time. The council may by ordinance provide a means by which a minority may compel the attendance of absent members.

Section 3.04. Ordinances, Resolutions And Motions. Except as in this charter otherwise provided, all legislation shall be by ordinance. The "yes" and "no" vote on ordinances, resolutions, and motions shall be recorded unless the vote is unanimous. An affirmative vote of a majority of all the members of the council shall be required for the passage of all ordinances and resolutions, except as otherwise provided in this charter.

Section 3.05. Procedure On Ordinances, Including Ordinances Repealing or Amending Ordinances. The enacting clause of all ordinances shall be in the words, "The City of Robbinsdale does ordain." Every ordinance shall be presented in writing. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced. Within ten days after introduction, public notice of every proposed ordinance shall be posted in the City Hall and continuous public notice shall be maintained in the City Hall until the ordinance's passage and effective date or defeat. At least fourteen days prior to passage, summaries of proposed ordinances, except emergency ordinances, shall be published, in a manner permitted by law.

Charter Amendment No. 10, Ordinance No. 77-16, adopted unanimously by the City Council May 17, 1977.
Charter Amendment No. 19, Ordinance No. 89-21, adopted unanimously by the City Council December 5, 1989.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by the City Council July 18, 2006

Section 3.06. Emergency Ordinances. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, safety, or welfare in which the emergency is defined and declared in a preamble thereto, and is adopted by a vote of all members of the council. No prosecution shall be based upon the provisions of any emergency ordinance until twenty-four hours after the ordinance has been filed with the city clerk and posted in the three conspicuous places or until the ordinance has been published, unless the person charged with violation had actual notice of the passage of the ordinance prior to the act or omission complained of.

Charter Amendment No. 27, Ordinance 03-17, adopted unanimously by City Council 06-17-03.
Charter Amendment No. 40, Ordinance 21-05, adopted unanimously by City Council 07-06-21

Section 3.07. Procedure On Resolutions. Every resolution shall be presented in writing and read in full before a vote is taken thereon, unless the reading of a resolution is dispensed with by unanimous consent.

Section 3.08. Signing And Publication of Ordinances, Including Ordinances Repealing or Amending Ordinances And Resolutions. Every ordinance or resolution passed by the council shall be signed by the mayor, by the mayor pro tem, or by two other members, attested by the city clerk and filed and preserved by the city clerk. Every ordinance shall be published, in a manner permitted by law, within thirty days after passage and a summary of each such ordinance adopted by the City Council shall be published in the next quarterly newsletter of the City. In the case of lengthy ordinances, or ordinances which include charts or maps, the title and a summary of the ordinance clearly informing the public of the intent and effect of the ordinance may be published, with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the city clerk and available to any resident by request upon the paying of a nominal fee not to exceed the actual copying cost. A copy of the entire text of the ordinance shall be posted in a public location which the council designates. Prior to the publication of the title and summary the council shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance. To the extent and in the manner provided by law an ordinance may incorporate by reference a statute of Minnesota, a state administrative rule or regulation, a code, or ordinance or part thereof without publishing the material referred to in full.

Charter Amendment No. 10, Ordinance No. 77-16, adopted unanimously by the City Council May 17, 1977.
Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.
Charter Amendment No. 19, Ordinance No. 89-21, adopted unanimously by the City Council December 5, 1989.
Charter Amendment No. 28, Ordinance No. 04-04, adopted unanimously by the City Council June 15, 2004.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by the City Council July 18, 2006.

Section 3.09. When Ordinances and Resolutions Take Effect. A resolution or an emergency ordinance is effective immediately upon its passage or at such later date as is fixed therein. An ordinance that is expressly excepted from referendum under Section 5.01 of this Charter is effective on the day following publication or such later date as is fixed in it. Every other ordinance passed is effective on the 30th day after its publication, or at such later date as is fixed therein. Every ordinance and resolution adopted by the voters of the city is effective immediately upon its adoption, or at such later time as is fixed therein.

Charter Amendment No. 10, Ordinance No. 77-16, adopted unanimously by the City Council May 17, 1977.
Charter Amendment No. 32, Ordinance 06-09, adopted unanimously by the City Council July 18, 2006.

