

CITY COUNCIL WORK SESSION

November 9, 2022

**After the Robbinsdale Economic Development Authority (REDA) Meeting that
takes place at 7:00 p.m.**

**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: Selman, Backen, Webb, Mayor Blonigan
3. Discussion: Human Rights Commission – Annual Update (Attachment 1) 2
4. Discussion: Just Deeds Presentation (Attachment 2) 3-4
*Information from Just Deeds will be provided prior to, or at the meeting, and included in the minutes
5. Discussion: Public Parking – 42nd Ave N/W Broadway Ave (Attachment 3) 5
6. Problem Properties
7. ADJOURNMENT

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: November 9, 2022

RE: Robbinsdale Human Rights Commission Annual Update

Background:

From time to time, the Robbinsdale Human Rights Commission (HRC) prepares an update for the Robbinsdale City Council. As an advisory body to the Council, the Commission is well served to provide a recap of recent history, and share potential, upcoming goals to ensure they align with the City Council's desires.

The HRC intends to discuss:

- Proposed 2023 community event sponsored jointly between the Robbinsdale Historical Society and the Human Rights Commission.
- Update of the ongoing study of FOIA information received from the city for RPD calls for service related to Nuisance Ordinance Violations.
- Developing a process/procedure when the HRC receives complaints involving city services.
- Review of 2022 HRC goals, and a look ahead to 2023; integration with the goals of other city entities.

In addition to the aforementioned, staff has recommended for consideration:

- Inviting in personnel from the Minnesota Human Rights Commission
- Working with Just Deeds

More information will be provided at the meeting.

Tim Sandvik, City Manager

HENNEPIN COUNTY

MINNESOTA

Discriminatory Restrictive Covenants

The Hennepin County Recorder/Registrar of Titles ("RRT") office facilitated research on the historic use of racially discriminatory covenants by providing the Mapping Prejudice project a dataset of digitized deed documents for all property encompassed within the county, which includes the city of Minneapolis and many adjoining suburbs.

Using optical character recognition technology and analysis and data entry by a team of crowd-sourced volunteers, Mapping Prejudice identified -- for the first time -- the extent of these legal barriers to home ownership. They then took that information and spatially represented it using mapping software. This would have been impossible just a few years ago without the strategic foresight of past county leaders who undertook the digitization of all real property records maintained by the county and a publicly available GIS dataset.

In the continuing effort to educate and broaden the public's understanding on the past use of discriminatory covenants and the lasting impact of racial disparities in American society, the RRT office participated in a county working group which championed a Hennepin County Board Resolution disavowing their use.

After the County Board passed this resolution, the RRT recorded and indexed it against all land in developments that Mapping Prejudice identified as containing at least one discriminatory covenant in the documentary history, with the aim of providing greater notice of properties most likely affected by this practice.

The Board Resolution also made it easier for property owners to disavow discriminatory covenants in their property's history by waiving the standard document recording fee for affidavits allowed by state law.

The RRT has since partnered with groups of concerned citizens, local attorneys, and title professionals (Just Deeds) who are assisting property owners disavow discriminatory covenants. The RRT office provides Just Deeds city affiliates complimentary access to the county's online land records system for this purpose. RRT customer service staff are trained in getting property owners started with general research tips and directing them to the county's public website, which contains referrals to outside resources like Just Deeds and Mapping Prejudice and recording instructions for the affidavit. (<https://www.hennepin.us/residents/property/real-estate-recording-information>)

This ongoing work resulted in multiple tangible and intangible results:

- Increased accessibility for the public to find and disavow discriminatory covenants
- Hennepin County Board of Commissioners passed Resolution No. 20-0373R2 denouncing discriminatory covenants on Oct 20, 2020
- Provided notice of discriminatory covenants in real property records
- This project is a role model for similar efforts across the country
- Hennepin County/Mapping Prejudice (U of M)/Just Deeds partnership
- Leveraging past digital conversion and records retention investments
- Using real property records as a tool for explaining larger cultural story

The efforts for this initiative are widely considered the first of their type in scope and volume and have inspired similar efforts across the country. The awareness of discriminatory covenants has expanded exponentially by the research performed by Mapping Prejudice, which was made possible by the electronic records provided by the Hennepin County Recorder/Registrar of Titles. **This greater knowledge of the past has helped spur conversations on understanding current disparities and inspired actions in creating a more just and equitable future.**

Permanence of Land Records

One of the questions that comes up often is why not alter, redact, or delete the records which include discriminatory covenants. The Property Records Industry Association (PRIA, a national association of stakeholders in all facets of land records management) best answers this question in its paper on Discriminatory Covenants:

“The role of the recorder is to create a permanent, unaltered record of land transactions that is maintained in-perpetuity”, it’s important that they are not altered. Each of the records included in the recorder’s office represents a claim to an interest in a parcel of land. The recorder is not charged with determining the validity or enforceability of any of these claims. Rather, the public record provides notice that someone is asserting a claim. The recording act itself does not effectuate or validate a property claim or any associated action such as a covenant. The efficacy of any specific claim is determined by the courts. **It’s a fundamental principle of the public land records that the recorder maintains the records without alteration.** Even if a claim asserted in a specific document is found to be invalid, the document itself is never removed from the record. Instead, a new document clarifying the status of the claim is entered into the public record to provide notice that the claim is not valid. The accumulation of these documents creates a chain of title that provides the foundation of real property rights in the United States. Without an unalterable chain of title, buying, selling, and collateralizing real property becomes much more difficult and expensive. Removing the discriminatory language from existing documents may appear to be a solution, but contradicts the public land records function, and may also cause unintended consequences.”

Contact

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TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: November 9, 2022

RE: Public Parking – 42nd Ave N/W Broadway Ave

Background:

The City (REDA) owns a piece of property at the intersection of 42nd Ave N and Broadway Ave that is used for Public Parking. The philosophy of maintaining this parking is to alleviate parking concerns for businesses in the area.

Staff has received a number of calls/emails asking about overnight parking. At the November 1, 2022 Regular City Council meeting, the Mayor requested a conversation about its use.

Staff will introduce the item and further provide considerations for the public parking lot. The lot in question, is highlighted below.



Tim Sandvik, City Manager