Section 3.10. Repeal and Amendment of Ordinances and Resolutions. Every ordinance or resolution repealing a previous ordinance or resolution or section or subdivision thereof shall give the number, if any, and the title of the ordinance or resolution to be repealed in whole or in part. Any ordinance or resolution repealing in whole the text of any section or subdivision of a previous ordinance or resolution need not contain the text of the section or subdivision being repealed. No Ordinance or resolution or section or subdivision thereof shall be amended in part by reference to the title alone, but such an amending ordinance or resolution shall set forth in full each section or subdivision to be amended in part and shall indicate new matter by underscoring and old matter to be omitted by lining it through. If repeal or amendment of a section or subdivision requires the renumbering or relettering of another section or subdivision, the ordinance need only state that subsequent sections or subdivisions are to be redesignated as necessary. In publication, in a manner permitted by law, the same indications of omitted and new matter shall be used except that italics or boldface type may be substituted for underscoring and omitted matter may be printed in capital letters within parentheses.

Charter Amendment No. 14, Ordinance No. 84-09, adopted unanimously by City Council May 1, 1984.
Charter Amendment No. 19, Ordinance No. 89-21, adopted unanimously by City Council December 5, 1989.
Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 3.11. Revision and Codification of Ordinances. The council may revise, rearrange, and codify its ordinances and such additions and deletions as may be deemed necessary, except as otherwise provided for under Section 5.08. Such ordinance code shall be published in book, pamphlet, or continuously revised loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public free or at reasonable charge. Publication in such a code shall be a sufficient publication of any ordinance provision not

previously published if a notice is published, in a manner permitted by law, for at least two successive weeks that copies of the codification are available at the office of the city clerk.

Charter Amendment No. 31, Ordinance No. 06-08, adopted unanimously by City Council July 18, 2006.

Section 3.12. Amendments to Zoning Ordinance and Comprehensive Plan. Unless otherwise provided by state law, all amendments to the zoning ordinance and comprehensive plan shall require a four-fifths affirmative vote of the City Council.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 26, Ordinance No. 02-09, adopted unanimously by the City Council August 20, 2002.

A Resolution Supporting the Minnesota Health Plan (SF 1643 and HF 1774) and Medicare for All Act of 2022 (HR 1976 and SR4204)

WHEREAS, total and per person health spending in the U.S. is the highest in the world with actual health outcomes in the areas of chronic disease, infant mortality, life expectancy, maternal mortality, and more, ranked among the worst, compared to other high-income countries; and

WHEREAS, our mix of public and private sources of funding for health care and the resulting multi-payer administrative complexity consumes 34 cents of every health care dollar; and

WHEREAS, the annual rate of increase in health care costs has become an unsustainable burden for individuals, families, and small businesses, as well as municipalities and counties in Minnesota, causing individuals to delay or defer seeking needed care and challenging the ability of local governments to provide affordable health insurance for employees; and

WHEREAS, a 2021 survey by the Minnesota Department of Health found that 20% of Minnesotans went without needed healthcare due to cost; and

WHEREAS, at the current rate of growth, Minnesota's total health spending will double from \$56.6 billion in 2019 to \$104.2 billion in 10 years, representing 19% of our state economy; and

WHEREAS, the uninsurance rate among Minnesotans overall fell to 4.0% In 2021, but increased to 10.2% among persons of color and American Indians, including 7.3% of children, 12.5% of young adults ages 18-34, 12.3% of ages 35-64, and 5.5% of those over age 65; and

WHEREAS, approximately 29 million persons in the U.S. are uninsured and 41 million are underinsured, personal medical debt in the U.S. has spiked to \$195 billion with lower income households particularly hard hit, and persons of color reporting significant medical debt compared to white Americans; and

WHEREAS, two-thirds of personal bankruptcies are related to medical debt, most were insured; and

WHEREAS, a well-designed and efficient universal public health finance system would guarantee all Minnesotans high quality health care regardless of employment status, would reduce the complexity and bureaucracy of our health-care system, and would provide significant financial savings to individuals, businesses, and local government; and

WHEREAS, the cost for healthcare, dental, and other related contributions for the City of Robbinsdale are a large portion of all wages paid by the City, meaning that a payroll-tax funded program would result in significant cost savings; and

WHEREAS, the Minnesota Health Plan (SF 1643 and HP 1774) would create a universal public health finance system that will contain costs and save money and provide high quality, comprehensive health care for every Minnesotan, while relieving both public and private employers of the burden of providing health care benefits; and

WHEREAS, the federal Medicare for All Act of 2021/2022(HR 1976 and SR 4204) would create a similar system at the national level that would guarantee all Americans health coverage regardless of employment status while saving \$2 - \$5 trillion In national health care spending over 10 years; and

WHEREAS, the cost of employee health Insurance for the City of Robbinsdale, under our current multi-payer system of financing health care is consuming resources that could go to other important priorities, such as schools, housing, infrastructure, public safety, and reducing debt.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBBINSDALE:

Affirms that healthcare is a basic human need, which must be guaranteed to all Minnesotans and U.S. residents through a well-designed and efficient public health finance system that guarantees health coverage to all individuals regardless of employment (or citizenship) status.

BE IT FURTHER RESOLVED that to achieve the goal of a well-designed and efficient public health finance system, the City of Robbinsdale endorses the Minnesota Health Plan and the federal Medicare for All Act.

A Resolution Supporting Local Control for Local Elections and Ranked Choice Voting for State and Federal Elections in Minnesota

WHEREAS, Ranked Choice Voting (RCV) is an opportunity to improve elections at the state and federal level where it would promote more civil elections, ensure majority winners in partisan primaries and general elections, eliminate the spoiler problem, reduce extremism and mitigate legislative gridlock by incentivising compromise and problem solving; and

WHEREAS, RCV is used in elections in Maine and Alaska and in countries around the world, including Ireland, Scotland, and Australia; and

WHEREAS, 85 to 95 percent of polled Minnesota voters who use RCV consistently say that RCV is simple to use; and

WHEREAS, a growing number of cities are exploring RCV because it provides a number of benefits over current expensive and low-participation local elections, including:

- Making voting simpler for voters by eliminating the need for local nonpartisan primaries and consolidating two elections into one;
- Saving the cost of primaries altogether in cities with odd-year local elections;
- Demonstrably increasing voter participation;
- Ensuring majority winners in a single election. Voters rank their preferences on the ballot, 1st, 2nd, 3rd and so on. If no candidate receives a majority of first choices, then the least popular candidate is defeated and their ballots are reassigned to those voters' second choices; and this process is repeated until one candidate receives a majority of continuing ballots;
- Making voting easier for deployed military members and other citizens abroad by requiring one less election for them to receive and return their ballots on time;
- Improving the civility of campaigning;
- Reducing the influence of outside money in campaigns; and

WHEREAS, all Minnesota townships and school districts, 86 of 87 counties, and 85 percent of cities fall under the statutory rule for the conduct of local elections and must ask permission of the Legislature to make changes to these rules; and

WHEREAS, local charter (or home rule) cities that hold elections in even years along with state and federal elections must comply with restrictive state partisan ballot design requirements; and

WHEREAS, there are no consistent rules for the administration of Ranked Choice Voting in local jurisdictions in Minnesota; and

WHEREAS, the Ranked Choice Voting (RCV) Local Options bill aims to remove regulatory barriers and extend the authority to adopt Ranked Choice Voting to local statutory jurisdictions; and

WHEREAS, the RCV Local Options bill provides for the flexibility to efficiently include ranked and non-ranked elections on a single ballot; and

WHEREAS, the RCV Local Options bill provides consistent standards for the administration of RCV in cities that choose to use it; and

WHEREAS, the League of Minnesota Cities supports the need for consistent RCV rules for use in Minnesota cities for both even and odd-year local elections; and

WHEREAS, the RCV local options bill contain no mandates, but simply provides local jurisdictions with the permission and tools they need to consider and implement RCV if they wish; and

WHEREAS, the Local Options measure is a significant opportunity to improve elections in cities, counties, townships, and school districts throughout the state.

NOW, THEREFORE, BE IT RESOLVED that the City of Robbinsdale supports Ranked Choice Voting for all state and federal elections. We also support removing regulatory barriers and giving all local jurisdictions in Minnesota the option to use Ranked Choice Voting if they decide it is right for their communities.